

SENATE BILL REPORT

ESHB 2427

As of February 25, 2020

Title: An act relating to tackling climate change as a goal of the growth management act.

Brief Description: Tackling climate change as a goal of the growth management act.

Sponsors: House Committee on Environment & Energy (originally sponsored by Representatives Duerr, Springer, Shewmake, Doglio, Fitzgibbon, Ryu, Gregerson, Santos, Tharinger, Davis, Macri, Pollet, Goodman and Wylie).

Brief History: Passed House: 2/16/20, 59-37.

Committee Activity: Local Government: 2/25/20.

Brief Summary of Bill

- Adds, for specified counties and cities, climate change to the planning goals that guide the development and adoption of city and county comprehensive plans and development regulations under the Growth Management Act (GMA).
- Requires the consideration of the climate change planning goal by regional transportation planning organizations and in countywide planning policies under the GMA.

SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Greg Vogel (786-7413)

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land-use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 28 counties, and the cities within those counties, that are obligated to satisfy all planning requirements of the GMA.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The GMA directs jurisdictions that fully plan under the GMA to adopt internally consistent comprehensive land-use plans that are generalized, coordinated land-use policy statements of the governing body. Comprehensive plans are implemented through locally adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

Counties and cities are required to review and, if needed, revise their comprehensive plans and development regulations every eight years. Counties, and the cities within them, are grouped into four different year classes for purposes of when the obligation to review and revise their comprehensive plans commences.

The GMA requires King, Snohomish, Pierce, Clark, Thurston, Kitsap, and Whatcom counties to establish a growth review and evaluation program known as the Buildable Lands Program. In establishing their Buildable Lands Program, these counties must consult with the cities within them. The stated purpose of the Buildable Lands Program is to determine whether the counties and cities are achieving urban densities within urban growth areas (UGA). This determination is accomplished by comparing actual growth and development with the growth and development that was assumed or forecasted in comprehensive plans and planning policies.

Under the GMA, planning jurisdictions must consider 13 nonprioritized goals set forth in statute for the purpose of guiding the adoption of comprehensive plans and development regulations. The GMA planning goals address transportation, housing, urban growth, reducing sprawl, and economic development, among other topics. In addition, the goals and policies of the Shoreline Management Act have been added as a fourteenth goal of the GMA.

Under the GMA, counties that are planning jurisdictions must develop countywide policies that are used to establish a framework from which county and city comprehensive plans are developed and adopted. Countywide planning policies must address certain issues, including policies for adopting urban growth areas and promoting orderly development and provision of urban services, for siting public capital facilities and transportation facilities, and for joint county and city planning within UGAs.

Regional Transportation Planning Organizations. Regional Transportation Planning Organizations (RTPOs) are voluntary associations of local governments within a county, or within geographically contiguous counties, created primarily to prepare a regional transportation plan and to ensure local and regional coordination of transportation planning within a county or counties. There are currently RTPOs covering 38 of the 39 counties in Washington. San Juan County is not part of any RTPO.

Greenhouse Gas Emissions Limits. In 2008, state limits were established for the emissions of greenhouse gases (GHGs) as follows:

- By 2020, overall GHG emissions in the state must be reduced to 1990 levels.
- By 2035, overall GHG emissions in the state must be reduced to 25 percent below 1990 levels.
- By 2050, overall GHG emissions in the state must be reduced to 50 percent below 1990 levels, or 70 percent below the state's expected emissions for that year.

Heat Islands. The term "heat island" describes built up areas that are hotter than nearby rural areas. The annual mean air temperature of a city with one million people or more can be 1.8–5.4°F (1–3°C) warmer than its surroundings. In the evening, the difference can be as high as 22°F (12°C).

Summary of Bill: A climate change goal is added to the GMA. The climate change goal is to:

- help achieve state GHG reduction limits;
- adapt to the effects of a changing climate;
- build resilient infrastructure; and
- protect people and property from natural hazards exacerbated by the changing climate.

The climate change goal is to be considered a guide for purposes of comprehensive plans and development regulations, as well as regional policies, plans, and strategies adopted by RTPOs or as part of county-wide planning policies.

The climate change goal applies to counties with a population of at least 300,000, as determined by the Office of Financial Management, or to counties required to develop a Buildable Lands Program, as well as to the cities within those counties. Other counties and cities are encouraged to consider climate change to be a GMA goal. The state is declared to recognize that cities and counties vary in their capacity to help achieve GHG emission limits through GMA planning.

It is declared to be the intent of the Legislature that new or amended goals under the GMA be adopted at the same time as the next required update of county and city comprehensive plans.

The Office of Financial Management must contract with researchers at the University of Washington or Washington State University for a report to be submitted to the Legislature by July 1, 2021, that assesses ecological and salmonid impacts of urban heat island effects from Washington cities with a population greater than 100,000. The report must also assess how the intensity of urban heat island affects are likely to change with anticipated population growth through 2050, and evaluate impacts from a range of scenarios that include at minimum a best case scenario in which a full suite of urban heat island mitigation best practices are undertaken consistently and a worst case scenario in which no policy measures specific to mitigating urban heat island effects are undertaken.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Planning for climate change is the responsible thing to do and now is the time for action. As we look forward to the next planning cycle, we do believe incorporating climate change is a needed requirement.

Global climate change is one of the most serious threats today to the environment, our economy, and public health. We want to challenge the idea that this will be huge costs. Urban density and reducing sprawl, natural resource industries, open and recreational spaces, and environment are already goals of the GMA. We have a clear and present danger in front of us with climate change, and it should be incorporated into planning practices.

A lot of resources have been put towards supporting efforts mitigate flooding and manage stormwater. We now have a lot of tools to identify an increase in flows and resulting stormwater impacts. It is a prudent investment to utilize this data with this type of planning going forward.

CON: Counties agree that local governments have a role in planning for climate change. Implementing strategies to aid or reverse climate change is the right thing to do. We also believe the GMA needs updating and would like to have discussion about other reforms as well. We believe a broader stakeholder-based discussion is what is called for rather than adding this goal at this time. With the proposed budget proviso, this sets the table for discussion.

This bill also creates an unfunded mandate and would increase costs and permitting time.

OTHER: We agree that climate change issues are worthy of attention and a planning framework could benefit from additional guidance on this front. Many cities are doing this already, but it is concentrated among those who have an opportunity. We are not necessarily opposed to extending this expectation to a broader array of cities, but are going to need some help.

Persons Testifying: PRO: Representative Davina Duerr, Prime Sponsor; Bryce Yadon, Futurewise; Phyllis Farrell, Washington League of Women; Greg Rock, Carbon Washington; Justin Allegro, The Nature Conservancy.

CON: Paul Jewell, Washington State Association of Counties; Steve Gano, Building Industry Association of Washington.

OTHER: Carl Schroeder, Association of Washington Cities.

Persons Signed In To Testify But Not Testifying: No one.