

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1170

68th Legislature
2023 Regular Session

Passed by the House April 13, 2023
Yeas 87 Nays 10

**Speaker of the House of
Representatives**

Passed by the Senate April 8, 2023
Yeas 34 Nays 14

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1170** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1170

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By House Appropriations (originally sponsored by Representatives Street, Couture, Berry, Ramel, Fitzgibbon, Lekanoff, Duerr, Thai, and Pollet; by request of Department of Ecology)

READ FIRST TIME 02/14/23.

1 AN ACT Relating to improving climate resilience through updates
2 to the state's integrated climate response strategy; amending RCW
3 70A.05.010, 70A.05.020, 70A.05.030, and 70A.05.040; adding new
4 sections to chapter 70A.05 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that Washington
7 is already experiencing negative community and environmental impacts
8 due to climate change with disproportionate impacts to certain
9 communities and populations and further finds that actions to
10 increase climate resilience, as defined in RCW 70A.65.010, can help
11 prevent and reduce impacts to communities and ecosystems.

12 (2) The legislature further finds that greater cross-agency
13 coordination on resilience, including an updated statewide climate
14 resilience strategy, will help the state: Avoid high costs in the
15 future; address and reduce the highest risks and greatest
16 vulnerabilities; create more efficiencies; better leverage funding;
17 foster more equitable outcomes; and provide for greater
18 accountability.

19 (3) The legislature further finds that RCW 70A.65.050 requires an
20 updated statewide strategy for addressing climate risks and improving
21 resilience of communities and ecosystems. Therefore, the legislature

1 intends to direct the department of ecology to update and modernize
2 the *2012 Integrated Climate Response Plan* with the assistance of
3 other state agencies.

4 (4) The legislature intends for the department of natural
5 resources to continue pursuing climate resilience actions on the
6 public lands they manage and to collaborate with other state agencies
7 in statewide climate resilience efforts.

8 **Sec. 2.** RCW 70A.05.010 and 2009 c 519 s 10 are each amended to
9 read as follows:

10 (1) The departments of ecology, agriculture, ~~((community, trade,~~
11 ~~and economic development))~~ commerce, health, fish and wildlife,
12 natural resources, and transportation, the state conservation
13 commission, the Puget Sound partnership, and the emergency management
14 division shall develop an integrated climate change response strategy
15 to better enable the state ~~((and local agencies, public and private~~
16 ~~businesses, nongovernmental organizations, and individuals))~~ to
17 prepare for, address, and adapt to the impacts of climate change. The
18 integrated climate change response strategy should be developed~~((~~
19 ~~where feasible and consistent with the direction of the strategy,))~~
20 in collaboration with local government agencies and tribal
21 governments with climate change preparation and adaptation plans to
22 the extent feasible.

23 (2) The department of ecology shall serve as a central
24 ~~((clearinghouse for relevant scientific and technical information~~
25 ~~about the impacts of climate change on Washington's ecology, economy,~~
26 ~~and society, as well as serve as a central))~~ convener for the
27 development of vital programs and necessary policies to help the
28 state adapt to a rapidly changing climate.

29 (3) The department of ecology shall consult and collaborate with,
30 at a minimum, the departments of fish and wildlife, agriculture,
31 ~~((community, trade, and economic development))~~ commerce, health,
32 natural resources, and transportation, the state conservation
33 commission, the Puget Sound partnership, and the emergency management
34 division in developing and implementing an integrated climate change
35 response strategy and plans of action to prepare for and adapt to
36 climate change impacts. Other state agencies may choose to
37 participate in the process.

38 (4) The department of ecology will engage other relevant state
39 agencies to ensure that other climate resilience actions such as

1 those related to worker safety and community response are
2 incorporated in the updated strategy.

3 (5) In updating the integrated climate response strategy, the
4 department of ecology shall collaborate and engage with local
5 governments, tribal governments, nongovernmental organizations,
6 public and private businesses, and overburdened communities as
7 defined in RCW 70A.02.010. In developing the engagement plan for
8 development of the strategy, the department of ecology shall announce
9 the opportunity to participate and include, to the extent possible,
10 organizations that express interest in participating. The department
11 of ecology shall also use guidance from the office of equity, the
12 environmental justice council, the community engagement plan adopted
13 under RCW 70A.02.050, and tribal consultation framework adopted under
14 RCW 70A.02.100 to direct agency engagement with historically or
15 currently marginalized groups, overburdened communities, vulnerable
16 populations, and tribal governments.

17 (6) (a) The department of ecology shall work with the University
18 of Washington climate impacts group to ensure the state has access to
19 relevant scientific and technical information about the impacts of
20 climate change on Washington's ecology, economy, public health, and
21 society, including a central location for accessing this information
22 and use of any existing climate impact tools.

23 (b) The University of Washington climate impacts group will
24 explore opportunities to partner with other data providers and
25 leverage existing tools that can help further the understanding of
26 climate impacts, such as the department of health's Washington
27 tracking network.

28 (c) The University of Washington climate impacts group must
29 examine existing best practices and new methods that could be used to
30 measure and evaluate climate change resilience for the purpose of
31 better understanding and tracking how investments made in climate
32 change resilience translate into outcomes. The results of this
33 examination must be provided to the legislature by June 1, 2024.

34 **Sec. 3.** RCW 70A.05.020 and 2009 c 519 s 11 are each amended to
35 read as follows:

36 (1) The integrated climate change response strategy should
37 address the impact of and adaptation to climate change, as well as
38 the regional capacity to undertake actions, existing ecosystem and
39 resource management concerns, and health and economic risks. ((~~It~~

1 ~~addition, the departments of ecology, agriculture, community, trade,~~
2 ~~and economic development, fish and wildlife, natural resources, and~~
3 ~~transportation should include)) Agencies should consider a range of
4 scenarios and time scales for the purposes of planning in order to
5 assess ~~((project vulnerability and, to the extent feasible,))~~
6 vulnerability of state assets and services and inform agency actions
7 to reduce expected risks and increase resiliency to the impacts of
8 climate change.~~

9 (2) (a) By ~~((December 1, 2011))~~ September 30, 2024, the department
10 of ecology shall compile an ~~((initial))~~ updated climate change
11 response strategy, including information and data from the
12 departments of fish and wildlife, agriculture, ~~((community, trade,~~
13 ~~and economic development))~~ commerce, health, natural resources, and
14 transportation, the state conservation commission, the Puget Sound
15 partnership, and the emergency management division that: ~~((Summarizes~~
16 ~~the best known science on climate change impacts to Washington;~~
17 ~~assesses Washington's vulnerability to the identified climate change~~
18 ~~impacts; prioritizes))~~ Prioritizes solutions that can be implemented
19 within and across state agencies; and identifies recommended funding
20 ~~((mechanisms))~~ and technical and other essential resources for
21 implementing solutions.

22 (b) The ~~((initial))~~ strategy must include:

23 (i) ~~((Efforts to identify priority planning areas for action,~~
24 ~~based on vulnerability and risk assessments;~~

25 ~~(ii) Barriers challenging state and local governments to take~~
26 ~~action, such as laws, policies, regulations, rules, and procedures~~
27 ~~that require revision to adequately address adaptation to climate~~
28 ~~change;~~

29 ~~(iii) Opportunities to integrate climate science and projected~~
30 ~~impacts into planning and decision making; and~~

31 ~~(iv) Methods to increase public awareness of climate change, its~~
32 ~~projected impacts on the community, and to build support for~~
33 ~~meaningful adaptation policies and strategies))~~ A summary of each
34 agency's current climate resilience priorities, plans, and actions;

35 (i) Strategies and actions to address the highest climate
36 vulnerabilities and risks to Washington's communities and ecosystems;

37 (ii) A lead agency or group of agencies assigned to implement
38 actions; and

1 (iv) Key gaps to advancing climate resilience actions, including
2 in state laws, policies, regulations, rules, procedures, and agency
3 technical capacity.

4 (c) The strategy must be guided by the following principles:

5 (i) Prioritize actions that both reduce greenhouse gas emissions
6 and build climate preparedness;

7 (ii) Protect the state's most overburdened communities and
8 vulnerable populations and provide more equitable outcomes;

9 (iii) Prioritize actions that deploy natural solutions, restore
10 habitat, or reduce stressors that exacerbate climate impacts.
11 Specifically, prioritized actions must include those related to
12 drought resilience, flood risk mitigation, forest health, urban heat
13 islands and the impacts of the built environment on the natural
14 environment, Puget Sound health, and mitigating expected impacts on
15 outdoor recreation opportunities;

16 (iv) Prioritize actions that promote and protect human health;

17 (v) Consider flexible and adaptive approaches for preparing for
18 uncertain climate impacts, where relevant; and

19 (vi) Address the risks in each geographic region of the state
20 with appropriate scope, scale, and urgency.

21 (3) By September 30, 2024, the department of ecology, in
22 coordination with partner agencies, shall provide recommendations to
23 the governor's office and relevant committees of the legislature,
24 consistent with RCW 70A.65.050, on a durable structure for
25 coordinating and implementing the state's climate resilience
26 strategy, including a process for prioritizing and coordinating
27 funding for climate resilience actions across agencies.

28 (4) The department of ecology shall update the climate response
29 strategy every four years and provide interim biennial work plans to
30 the governor's office that report on implementation progress and
31 summarize agency needs and priorities for biennial budget planning
32 processes starting by September 30, 2025.

33 (5) Agencies responsible for implementing actions in the updated
34 strategy shall provide information needed for reporting to the
35 department of ecology by August 15th of odd-numbered years starting
36 in 2025. Agencies may identify and include any resources needed to
37 carry out duties under RCW 70A.05.040.

38 **Sec. 4.** RCW 70A.05.030 and 2009 c 519 s 12 are each amended to
39 read as follows:

1 The department((s)) of ecology(~~(, agriculture, community, trade,~~
2 ~~and economic development, fish and wildlife, natural resources, and~~
3 ~~transportation)) and partner agencies may consult with qualified
4 nonpartisan experts from the scientific community including, but not
5 limited to, the University of Washington's climate impacts group, as
6 needed to assist with (~~developing an~~) updating the integrated
7 climate change response strategy. The qualified nonpartisan experts
8 from the scientific community may assist the department of ecology on
9 the following components:~~

10 (1) Identifying (~~the timing and extent of impacts from climate~~
11 ~~change;~~

12 ~~(2) Assessing the effects of climate variability and change in~~
13 ~~the context of multiple interacting stressors or impacts;~~

14 ~~(3) Developing forecasting models;~~

15 ~~(4) Determining the resilience of the environment, natural~~
16 ~~systems, communities, and organizations to deal with potential or~~
17 ~~actual impacts of climate change and the vulnerability to which a~~
18 ~~natural or social system is susceptible to sustaining damage from~~
19 ~~climate change impacts; and~~

20 ~~(5))~~ best practices and processes for prioritizing resilience
21 actions and assessing the effectiveness of potential actions;

22 (2) Developing a process for identifying metrics and measuring
23 progress and success towards statewide resilience goals;

24 (3) Analyzing opportunities and gaps in current agency resilience
25 efforts; and

26 (4) Identifying other issues, as determined by the department of
27 ecology, necessary to develop policies and actions for the integrated
28 climate change response strategy.

29 **Sec. 5.** RCW 70A.05.040 and 2009 c 519 s 13 are each amended to
30 read as follows:

31 State agencies shall (~~strive to incorporate adaptation plans of~~
32 ~~action)) consider current and future climate change impacts to the
33 extent allowed under existing statutory authority and incorporate
34 climate resilience and adaptation actions as priority activities when
35 planning (~~or~~), designing, revising, or implementing relevant agency
36 policies and programs. Agencies shall consider: The integrated
37 climate change response strategy when designing, planning, and
38 funding infrastructure projects; and incorporating natural resource~~

1 adaptation actions and alternative energy sources when designing and
2 planning infrastructure projects.

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 70A.05
4 RCW to read as follows:

5 (1) The department of ecology shall work with the office of
6 financial management and other relevant state agencies and entities
7 to facilitate coordination of a state response to federal funding
8 opportunities related to climate resilience.

9 (2) In seeking to better coordinate funding for climate
10 resilience, the department of ecology must develop an interagency
11 work group structure and may leverage any existing forums such as the
12 interagency, multijurisdictional system improvement team established
13 in RCW 43.155.150.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 70A.05
15 RCW to read as follows:

16 (1) By September 30, 2024, the department of ecology shall
17 provide the estimated state agency costs for implementing the updated
18 climate response strategy, including existing programs and new
19 recommended actions, to the governor and appropriate committees of
20 the legislature. Estimated state agency costs should be projected
21 over two, four, and 10-year time frames.

22 (2) The department of ecology shall track funding appropriated by
23 the legislature for implementing the strategy and include this
24 information as part of reporting to the governor's office on odd-
25 numbered years starting in 2025.

26 NEW SECTION. **Sec. 8.** A new section is added to chapter 70A.05
27 RCW to read as follows:

28 Nothing in this chapter creates any new or additional regulatory
29 authority for any state agency.

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