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**SUBSTITUTE SENATE BILL 5093**

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**State of Washington**

**68th Legislature**

**2023 Regular Session**

**By** Senate Environment, Energy & Technology (originally sponsored by Senators Rolfes, Lovelett, Hasegawa, Kuderer, Liias, Nguyen, Pedersen, Salomon, Valdez, and Wellman; by request of Department of Ecology)

READ FIRST TIME 01/30/23.

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

30 (1) The integrated climate change response strategy should  
31 address the impact of and adaptation to climate change, as well as  
32 the regional capacity to undertake actions, existing ecosystem and  
33 resource management concerns, and health and economic risks. (~~In~~  
34 ~~addition, the departments of ecology, agriculture, community, trade,~~  
35 ~~and economic development, fish and wildlife, natural resources, and~~  
36 ~~transportation should include)) Agencies should consider a range of  
37 scenarios and time scales for the purposes of planning in order to  
38 assess ((~~project vulnerability and, to the extent feasible,~~))  
39 vulnerability of state assets and services and inform agency actions~~

1 to reduce expected risks and increase resiliency to the impacts of  
2 climate change.

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

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

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

19 ~~(ii) Barriers challenging state and local governments to take~~  
20 ~~action, such as laws, policies, regulations, rules, and procedures~~  
21 ~~that require revision to adequately address adaptation to climate~~  
22 ~~change;~~

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

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

29 (ii) Strategies and actions to address the highest climate  
30 vulnerabilities and risks to Washington's communities and ecosystems;

31 (iii) A lead agency or group of agencies assigned to implement  
32 actions; and

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

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

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

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

1 (iii) Prioritize actions that deploy natural solutions, restore  
2 habitat, or reduce stressors that exacerbate climate impacts;  
3 (iv) Prioritize actions that promote and protect human health;  
4 (v) Consider flexible and adaptive approaches for preparing for  
5 uncertain climate impacts, where relevant.

6 (3) By September 30, 2024, the department of ecology, in  
7 coordination with partner agencies, shall provide recommendations to  
8 the governor's office and relevant committees of the legislature,  
9 consistent with RCW 70A.65.050, on a durable structure for  
10 coordinating and implementing the state's climate resilience  
11 strategy, including a process for prioritizing and coordinating  
12 funding for climate resilience actions across agencies.

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

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

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

25 The department(~~(s)~~) of ecology(~~(, agriculture, community, trade,~~  
26 ~~and economic development, fish and wildlife, natural resources, and~~  
27 ~~transportation)) and partner agencies may consult with qualified  
28 nonpartisan experts from the scientific community including, but not  
29 limited to, the University of Washington's climate impacts group, as  
30 needed to assist with (~~(developing an~~)) updating the integrated  
31 climate change response strategy. The qualified nonpartisan experts  
32 from the scientific community may assist the department of ecology on  
33 the following components:~~

34 (1) ~~Identifying ((the timing and extent of impacts from climate~~  
35 ~~change;~~

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

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

1 ~~(4) Determining the resilience of the environment, natural~~  
2 ~~systems, communities, and organizations to deal with potential or~~  
3 ~~actual impacts of climate change and the vulnerability to which a~~  
4 ~~natural or social system is susceptible to sustaining damage from~~  
5 ~~climate change impacts; and~~

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

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

10 (3) Analyzing opportunities and gaps in current agency resilience  
11 efforts; and

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

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

17 State agencies shall (~~strive to incorporate adaptation plans of~~  
18 ~~action~~) consider current and future climate change impacts to the  
19 extent allowed under existing statutory authority and incorporate  
20 climate resilience and adaptation actions as priority activities when  
21 planning (~~or~~), designing, revising, or implementing relevant agency  
22 policies and programs. Agencies shall consider: The integrated  
23 climate change response strategy when designing, planning, and  
24 funding infrastructure projects; and incorporating natural resource  
25 adaptation actions and alternative energy sources when designing and  
26 planning infrastructure projects.

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

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

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

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

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

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

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