

ESSB 6580 - H COMM AMD  
By Committee on Appropriations

ADOPTED AND ENGROSSED 03/06/2008

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature recognizes that the  
4 implications of a changed climate will affect the people, institutions,  
5 and economies of Washington. The legislature also recognizes that it  
6 is in the public interest to reduce the state's dependence upon foreign  
7 sources of carbon fuels that do not promote energy independence or the  
8 economic strength of the state. The legislature finds that the state,  
9 including its counties, cities, and residents, must engage in  
10 activities that reduce greenhouse gas emissions and dependence upon  
11 foreign oil.

12 (2) The legislature further recognizes that: (a) Patterns of land  
13 use development influence transportation-related greenhouse gas  
14 emissions and the need for foreign oil; (b) fossil fuel-based  
15 transportation is the largest source of greenhouse gas emissions in  
16 Washington; and (c) the state and its residents will not achieve  
17 emission reductions established in RCW 80.80.020 without a significant  
18 decrease in transportation emissions.

19 (3) The legislature, therefore, finds that it is in the public  
20 interest of the state to provide appropriate legal authority, where  
21 required, and to aid in the development of policies, practices, and  
22 methodologies that may assist counties and cities in addressing  
23 challenges associated with greenhouse gas emissions and our state's  
24 dependence upon foreign oil.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.70A RCW  
26 to read as follows:

27 (1) The department must develop and provide to counties and cities  
28 a range of advisory climate change response methodologies, a computer  
29 modeling program, and estimates of greenhouse gas emission reductions

1 resulting from specific measures. The advisory methodologies, computer  
2 modeling program, and estimates must reflect regional and local  
3 variations and the diversity of counties and cities planning under RCW  
4 36.70A.040. Advisory methodologies, the computer modeling program,  
5 estimates, and guidance developed under this section must be consistent  
6 with recommendations developed by the advisory policy committee  
7 established in section 4 of this act.

8 (2) The department, in complying with this section, must work with  
9 the department of transportation on reductions of vehicle miles  
10 traveled through efforts associated with, and independent of, the  
11 process directed by RCW 47.01.--- (section 8, chapter . . . (E2SHB  
12 2815)), Laws of 2008.

13 (3) The department must complete and make available the advisory  
14 climate change response methodologies, computer program, and estimates  
15 required by this section by December 1, 2009. The advisory climate  
16 change response methodologies, computer program, and estimates must be  
17 updated two years before each completion date established in RCW  
18 36.70A.130(4)(a).

19 (4) This section expires January 1, 2011.

20 NEW SECTION. **Sec. 3.** (1) A local government global warming  
21 mitigation and adaptation program is established. The program must be  
22 administered by the department of community, trade, and economic  
23 development and must conclude by June 30, 2010. The department must,  
24 through a competitive process, select three or fewer counties and six  
25 or fewer cities for the program. Counties selected must reflect a  
26 range of opportunities to address climate change in urbanizing,  
27 resource, or agricultural areas. Cities selected must reflect a range  
28 of sizes, geographic locations, and variations between those that are  
29 highly urbanized and those that are less so that have more residential  
30 dwellings than employment positions.

31 (2) The program is established to assist the selected counties and  
32 cities that: (a) Are addressing climate change through their land use  
33 and transportation planning processes; and (b) aspire to address  
34 climate change through their land use and transportation planning  
35 processes, but lack necessary resources to do so. The department of  
36 community, trade, and economic development may fund proposals to  
37 inventory and mitigate global warming emissions, or adapt to the

1 adverse impacts of global warming, using criteria it develops to  
2 accomplish the objectives of this section and sections 2 and 4 of this  
3 act.

4 (3) The department of community, trade, and economic development  
5 must provide grants and technical assistance to aid the selected  
6 counties and cities in their efforts to anticipate, mitigate, and adapt  
7 to global warming and its associated problems. The department, in  
8 providing grants and technical assistance, must ensure that grants and  
9 assistance are awarded to counties and cities meeting the criteria  
10 established in subsection (2)(a) and (b) of this section.

11 (4) The department of community, trade, and economic development  
12 must provide a report of program findings and recommendations to the  
13 governor and the appropriate committees of the house of representatives  
14 and the senate by January 1, 2011. The report must also consider the  
15 positive and negative impacts to affordable housing, employment,  
16 transportation costs, and economic development that result from  
17 addressing the impacts of climate change at the local level.

18 (5) This section expires January 1, 2011.

19 NEW SECTION. **Sec. 4.** (1)(a) With the use of funds provided by  
20 specific appropriation, the department must prepare a report that  
21 includes:

22 (i) Descriptions of actions counties and cities are taking to  
23 address climate change issues. The department must use readily  
24 available information when completing the requirements of this  
25 subsection (1)(a)(i);

26 (ii) Recommendations of changes, if any, to chapter 36.70A RCW and  
27 other relevant statutes that would enable state and local governments  
28 to address climate change issues and the need to reduce dependence upon  
29 foreign oil through land use and transportation planning processes;

30 (iii) Descriptions of existing and potential computer modeling and  
31 other analytic and assessment tools that could be used by counties and  
32 cities in addressing their proprietary and regulatory activities to  
33 reduce greenhouse gas emissions and/or dependence upon foreign oil;

34 (iv) Considerations of positive and negative impacts to affordable  
35 housing, employment, transportation costs, and economic development  
36 that result from addressing the impacts of climate change at the local  
37 level;

1 (v) Assessments of state and local resources, financial and  
2 otherwise, needed to fully implement recommendations resulting from and  
3 associated with (a)(ii) and (iii) of this subsection; and

4 (vi) Recommendations for additional funding to implement the  
5 recommendations resulting from (a)(ii) of this subsection.

6 (b) The department must submit the report required by this section  
7 to the governor and the appropriate committees of the house of  
8 representatives and the senate by December 1, 2008.

9 (2)(a) In preparing the report required by this section, the  
10 department must convene an advisory policy committee, with members as  
11 provided in this subsection.

12 (i) The speaker of the house of representatives must appoint one  
13 member from each of the two largest caucuses of the house of  
14 representatives.

15 (ii) The president of the senate must appoint one member from each  
16 of the two largest caucuses of the senate.

17 (iii) Three elected official members representing counties and five  
18 elected official members representing cities. Members appointed under  
19 this subsection (2)(a)(iii) must represent each of the jurisdictional  
20 areas of growth management hearings boards and must be appointed by  
21 state associations representing counties and cities.

22 (iv) One member representing tribal governments, appointed by the  
23 governor.

24 (b) Recommendations produced by the department under this section  
25 must be approved by a majority of the voting members of the advisory  
26 policy committee.

27 (c) The advisory policy committee must have the following nonvoting  
28 ex officio members:

29 (i) One member representing the office of the governor;

30 (ii) One member representing an association of builders;

31 (iii) One member representing an association of real estate  
32 professionals;

33 (iv) One member representing an association of local government  
34 planners;

35 (v) One member representing an association of agricultural  
36 interests;

37 (vi) One member representing a nonprofit entity with experience in  
38 growth management and land use planning issues;

- 1 (vii) One member representing a statewide business association;  
2 (viii) One member representing a nonprofit entity with experience  
3 in climate change issues;  
4 (ix) One member representing a nonprofit entity with experience in  
5 mobility and transportation issues;  
6 (x) One member representing an association of office and industrial  
7 properties;  
8 (xi) One member representing an association of architects; and  
9 (xii) One member representing an association of commercial forestry  
10 interests.

11 (d)(i) The department, in preparing the report and presenting  
12 information and recommendations to the advisory policy committee, must  
13 convene a technical support team, with members as provided in this  
14 subsection.

15 (A) The department of ecology must appoint one member representing  
16 the department of ecology.

17 (B) The department must appoint one member representing the  
18 department.

19 (C) The department of transportation must appoint one member  
20 representing the department of transportation.

21 (ii) The department, in complying with this subsection (2)(d), must  
22 consult with the professional staffs of counties and cities or their  
23 state associations, and regional transportation planning organizations  
24 and must solicit assistance from these staffs in developing materials  
25 and options for consideration by the advisory policy committee.

26 (3) Nominations for organizations represented in subsection (2) of  
27 this section must be submitted to the department by April 15, 2008.

28 (4) For purposes of this section, "department" means the department  
29 of community, trade, and economic development.

30 (5) This section expires December 31, 2008.

31 **Sec. 5.** RCW 36.70A.280 and 2003 c 332 s 2 are each amended to read  
32 as follows:

33 (1) A growth management hearings board shall hear and determine  
34 only those petitions alleging either:

35 (a) That, except as provided otherwise by this subsection, a state  
36 agency, county, or city planning under this chapter is not in  
37 compliance with the requirements of this chapter, chapter 90.58 RCW as

1 it relates to the adoption of shoreline master programs or amendments  
2 thereto, or chapter 43.21C RCW as it relates to plans, development  
3 regulations, or amendments, adopted under RCW 36.70A.040 or chapter  
4 90.58 RCW. Nothing in this subsection authorizes a board to hear  
5 petitions alleging noncompliance with section 3 of this act; or

6 (b) That the twenty-year growth management planning population  
7 projections adopted by the office of financial management pursuant to  
8 RCW 43.62.035 should be adjusted.

9 (2) A petition may be filed only by: (a) The state, or a county or  
10 city that plans under this chapter; (b) a person who has participated  
11 orally or in writing before the county or city regarding the matter on  
12 which a review is being requested; (c) a person who is certified by the  
13 governor within sixty days of filing the request with the board; or (d)  
14 a person qualified pursuant to RCW 34.05.530.

15 (3) For purposes of this section "person" means any individual,  
16 partnership, corporation, association, state agency, governmental  
17 subdivision or unit thereof, or public or private organization or  
18 entity of any character.

19 (4) To establish participation standing under subsection (2)(b) of  
20 this section, a person must show that his or her participation before  
21 the county or city was reasonably related to the person's issue as  
22 presented to the board.

23 (5) When considering a possible adjustment to a growth management  
24 planning population projection prepared by the office of financial  
25 management, a board shall consider the implications of any such  
26 adjustment to the population forecast for the entire state.

27 The rationale for any adjustment that is adopted by a board must be  
28 documented and filed with the office of financial management within ten  
29 working days after adoption.

30 If adjusted by a board, a county growth management planning  
31 population projection shall only be used for the planning purposes set  
32 forth in this chapter and shall be known as a "board adjusted  
33 population projection". None of these changes shall affect the  
34 official state and county population forecasts prepared by the office  
35 of financial management, which shall continue to be used for state  
36 budget and planning purposes.

1        NEW SECTION.   **Sec. 6.**   This act is not intended to amend or affect  
2        chapter 353, Laws of 2007.

3        NEW SECTION.   **Sec. 7.**   This act is necessary for the immediate  
4        preservation of the public peace, health, or safety, or support of the  
5        state government and its existing public institutions, and takes effect  
6        immediately.

7        NEW SECTION.   **Sec. 8.**   If specific funding for the purposes of  
8        section 2 of this act, referencing section 2 of this act by bill or  
9        chapter number and section number, is not provided by June 30, 2008, in  
10       the omnibus appropriations act, section 2 of this act is null and void.

11       NEW SECTION.   **Sec. 9.**   If specific funding for the purposes of  
12       section 3 of this act, referencing section 3 of this act by bill or  
13       chapter number and section number, is not provided by June 30, 2008, in  
14       the omnibus appropriations act, section 3 of this act is null and void.

15       NEW SECTION.   **Sec. 10.**   If specific funding for the purposes of  
16       this act, referencing this act by bill or chapter number, is not  
17       provided by June 30, 2008, in the omnibus appropriations act, this act  
18       is null and void."

19       Correct the title.

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