

SENATE BILL REPORT

SB 5138

As Reported by Senate Committee On:
Environment, Water & Energy, February 20, 2009
Ways & Means, March 2, 2009

Title: An act relating to an integrated climate change response strategy.

Brief Description: Creating an integrated climate change response strategy.

Sponsors: Senators Rockefeller, Ranker, Jacobsen, Shin, Kohl-Welles, Kline and Pridemore.

Brief History:

Committee Activity: Environment, Water & Energy: 2/13/09, 2/20/09 [DPS-WM, DNP].
Ways & Means: 2/27/09, 3/02/09 [DP2S, DNP, w/oRec].

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: That Substitute Senate Bill No. 5138 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser, Hatfield, Ranker and Sheldon.

Minority Report: Do not pass.

Signed by Senators Honeyford, Ranking Minority Member; Delvin, Holmquist and Morton.

Staff: Jan Odano (786-7486)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5138 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray, Oemig, Pridemore and Rockefeller.

Minority Report: Do not pass.

Signed by Senators Zarelli, Ranking Minority Member; Carrell, Honeyford and Schoesler.

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.

Minority Report: That it be referred without recommendation.

Signed by Senators Brandland, Hewitt and Parlette.

Staff: Maria Hovde (786-7710)

Background: There are two primary approaches for addressing climate change: mitigation and adaptation. Mitigation includes strategies such as reducing the amount of greenhouse gases emissions and carbon sequestration. Adaptation and preparation includes activities to maintain natural and human systems under climate stress.

The impacts of climate change vary by location. For instance, the U.S. Southwest may experience greater drought and higher temperatures, whereas in many other regions there may be increased precipitation. The Northwest is projected to have more winter flooding and reduced summer stream flows, which would impact irrigation, fish, and hydropower. Decreased water availability may bring drought conditions that would exacerbate forest fire hazards, extend the fire season, and increase fire danger in areas already subject to fires. The impacts of climate change may also affect businesses and local economies. Farming, forestry, water resources, tourism, and transportation could suffer losses. The National Conference of Legislatures states that climate change may be costly to states, which will vary depending on the sectors that the state relies upon.

Executive Order 0-02, Washington Climate Change Challenge, directed the Departments of Ecology (Ecology) and Community, Trade & Economic Development to develop recommendations for specific steps that should be taken to prepare for the impact of climate change and to propose strategies for climate change preparation and adaptation. Through the Climate Action Team (CAT), the Preparation and Adaptation Working Groups (PAWGs) were formed. The PAWGs were structured around five sectors: agriculture, forestry resources, human health, water resources and quality, and coastal infrastructure. The PAWGs began an initial assessment of opportunities to prepare and adapt to climate change. They identified several recurring themes including that early actions are needed while scientific knowledge is improved; impact of climate change on water resources has broad economic consequences; there are biological and social implications across all sectors; there is a need to restore and maintain ecosystems; preparation and adaptation activities must recognize the variability of potential impacts of climate change on sectors and geographic areas within the state; some populations are affected disproportionately; and preparation and adaptation is costly. The CAT scope of work in 2008 did not include further development of recommendations for preparation and adaptation. However, the CAT recommends that efforts should be renewed and include a coordinated multi-agency and sector effort to provide tools, resources, and information to governments, businesses, and citizens. These tools, resources, and information are necessary to make informed planning decisions, to protect and restore natural systems, and to adjust the provision of basic services as necessary due to climate change.

Summary of Bill (Recommended Second Substitute): The Departments of Ecology (Ecology), Natural Resources (DNR), Fish and Wildlife (WDFW), and Transportation (DOT), are the lead agencies for assessing and gathering information needed to develop a comprehensive and coordinated climate change adaptation strategy. Ecology must consult and collaborate with the departments in the development of the strategy and actions to

prepare for and adapt to climate change impacts. Ecology serves as the central clearinghouse for scientific and technical information about the impacts of climate change to the economy, environment, and society. Each department has its own focus: DNR on forest health issues; WDFW on biodiversity, resiliency and vulnerability of the natural environments; and DOT on infrastructure projects, and vulnerability of the built environment.

An integrated climate change response strategy must be developed for state and local entities, public and private businesses, nongovernmental organizations, and individuals to prepare for and to adapt and address the impacts of climate change. The strategy must include prioritized and coordinated preparation and adaptation activities to assist with planning and preparing for the impacts of climate change. The strategy should address the impact of climate change, adaptation to climate change, as well as the regional capacity to undertake climate change preparation and adaptation activities, existing ecosystem and resource management issues, and health and economic risks. The strategy must summarize the best known science on climate change impacts to the state, assess the state's vulnerability to identified climate change impacts, prioritize solutions, and identify recommended funding mechanisms.

In developing the strategy, the departments may seek assistance from a science advisory group (SAG), as well as consult with other state, federal, and local agencies with expertise in matters relating to climate change. The SAG must provide independent, nonrepresentational scientific advice. Ecology must request the Washington Academy of Sciences to provide a list of candidates for membership to the SAG to the chair of the group. The chair of the SAG may also seek advice from the scientific community to develop membership for the SAG.

State agencies should incorporate adaptation plans of action as priority activities when developing agency policies or programs. Agencies must consider the strategy when designing, planning, and funding infrastructure projects; and must consider incorporating natural resource adaptation actions and alternative energy sources when designing and planning infrastructure projects.

If specific funding for the purposes of this act is not provided by June 30, 2009, in the omnibus appropriations act this act is null and void.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Second Substitute): Removes references to the state climatologist and specifies that if funding for the purposes of this act is not provided by June 30, 2009, in the omnibus appropriations act this act is null and void.

EFFECT OF CHANGES MADE BY ENVIRONMENT, WATER & ENERGY COMMITTEE (Recommended First Substitute): Streamlines the group developing the strategy to four state agencies and extends the completion date for the final strategy to 2013.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill (Environment, Water & Energy):

PRO: This proactive approach is necessary to provide a coordinated strategy that will gather valuable information necessary to prepare for climate change. This bill allows for climate change coordination among agencies and also contains a key provision of public education. It is critical for these activities to go forward. Climate change affects every action of WDFW.

Persons Testifying (Environment, Water & Energy): PRO: Nancy Boyd, WSDOT; Dave Siburg, Kitsap PUD; Dan Cheney, Pacific Shellfish Institute; Patty Glick, National Wildlife Federation; Bridget Moran, WDFW; Craig Partridge, DNR; Bill Robinson, The Nature Conservancy; Spencer Reeder, Ecology.

Staff Summary of Public Testimony on First Substitute Bill (Ways & Means):

PRO: We are experiencing effects of climate change right now in the form of more intense forest fires and increases in pest infestations that are harming Eastern Washington forests. DNR welcomes the active role it would play in this bill. Climate variations are real and have an impact in our state that is not just ecological but also financial. Evidence of this has been found in what the insurance industry is doing in many areas to accommodate the increased risk and cost to homes from wildfires. It is key for state agencies to do something similar to prepare in order to minimize costs and to ensure that human and natural environments are resilient in the future. There are a number of actions state agencies could take to reduce costs, such as removing duff in the forests and improving forest health in order to make them more resilient to climate change. It takes time to develop a long-term strategy and to do that coordination is key. The current fiscal note assumes that the activities in this bill would be added to current activities, but the time is now to think about how we conduct our current activities. There may be immediate costs, but the long-term benefits are enormous.

Persons Testifying (Ways & Means): PRO: Craig Partridge, DNR; Darcy Nonemacker, American Rivers; Bill Robinson, The Nature Conservancy.