



# BILL BRIEF

## HB 1181 – GMA Climate Change & Resiliency

### Key provisions

- Adds as mandatory issues to the Growth Management Act (GMA) planning process: climate change, resiliency, reducing per capital vehicle miles travelled, reducing greenhouse gas emissions, adding green spaces, adding green infrastructure, consideration of overburdened communities and disparate impacts, transportation safety, creation of transportation Americans with Disabilities Act plans, and addressing environmental justice.
- Public water systems serving more than 1,000 connections must include a climate resilience plan for extreme weather events.

### Background

The Growth Management Act started as a framework for local governments to plan for their communities. It has now become a way for stakeholders in Olympia to impose new obligations on communities. Here is a [link](#) to a backgrounder on the GMA.

This bill is similar to [HB 1099](#) that went through Environment and Energy Committee last year and died during concurrence. The House vote was 57-41 along party lines. [HB 1181](#) came out of Local Government and Appropriations Committees on party-line votes.

### What this legislation does

- It mandates a **new climate change and resiliency element** to impose greenhouse gas emissions reductions. The Departments of Commerce, Ecology, Fish & Wildlife, Natural Resources, and Health, and the Emergency Management Division, and any tribe that wants to participate will create rule guidance that *are the minimum requirements for local governments*.
- Environmental justice principles are added. **Environmental justice includes addressing disproportionate environmental and health impacts in all laws, rules and policies with environmental impacts by prioritizing vulnerable populations and overburdened communities and equitable distribution of resources and benefits.**
- This now requires restoration and enhancement of natural and traditional infrastructure including areas of vital habitat for safe passage and species migration.
- Salmon recovery and socioeconomic health is part of climate resilience.
- The greenhouse gas reduction subelement applies to Benton, Clark, Franklin, King, Kitsap, Pierce, Skagit, Snohomish, Spokane, Thurston and Whatcom.

### Key messages

According to a recent study as much as 24% of housing price increase may be attributed to the GMA. This bill adds another layer to the GMA increasing costs and exacerbating the state's affordable housing crisis.

HB 1181 references "overburdened" more than 10 times. Government rules and regulations such as GMA have put these communities in this position. This legislation is not going to unburden communities. It adds to the problem.

The several climate-change related laws in place have not had a chance to play out. HB 1181 adds another climate policy at the expense of more burdensome rules and regulations at the local level. This will continue the trend of making housing unaffordable and bog down the permitting process.

**Bill Status as of 2/27/2023 Passed out of Appropriations**

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## Reasons to oppose

- There is a shortage of qualified planners. Local governments cannot find people to do the tasks they currently have under the GMA. This creates an enormous amount of new work.
- The environmental justice definition says there is to be "fair treatment and meaningful involvement of all people," yet the outcome of all the additional inserts in this bill make it very difficult to help everybody instead of special interests. This just further increases the urban-rural divide.
- Vehicle miles travelled (VMT) is no longer a surrogate for carbon emissions with the transition to electric vehicles. Reducing VMT short changes the transportation budget and this bill doesn't back fill the losses.
- The legislature adopted the Clean Fuels program, Cap and Invest program, and transition to zero emission vehicles to deal with carbon emissions and the impacts of VMT.
- All of these new requirements make it difficult to build anything affordable.
- A huge damaging factor to our environment is unsheltered people living in tents. We want to make housing more affordable, not less. This bill makes these things worse, not better.
- Instead of having the water systems plan for climate resiliency why not direct funding toward sewage systems improvements. It'll likely have better environmental impact.
- Just like *Hirst* and K-12 education funding, the Legislature passes laws without giving the local governments sufficient funding so they get sued. We need to be more realistic in what government can achieve.
- Testimony in Local Government indicated we are 50th in the country in creating new housing and first in climate policy. Need to address the housing affordability issue, and this doesn't do it.
- Small jurisdictions are worried about how to hire police officers and pay for unsheltered people to move off the streets. This replaces community's real priorities for those of staff in the Executive Branch.
- This bill requires restoration and enhancement of property which is contrary to the Takings Clause of the United States Constitution. There is no limitation in this bill for those requirements to only apply on public property.
- Bike and pedestrian paths don't get people to hospitals, fire trucks to fires, police to domestic violence calls, food from rural areas to urban centers. This bill makes it even harder for the state and local authorities to focus resources on these things.

## Fiscal information

- The Executive Branch will need \$7 million and 19.8 FTEs in 2023-25. Local governments estimate needing more than \$22.6 million in 2023-2025, and more than \$45.9 million over six years. This adds hundreds of thousands of new requirements for jurisdictions. The legislature has a track record of not fully funding local governments needs when it imposes new GMA requirements.

## Stakeholders

- *Pro: 1359 - Governor's Office & Executive Branch, Futurewise, Housing Alliance, Ass'n of WA Cities, American Farmland Trust, Disability Rights WA*
- *Con: 23 - Master Builders, BIAW, WA Realtors*
- *Other: 6 - WPC Todd Myers, WA State Association of Counties (Want funding to do this)*

## Additional information

- Todd Meyer [blog](#): Adding Climate Change to GMA adds cost but won't help the Environment
- Washington Policy Center [report](#): 24% of housing prices attributable to the GMA. Zoning adds an average of \$71,739 to the cost of a home.
- BIAW [housing facts](#): 85% of Washingtonians cannot afford a median priced new home; 2.24 jobs added for every new home built in Washington state.

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