



American Planning Association  
**Texas Chapter**

*Creating Great Communities for All*

**Chapter Officers**

Heather Nick, AICP  
President  
903.245.4459  
[hnick@tylertexas.com](mailto:hnick@tylertexas.com)

Kelly Porter, AICP  
President-Elect  
817.392.7259  
[Kelly.kris.porter@gmail.com](mailto:Kelly.kris.porter@gmail.com)

Carol Barrett, FAICP  
Secretary  
512.731.0755  
[carolbarrett@gmail.com](mailto:carolbarrett@gmail.com)

Gary Mitchell, FAICP  
Treasurer  
281.721.4105  
[gary@kendigkeast.com](mailto:gary@kendigkeast.com)

Chance Sparks, AICP  
Past-President  
512.312.0084  
[cs@freese.com](mailto:cs@freese.com)

Rolandrea Russell  
TML Representative  
954.871.7683  
[rolandrearussell@ymail.com](mailto:rolandrearussell@ymail.com)

**Executive Administrator**

Chelsea Irby, AICP  
403 Cedar Mound Pass  
Cedar Park, Texas 78613  
254.723.4248  
[administrator@apatexas.org](mailto:administrator@apatexas.org)

APA Texas Chapter  
[www.txplanning.org](http://www.txplanning.org)

March 20, 2023

Thank you, Chairman Birdwell, for the opportunity to present the following information from the American Planning Association - Texas Chapter (APATX). My name is Heather Nick, and I represent the American Planning Association - Texas Chapter, and we are testifying in opposition to SB 784. APATX's over 2,400 members include public and private sector planners, planning academics and students, elected officials, and citizen planners in communities, large and small, across the great state of Texas.

Our opposition to this bill is based on the belief that Texas is most successful when a partnership between state and local governments allows each level to take advantage of its unique characteristics and act so that together, the State's overall objectives are realized effectively and efficiently.

It has been well documented that impacts related to greenhouse gas emissions are increasing and intensifying and will have significant effects on human life and safety, our communities and their infrastructure, our natural habitats, and our Texas economy. These impacts—from more days with extreme hot temperatures to longer periods of droughts, to decreasing aquifer levels to extreme weather events like Hurricane Harvey and Winter Storm Uri—affect the health of our people, the success of our businesses and the State's bottom line.

APATX believes that communities can partner with the State to address these concerns on multiple levels. But there are some roles where communities are best positioned to contribute to solutions—for example, creating the conditions for future growth that limit emissions while improving our air quality. While lower emissions benefit us all, the actual act of reduction can only occur by management of emission-producing activities at the local level where the emissions take place. This necessitates that our municipalities and other political subdivisions play a critical role. Imposing such management solely at the State level would mean that some areas are overly restricted while others are not managed appropriately. This is not a one-size-fits-all situation. Rather than the State government taking on all the responsibility for management of this important health and economic impact, we believe a partnership of State and local governments will be more successful in tailoring appropriate action and minimizing other unintended consequences.

Texans from both the public and private sector have shown creativity in reaching solutions, conserving resources and saving our citizens money in the process. Limiting local ability to decide how they want to power their communities can even undermine Texas-sized innovation, like the wind energy initiative launched by Governor Perry

*The Texas Chapter of the American Planning Association is a 501(c)3 organization (23-7431522) as determined by the Internal Revenue Service. Gifts are tax deductible as allowed by law. Please consult your tax advisor for more information.*

which has made Texas the largest producer of wind energy in the nation. This initiative did not occur to address an environmental concern but because the State, entrepreneurs and local communities and property owners worked together to develop a program that was in their mutual best interest. It has created a major economic engine for our State that will pay dividends for generations to come. It's an example we believe the State should follow in efforts to manage greenhouse gas emissions.

Passage of this bill will effectively prevent our Texas communities, and Texans, from being a part of the innovative solutions which are occurring at a rapid pace across this country. It means that our Texas businesses will not have the flexibility to innovate to solve problems in particular Texas communities and to use those innovations as a foundation for economic growth. APATX, along with many of our Texas communities, strongly opposes this bill and would be interested in being a continued partner to help craft a bill that preserves the ability of communities to develop innovative solutions and promotes Texas ingenuity that can serve the needs of the whole State.

Thank you for your time, and I welcome the opportunity to answer any questions.

A handwritten signature in black ink that reads "Heather Nick". The signature is written in a cursive, flowing style.

Respectfully submitted,

Heather Nick, AICP, MPA  
Chapter President, APA Texas Chapter