

# FINAL BILL REPORT

## SSB 5961

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Synopsis as Enacted

**Brief Description:** Incentivizing the use of biochar.

**Sponsors:** Senate Committee on Agriculture, Water, Natural Resources & Parks (originally sponsored by Senators Sefzik, Warnick, Honeyford, Rolfes, Short and Van De Wege).

**Senate Committee on Agriculture, Water, Natural Resources & Parks**  
**Senate Committee on Ways & Means**  
**House Committee on State Government & Tribal Relations**

**Background:** Biochar is a fine-grained charcoal left behind after pyrolysis of crop residues, livestock manures, or other organic materials. Pyrolysis is the high-temperature processing of organic materials in the absence of oxygen.

Biochar is used in multiple applications, including as a soil amendment and in sewage and wastewater treatment. Researchers have found that biochar applied to wet soils can decrease the production of methane and nitrous oxide. Other research has shown that biochar can be useful for restoring degraded soils because of its ability to bind to heavy metals.

**Summary:** State agencies and local governments must consider whether biochar products can be used when planning government-funded projects that are public works, or soliciting and reviewing bids for such projects. Biochar means a carbon-rich material produced during the pyrolysis process or solid material obtained from the thermochemical conversion of biomass in an oxygen-limited environment. Biochar must be derived from biomass waste materials including forest, agricultural, yard, urban wood, food, and biosolid residuals. If biochar products can be used in the project, a state agency or local government must use biochar products unless:

- biochar is not available within a reasonable period of time;
- biochar products that are available do not comply with existing purchasing standards;
- biochar products that are available do not comply with federal or state health, quality, and safety standards; or

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- biochar purchase prices are not reasonable or competitive.

A state agency is not required to use biochar products if:

- the total cost of using biochar is financially prohibitive;
- application of biochar will have detrimental impacts on the physical characteristics and nutrient condition of the soil as it is used for a specific crop; or
- the project consists of growing trees in a greenhouse setting, including seed orchard greenhouses.

The Department of Natural Resources (DNR) must implement a pilot project to evaluate the costs and benefits of marketing and selling forest products to a biochar facility. The pilot project must determine if revenues cover the costs of preparing and conducting the sales, identify and evaluate factors impacting the sales, and evaluate the feasibility for sourcing forest products for the manufacture of biochar. The pilot project must include sales in the Olympic region and must be completed by June 30, 2024. By November 1, 2024, DNR must work with affected stakeholders and report to the appropriate committees of the Legislature with the results of the pilot project and any recommendations. The pilot project expires on December 31, 2024.

**Votes on Final Passage:**

Senate	49	0	
House	96	1	(House amended)
Senate	49	0	(Senate concurred)

**Effective:** June 9, 2022