H-3338.1

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**HOUSE BILL 2294**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Representatives Slatter, Goodman, Tarleton, Fey, McBride, Kagi, Dolan, Valdez, Stanford, Macri, Kloba, Appleton, Jinkins, Ormsby, Ryu, Pollet, and Doglio

AN ACT Relating to aligning Washington's greenhouse gas emissions limits with those established by the United States' commitment under the 2015 Paris climate agreement; amending RCW 70.235.020 and 70.235.010; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) Global climate change is a real and urgent problem caused by human activities. The state of Washington and other states have been and will continue to be negatively impacted by the effects of climate change, including reduced winter snowpack, drought, more frequent extreme weather events, increased frequencies of forest fires and insect infestations, and acidifying oceans that harm shellfish and otherwise disrupt marine ecosystem viability. Although actions by individuals, local governments, environmentally minded businesses, and states are necessary and important, climate change is nevertheless fundamentally a problem of global scope.

(a) The trend of Washington's total annual greenhouse gas emissions over time reflects the state's efforts to reduce greenhouse gas emissions. In 1990, Washington's total annual greenhouse gas emissions were approximately 88.4 million metric tons of carbon dioxide equivalent. In 2007, Washington's total annual greenhouse gas emissions were approximately 101.6 million metric tons of carbon dioxide equivalent. In 2013, the most recent year for which records are available, Washington's total annual greenhouse gas emissions were approximately 94.4 million metric tons of carbon dioxide equivalent.

(b) The United States has also taken certain actions at the national and international scale to reduce greenhouse gas emissions. At the national level, these actions include increasing national fuel efficiency standards for cars and light trucks and requiring all states to develop plans under the federal clean air act to achieve measurable greenhouse gas emissions reductions. At the international level, these actions include entering into an accord with China that commits both nations to measurable reductions of their greenhouse gas emissions, and signing on to the 2015 Paris climate agreement.

(c) The Paris climate agreement is an international agreement within the United Nations framework convention on climate change. Under the Paris climate agreement, each participating nation determines the contribution, known as the intended nationally determined contribution, that it will make toward a global reduction in greenhouse gas emissions. The Paris climate agreement also contains a mechanism for developed countries to fund climate change adaptation and mitigation in developing countries. A total of one hundred ninety-seven nations have signed the Paris climate agreement.

(d) The United States signed the Paris climate agreement on April 22, 2016. Under the intended nationally determined contribution that the United States submitted to the United Nations, the United States committed to reducing greenhouse gas emissions to twenty-six percent below 2005 levels by 2025, and to making best efforts to reduce greenhouse gas emissions to twenty-eight percent below 2005 levels.

(2) It is the intent of the legislature to declare that, notwithstanding the June 1, 2017, announcement that the United States would withdraw from the 2015 Paris climate agreement, Washington state intends to fulfill its portion of the United States' commitment under the 2015 Paris climate agreement by reducing its greenhouse gas emissions at a rate that is consistent with the intended nationally determined contribution submitted by the United States to the United Nations.

**Sec.**  RCW 70.235.020 and 2008 c 14 s 3 are each amended to read as follows:

(1)(a) The state shall limit emissions of greenhouse gases to achieve the following emission reductions for Washington state:

(i) By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels;

(ii) By 2025, reduce greenhouse gas emissions to twenty-six percent below 2005 levels, and to make best efforts to reduce greenhouse gas emissions to twenty-eight percent below 2005 levels, consistent with the commitment submitted to the United Nations as the intended nationally determined contribution by the United States under the 2015 Paris climate agreement;

(iii) By 2035, reduce overall emissions of greenhouse gases in the state to twenty-five percent below 1990 levels;

((~~(iii)~~)) (iv) By 2050, the state will do its part to reach global climate stabilization levels by reducing overall emissions to fifty percent below 1990 levels, or seventy percent below the state's expected emissions that year.

(b) By December 1, 2008, the department shall submit a greenhouse gas reduction plan for review and approval to the legislature, describing those actions necessary to achieve the emissions reductions in (a) of this subsection by using existing statutory authority and any additional authority granted by the legislature. Actions taken using existing statutory authority may proceed prior to approval of the greenhouse gas reduction plan.

(c) Except where explicitly stated otherwise, nothing in chapter 14, Laws of 2008 limits any state agency authorities as they existed prior to June 12, 2008.

(d) Consistent with this directive, the department shall take the following actions:

(i) Develop and implement a system for monitoring and reporting emissions of greenhouse gases as required under RCW 70.94.151; and

(ii) Track progress toward meeting the emissions reductions established in this subsection, including the results from policies currently in effect that have been previously adopted by the state and policies adopted in the future, and report on that progress.

(2) By December 31st of each even-numbered year beginning in 2010, the department and the department of ((~~community, trade, and economic development~~)) commerce shall report to the governor and the appropriate committees of the senate and house of representatives the total emissions of greenhouse gases for the preceding two years, ((~~and totals~~)) the total emissions of greenhouse gases in each major source sector for the preceding two years, and state and local efforts at reducing carbon emissions as nonparty stakeholders for the preceding two years. The department shall ensure the reporting rules adopted under RCW 70.94.151 allow it to develop a comprehensive inventory of emissions of greenhouse gases from all significant sectors of the Washington economy.

(3) The department and the department of commerce shall document, using the nonstate actor zone for climate action platform, state and local efforts at reducing carbon emissions as nonparty stakeholders.

(4) Except for purposes of reporting, emissions of carbon dioxide from industrial combustion of biomass in the form of fuel wood, wood waste, wood by-products, and wood residuals shall not be considered a greenhouse gas as long as the region's silvicultural sequestration capacity is maintained or increased.

**Sec.**  RCW 70.235.010 and 2010 c 146 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Carbon dioxide equivalents" means a metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

(2) "Climate advisory team" means the stakeholder group formed in response to executive order 07-02.

(3) "Climate impacts group" means the University of Washington's climate impacts group.

(4) "Department" means the department of ecology.

(5) "Director" means the director of the department.

(6) "Greenhouse gas" and "greenhouse gases" includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, and any other gas or gases designated by the department by rule.

(7) "Nonparty stakeholder" may include, but is not limited to, civil society, the private sector, financial institutions, cities, towns, and other subnational authorities.

(8) "Nonstate actor zone for climate action" means the online carbon dioxide emission data gathering tool developed by the United Nations with the governments of France and Peru for the twenty-first session of the Conference of Parties in Paris.

(9) "Person" means an individual, partnership, franchise holder, association, corporation, a state, a city, a county, or any subdivision or instrumentality of the state.

((~~(8)~~)) (10) "Program" means the department's climate change program.

((~~(9)~~)) (11) "Western climate initiative" means the collaboration of states, Canadian provinces, Mexican states, and tribes to design a multisector market-based mechanism as directed under the western regional climate action initiative signed by the governor on February 22, 2007.

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