

FINAL BILL REPORT

E2SHB 2311

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Synopsis as Enacted

Brief Description: Amending state greenhouse gas emission limits for consistency with the most recent assessment of climate change science.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Slatter, Fitzgibbon, Callan, Chapman, Orwall, Ramel, Tarleton, Valdez, Duerr, Frame, Bergquist, Davis, Tharinger, Fey, Ormsby, Macri, Wylie, Doglio, Cody, Kloba, Goodman, Hudgins and Pollet; by request of Governor Inslee).

House Committee on Environment & Energy
House Committee on Appropriations
Senate Committee on Environment, Energy & Technology
Senate Committee on Ways & Means

Background:

The United States Environmental Protection Agency (EPA) and the Washington State Department of Ecology (Ecology) identify carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride as greenhouse gases because of their capacity to trap heat in the Earth's atmosphere. Under the federal Clean Air Act, greenhouse gases are regulated as an air pollutant and are subject to several air regulations administered by the EPA. At the state level, greenhouse gases are regulated by Ecology under the state Clean Air Act.

In 2008 Washington enacted legislation that set a series of limits on the emission of greenhouse gases within the state. Ecology is responsible for monitoring and tracking the state's progress toward the emission limits.

The state's current limits on the emission of greenhouse gases are:

- By 2020, overall greenhouse gas emissions in the state must be reduced to 1990 levels.
- By 2035, overall greenhouse gas emissions in the state must be reduced to 25 percent below 1990 levels.
- By 2050, overall greenhouse gas emissions in the state must be reduced to 50 percent below 1990 levels or 70 percent below the state's expected emissions for that year.

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.

The same legislation also established limits on the emission of greenhouse gases from state agencies, as follows:

- By 2020, reduce emissions by 15 percent from 2005 emission levels.
- By 2035, reduce emissions to 36 percent below 2005 levels.
- By 2050, reduce emissions by the greater of 57.5 percent below 2005 levels, or 70 percent below the expected state government emissions for that year.

As part of the 2008 legislation, Ecology and the Department of Commerce are required to submit a biennial report on the state's greenhouse gas emissions. The 2008 legislation also required Ecology to consult with the Climate Impacts Group at the University of Washington within 18 months of each global or national assessment of climate change science, to provide a report to the Legislature summarizing that science, and to make recommendations regarding whether the state's greenhouse gas emissions reduction requirements should be updated.

Ecology's most recent report was issued in 2019 and recommended the following updated greenhouse gas emissions limits:

- By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels.
- By 2030, reduce overall greenhouse gas emissions in the state to 45 percent below 1990 levels.
- By 2040, reduce overall greenhouse gas emissions in the state to 70 percent below 1990 levels.
- By 2050, reduce overall greenhouse gas emissions in the state to 95 percent below 1990 levels and achieve net-zero greenhouse gas emissions in the state.

Summary:

Greenhouse Gas Emissions Reductions.

Washington must limit anthropogenic emissions of greenhouse gases to achieve the following reductions for the state:

- By 2020, reduce overall emissions of greenhouse gases in the state to 1990 levels, or 90.5 million metric tons.
- By 2030, reduce greenhouse gas emissions to 45 percent below 1990 levels, or 50 million metric tons.
- By 2040, reduce overall emissions of greenhouse gases in the state to 70 percent below 1990 levels, or 27 million metric tons.
- By 2050, reduce overall emissions of greenhouse gases in the state to 95 percent below 1990 levels, or 5 million metric tons, and achieve net-zero greenhouse gas emissions.

State agencies must achieve the following greenhouse gas emissions reductions:

- By 2020, reduce greenhouse gas emissions by 15 percent from 2005 emission levels, or 805,000 metric tons.
- By 2030, reduce greenhouse gas emissions to 45 percent below 2005 levels, or 521,000 metric tons.
- By 2040, reduce greenhouse gas emissions to 70 percent below 2005 levels, or 284,000 metric tons.

- By 2050, reduce overall greenhouse gas emissions to 95 percent below 2005 levels, or 47,000 metric tons, and achieve net-zero greenhouse gas emissions by state government as a whole.

Nothing in the greenhouse gas emissions targets creates any new or additional regulatory authority for any state agency, as those authorities existed prior to January 1, 2019.

Reporting Requirements.

The greenhouse gas emissions reporting conducted by the Department of Commerce (Commerce) and the Department of Ecology (Ecology) should include statewide emissions, including emissions from key sectors of the economy, such as electricity, transportation, buildings, manufacturing, and agriculture. The reporting must also include greenhouse gas emissions from wildfires, developed in consultation with the Department of Natural Resources (DNR).

By June 1 of each even-numbered year beginning in 2022, each state agency must report to Ecology and the State Efficiency and Environmental Performance Office at Commerce, the following:

- the actions planned for the next two biennia to meet emissions reduction targets;
- the actions taken to date to meet emissions reduction targets; and
- the long-term strategy for meeting emissions reduction targets.

Ecology and Commerce must compile the agency reports described above and, by December 1 of each even-numbered year beginning in 2022, provide a consolidated report to the appropriate committees of the Legislature that includes recommendations for budgetary and other actions that will assist the state agencies in achieving the greenhouse gas emissions reduction targets.

Carbon Sequestration.

It is established as the policy of the state to promote the removal of excess carbon from the atmosphere through carbon sequestration activities, in amounts necessary to meet the state's greenhouse gas emissions reduction targets. All agencies of state government must seek all practicable opportunities to cost-effectively maximize carbon sequestration in their nonland management agency operations, contracting, and grant-making activities. Any such effort to promote carbon sequestration activities that affects support for, or management of, private lands or trust lands managed by the DNR must be done in cooperation with the owners and managers of those natural and working lands.

"Carbon sequestration" is defined to mean the process of capturing and storing atmospheric carbon dioxide through biologic, chemical, geologic, or physical processes.

Votes on Final Passage:

House	55	41
Senate	28	21

Effective: June 11, 2020