
**Technology, Energy & Communications
Committee**

HB 2738

Brief Description: Defining "biomass energy" for the purposes of chapter 19.285 RCW, the energy independence act.

Sponsors: Representatives Eddy, Crouse, Armstrong, Jacks, Haler, Hudgins, Finn, Wallace and Chase.

Brief Summary of Bill

- Allows for additional sources of biomass energy to qualify as a renewable resource under the Energy Independence Act (Initiative 937).

Hearing Date: 1/20/10

Staff: Scott Richards (786-7156).

Background:

Energy Independence Act (Initiative 937): In 2006 the voters approved the Energy Independence Act (Initiative 937). Initiative 937 requires certain electric utilities with 25,000 or more customers to meet targets for the use of renewable energy resources and energy conservation.

Renewable Resources Targets: Each qualifying utility must either use eligible renewable resources or acquire equivalent renewable energy credits, or a combination of both, to meet the following annual targets:

- at least 3 percent of its load by January 1, 2012, and each year thereafter through December 31, 2015;
- at least 9 percent of its load by January 1, 2016, and each year thereafter through December 31, 2019; and
- at least 15 percent of its load by January 1, 2020, and each year thereafter.

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.

Eligibility of Renewable Resources: Determining whether a resource is eligible as a renewable resource under Initiative 937 is a two step process: (1) a resource must meet the definition of renewable resource; and (2) a renewable resources must meet the definition of eligible renewable resource.

Under Initiative 937, renewable resource is defined to mean: (1) water; (2) wind; (3) solar energy; (4) geothermal energy; (5) landfill gas; (6) wave, ocean, or tidal power; (7) gas from sewage treatment facilities; (8) biodiesel fuel that meets statutory motor fuel quality standards and is not derived from crops raised on land cleared from old growth or first-growth forests where the clearing occurred after December 7, 2006; and (9) biomass energy.

Biomass energy may be based on animal waste or solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include (1) wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (2) black liquor by-product from paper production; (3) wood from old growth forests; or (4) municipal solid waste.

For a renewable resources to be considered an eligible renewable resource, the electricity produced from an eligible renewable resource must be generated in a facility that started operating after March 31, 1999. The facility must either be located in the Pacific Northwest or the electricity from the facility must be delivered into the state on a real-time basis. Incremental electricity produced from efficiency improvements at hydropower facilities owned by qualifying utilities is also an eligible renewable resource, if the improvements were completed after March 31, 1999.

Summary of Bill:

Biomass Energy Definition: The definition of biomass energy is modified to allow for the following biomass energy resources to qualify as a renewable resource under Initiative 937: (1) by-products of pulping and wood manufacturing processes; (2) wooden demolition or construction debris; (3) food waste; (4) liquors derived from algae and other sources; (5) biosolids; and (6) yard waste.

Additionally, biodiesel fuel that is derived from first-growth forests where the clearing occurred after December 7, 2006 is allowed as biomass energy resource.

Appropriation: None.

Fiscal Note: Requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.