

SENATE BILL REPORT

SB 5300

As of February 20, 2011

Title: An act relating to enhancing the use of Washington natural resources in public buildings.

Brief Description: Enhancing the use of Washington natural resources in public buildings.

Sponsors: Senators Hargrove and Ranker.

Brief History:

Committee Activity: Natural Resources & Marine Waters: 2/03/11.

SENATE COMMITTEE ON NATURAL RESOURCES & MARINE WATERS

Staff: Sherry McNamara (786-7402)

Background: In 2005 the Legislature enacted High-Performance Building Standards requiring all major facility projects funded in the capital budget, or projects financed through a financing contract as established by law, to be designed, constructed, and certified to at least the United States Green Building Council Leadership in Energy and Environmental Design (LEED™) Silver standard. This requirement applies to any entity, including public agencies and public school districts, although the school districts may use the Washington Sustainable School Design Protocol.

The stated purpose of the standard is to improve the built environment and emphasize design and construction practices that reduce energy consumption and water use, improve indoor air quality, and minimize the impact on the natural environment.

LEED™ is a fee-based third-party certification. It is based on a point system, focusing on six major areas: sustainable sites; water efficiency; energy and atmosphere; materials and resources; indoor environmental quality; and innovation and design process. LEED™ certification has four ranks: LEED™ Certified, LEED™ Silver, LEED™ Gold, and LEED™ Platinum.

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Summary of Bill: The act removes the LEED™ Silver standard from the high performance building standards and requires the Washington Sustainable Design Protocol to incorporate

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all of the green building rating standard except for the provisions relating to wood certification that discriminate against Washington wood.

Beginning July 1, 2012, all major facility projects receiving any funding in a state capital budget must be designed, constructed, and certified to at least the Washington Sustainable Design Protocol.

For new housing projects after July 1, 2012, the Department of Commerce must identify, implement, and apply the Washington Sustainable Design Protocol for affordable housing projects receiving housing trust fund funding in a state capital budget.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: LEED™ discriminates against wood grown in Washington. Sixty percent of Forest Stewardship Council (FSC) certified wood is imported from other countries. FSC is too prescriptive and does not benefit the environment. Washington's forest practices are the most stringent laws in the country for practicing forest. LEED™ certification is costly to our state in terms of paying for each building to be certified.

CON: LEED™ standards have evolved; 35 states have incorporated this standard into law or their building standards. Washington is 10th in the nation with LEED™ buildings. LEED™ provides two points for local resources and one point for wood certification out of a total of 110 possible points. This bill jeopardizes the incentive for seeking the LEED™ standard. Don't make this about wood versus concrete, especially when looking at local resources and jobs.

Persons Testifying: PRO: Senator Hargrove, prime sponsor; Steve Stinson, Cowlitz Ridge Tree Farm; Teresa Loo, Port Blakely Tree Farms; Robert Meier, Rayonier; Hans Bernard, Green Building Initiative; Debora Munguia, Washington Forest Protection Association; Anthony Chavez, Weyerhaeuser.

CON: Randy Cook, TCF Architecture, American Institute of Architects (AIA); Ronald Rochon, The Miller Hull Partnership, AIA; Clifford Traisman, Miguel Perez-Gibson, Washington Environmental Council; Joel Sisolak, Cascadia Green Building Council; Bruce Chattin, Washington Aggregates, Concrete Association; Tonia Neal, Washington State Conference of Mason Contractors.