

---

HOUSE BILL 2294

---

State of Washington

65th Legislature

2018 Regular Session

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

Prefiled 12/15/17. Read first time 01/08/18. Referred to Committee on Environment.

1 AN ACT Relating to aligning Washington's greenhouse gas emissions  
2 limits with those established by the United States' commitment under  
3 the 2015 Paris climate agreement; amending RCW 70.235.020 and  
4 70.235.010; and creating a new section.

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

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

17 (a) The trend of Washington's total annual greenhouse gas  
18 emissions over time reflects the state's efforts to reduce greenhouse  
19 gas emissions. In 1990, Washington's total annual greenhouse gas  
20 emissions were approximately 88.4 million metric tons of carbon  
21 dioxide equivalent. In 2007, Washington's total annual greenhouse gas

1 emissions were approximately 101.6 million metric tons of carbon  
2 dioxide equivalent. In 2013, the most recent year for which records  
3 are available, Washington's total annual greenhouse gas emissions  
4 were approximately 94.4 million metric tons of carbon dioxide  
5 equivalent.

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

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

24 (d) The United States signed the Paris climate agreement on April  
25 22, 2016. Under the intended nationally determined contribution that  
26 the United States submitted to the United Nations, the United States  
27 committed to reducing greenhouse gas emissions to twenty-six percent  
28 below 2005 levels by 2025, and to making best efforts to reduce  
29 greenhouse gas emissions to twenty-eight percent below 2005 levels.

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

38 **Sec. 2.** RCW 70.235.020 and 2008 c 14 s 3 are each amended to  
39 read as follows:

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

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

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

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

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

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

24 (c) Except where explicitly stated otherwise, nothing in chapter  
25 14, Laws of 2008 limits any state agency authorities as they existed  
26 prior to June 12, 2008.

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

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

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

35 (2) By December 31st of each even-numbered year beginning in  
36 2010, the department and the department of ((community, trade, and  
37 economic development)) commerce shall report to the governor and the  
38 appropriate committees of the senate and house of representatives the  
39 total emissions of greenhouse gases for the preceding two years,  
40 ((and totals)) the total emissions of greenhouse gases in each major

1 source sector for the preceding two years, and state and local  
2 efforts at reducing carbon emissions as nonparty stakeholders for the  
3 preceding two years. The department shall ensure the reporting rules  
4 adopted under RCW 70.94.151 allow it to develop a comprehensive  
5 inventory of emissions of greenhouse gases from all significant  
6 sectors of the Washington economy.

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

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

15 **Sec. 3.** RCW 70.235.010 and 2010 c 146 s 1 are each amended to  
16 read as follows:

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

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

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

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

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

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

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

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

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

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

4        (~~(8)~~) (10) "Program" means the department's climate change  
5 program.

6        (~~(9)~~) (11) "Western climate initiative" means the collaboration  
7 of states, Canadian provinces, Mexican states, and tribes to design a  
8 multisector market-based mechanism as directed under the western  
9 regional climate action initiative signed by the governor on February  
10 22, 2007.

--- END ---