

H

5126-S2.E AMH APP HUGH 027

By Representative Fitzgibbon

E2SSB 5126 - H COMM AMD TO APP COMM AMD (H-1610.1/21)

By Committee on Appropriations

1 On page 26, line 28 of the striking amendment, after "best-in-
2 class" strike "facilities that facilitate decarbonization" and insert
3 "low carbon facilities"

4
5 On page 26, beginning on line 30 of the striking amendment, after
6 "(c)" strike all material through "emissions" on line 36 and insert
7 "In conducting a life-cycle analysis for new or expanded facilities
8 that require review under chapter 43.21C RCW, a lead agency must
9 evaluate any potential net cumulative greenhouse gas emissions
10 resulting from the project as compared to other existing facilities
11 and existing or emerging low carbon processes that supply the same
12 product or end use. The department may adopt rules to determine the
13 appropriate threshold for applying this analysis"

14
15 On page 26, beginning on line 37 of the striking amendment, after
16 "(d)" strike all material through "chapter" on line 40 and insert "The
17 covered greenhouse gas emissions that are addressed in this chapter
18 may not be the basis for denial of a permit for a new or expanded low
19 carbon emissions-intensive, trade-exposed facility. Nothing in this
20 subsection guarantees approval of permits for new or expanded fossil
21 fuel projects"

22
23 On page 27, beginning on line 1 of the striking amendment, after
24 "(e)" strike all material though "43.21C RCW" on line 5 and insert "A
25 lead agency may determine that compliance with the requirements of
26 this chapter for a covered entity or opt-in entity constitutes
27

1 mitigation for covered greenhouse gases from facilities that have a
2 compliance obligation under this chapter"

3
4 On page 27, beginning on line 6 of the striking amendment, after
5 "(f)" strike all material through "granted" on line 12 and insert "A
6 lead agency may determine that inclusion as a covered entity or opt-in
7 entity under this chapter constitutes mitigation of significant
8 adverse impacts pursuant to chapter 43.21C RCW with respect to covered
9 greenhouse gases from facilities that have a compliance obligation
10 under this chapter"

11
12 On page 67, line 6 of the striking amendment, after "greenhouse
13 gases" insert "in Washington"

14
15 On page 68, beginning on line 17 of the striking amendment, after
16 "best-in-class" strike all material through "decarbonization" on line
17 18 and insert "low carbon facilities"

EFFECT: Makes changes to the underlying provisions pertaining to the siting of facilities under the State Environmental Policy Act (SEPA). Removes the requirement that a facility constructed with a new or revised permit must have included in applicable permits a conditional clause, should the Cap and Invest Program cease to apply to the facility, to require adherence to a greenhouse gas emissions performance standard and perform greenhouse gas mitigation consistent with the state's emissions reduction limits, as those limits existed when the permit was granted. Amends the definition of "supplier" under the amendments to the Greenhouse Gas Emissions Reporting Program requirements.

--- END ---