



Reusable Bag Bill

SB 5323 / HB 1205

Fact Sheet



BACKGROUND

Problems with Plastic Bags

Plastic bags use up resources

Bags are made from finite, nonrenewable natural gas and oil resources. We use these plastic bags for a few minutes and then discard them. Only 6% ever get recycled.

Plastic pollution impacts wildlife

Plastic bags are one of the most commonly-found items that litter state roads, beaches, and other public spaces. Bags blow into our waterways and the ocean, clog the stomachs of wildlife, and break down into smaller pieces that also get eaten. They break up but do not biodegrade, lasting for years.



Plastic bags cause operational and contamination problem at recycling facilities and commercial composters

Plastic bags are a major contamination problem in our recyclables bales and in our commercial compost. Bags clog recycling equipment by wrapping around large rollers in the system. Workers have to go in and do the dangerous work of cutting the bags off the equipment for at least 20 minutes per 8 hour shift.

State legislation builds on local ordinances and private sector initiatives

- 37 local jurisdictions (representing over 33% of our total state population) have passed ordinances regulating the use of single-use plastic carry-home bags. *Source: Zero Waste Washington*
- Kroger – the 2nd largest grocery retailer in the US after Walmart – announced that they are phasing out plastic carry-home bags by 2025.

2020 LEGISLATION: SB 5323 / HB 1205

The act aims to reduce pollution from plastic bags by establishing minimum state standards for the use of carryout bags at retail establishments. The bill prohibits the use of thin single-use plastic carryout bags. It requires a pass-through charge of 8 cents on paper carryout bags and 2.25-mil thick durable plastic film carryout bags (to encourage shoppers to bring their own reusable carryout bags). *Exemptions* include bags used for produce, newspapers, dry cleaning, small hardware items, prescription drugs, unwrapped prepared foods or bakery goods, and frozen foods, meat, fish, flowers, and potted plants (and other items where dampness or sanitation might be a problem). Recipients of food assistance programs are exempt from the fee.

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Copper Antifouling Paint Ban

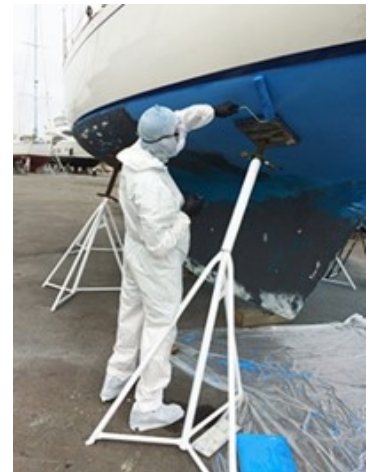
SB 6210 / HB 2385

Fact Sheet



BACKGROUND

Boats kept in marinas, lakes, and other waterbodies are exposed to organisms such as algae or barnacles. When these organisms grow and colonize on the surface of vessels and structures, it is called “fouling” and can result in reduced performance and physical damage to vessels. To prevent these effects, boat owners often use hull paints that contain pesticides and other toxic chemicals. Copper-based hull paints have been the most popular antifouling choice since the 1980s. Although they are effective at discouraging organism growth, these paints also have toxic environmental impacts and can have significant negative effects on endangered salmon and other aquatic life. Contaminated runoff from boatyards (where old paint on vessel hulls is chipped and sanded off before repainting) is of particular concern.



In 2011, Washington enacted legislation to ban the use of copper-based antifouling paint starting in 2018. A 2017 follow-up investigation by Ecology showed that some non-copper alternatives might be more harmful to the environment than the copper-based paints they replaced. In 2018, the Legislature delayed the ban until 2021 and directed Ecology to conduct additional research. Ecology concluded that while new, nontoxic and less toxic antifouling paints have emerged, they still had questions regarding many new formulations. They have recommended that the ban on copper antifouling paint be delayed another five years (i.e. until 2026). Ecology has also recommended that they be given authority to request information from paint manufacturers to better evaluate antifouling paints.

New Non-Toxic and Less Toxic Alternatives Emerging

One of the most promising non-toxic alternatives is already in use in Europe. Many boat owners in Sweden have completely eliminated the use of antifouling paint (saving thousands of dollars in periodic repainting of boats with antifouling paint) and instead rely on new drive-in “boat wash” technology that cleans the hull in 15 minutes with the boat in the water. This technology is being piloted in the U.S. in places like San Diego. There are also a number of antifouling paints that, while still toxic in the marine environment, are less harmful to salmon and other aquatic species, including Ecomea and Zinc paints. The U.S Navy currently uses such paint on their vessels (i.e.-Sherwin Williams “Sea Voyage”).

2020 LEGISLATION: SB 6210 / HB 2385

The Department of Ecology has introduced legislation that delays the ban on copper antifouling paint until 2026. The bill would also allow Ecology to gather information from paint manufacturers. Boat manufacturers, retailers, and others have suggested that state legislation should permanently allow the use of copper paint, adopting the current federal “minimum” standard on such paint. While we reluctantly support an extension of the current 2021 ban on copper antifouling paint, we oppose any effort to set a standard for copper antifouling paint in statute. The Department of Ecology should be allowed to set standards by rule.

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Motorized Suction Dredge Mining Ban SB 5322 / HB 1261 *Fact Sheet*



BACKGROUND

What is motorized suction dredge mining? A form of mining that uses gas-powered dredges to vacuum-up rocks, gravel, and sediment from the bottom of creeks and rivers to search for gold.

What are the impacts? Scientific studies show suction dredging degrades water quality through erosion and sedimentation and mobilization of mercury and other heavy metals; impacts fish and the aquatic food web by destroying aquatic habitat, physically “processing” fish and aquatic life, creating fish stranding risks, and denuding riparian vegetation. In filing a brief with the federal 9th Circuit in support of Oregon and California laws regulating motorized mining, Washington State’s Attorney General Bob Ferguson wrote the following: “In fact, Oregon’s statute reflects a scientific consensus about the serious environmental risks posed by suction dredge mining and need for adequate regulation . . . Suction dredge mining can harm fish, including endangered salmonids, by disrupting spawning, creating unstable tailings, and killing eggs and larvae . . .”



Where is it happening? Motorized suction dredge mining is harming water quality and fish habitat in Washington’s rivers and creeks across the state, including the Yakima Basin, Upper Columbia, Lewis River, Spokane River, and Puget Sound rivers such as the Skykomish, Skagit, and Nooksack. In some areas, suction dredge mining is allowed in rivers and streams closed to all other recreational activities, such as Nason Creek.

Impacted areas include Endangered Species Act-Designated Critical Habitat for Chinook salmon, the primary food source for our endangered population of Southern Resident orcas. Protecting the water quality and habitat from motorized mining benefits salmon and helps increase the prey base for our orca population, as well as supporting economically vital sport, commercial, and tribal fisheries.

Why does Washington State need legislation now? Federal courts have recently ruled that discharges from motorized mining must comply with the federal Clean Water Act. Oregon, California, and Idaho have all enacted programs to comply with the Clean Water Act and protect Endangered Species Act (ESA)-listed fish species, but Washington State has not. Washington is the only state with populations of ESA-listed Pacific salmon and steelhead that still allows suction dredge mining and other forms of motorized mineral prospecting without requiring permits or regulatory oversight. Consequently, Washington State has become a target for out-of-state miners, creating greater pressure on our streams and a dangerous situation for our water quality and native fish.

Safeguard our investment in salmon recovery! The hundreds of millions of dollars spent by tribes, landowners, local and state governments (taxpayers), and non-profits to protect and restore Washington rivers and streams are at risk of being squandered without improved regulation of motorized mining.

2020 LEGISLATION: SB 5322 and HB 1261 will protect areas most important to ESA-listed salmon, steelhead, and other native fish by prohibiting motorized mining in Critical Habitat. Non-mechanized forms of recreational mineral prospecting, i.e. gold panning, will still be allowed in all existing areas and will be unaffected by this bill. Aquatic motorized mining operations in other areas must comply with state water quality laws and the Clean Water Act.

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Ecology Drought Preparedness Response SB 5675 / HB 1622 *Fact Sheet*



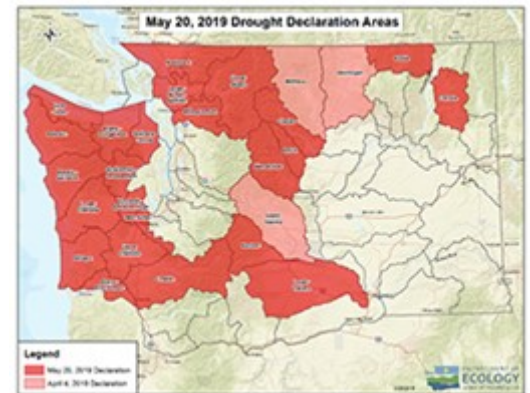
BACKGROUND

Modernizing Washington's drought statutes is important to effectively prepare for and respond to drought emergencies. With climate forecasts predicting more frequent droughts, it's critical that we take a more proactive approach to drought preparedness and response. Our proposal will build long-term drought resiliency for farmers, water suppliers, and the environment while also improving the state's ability to quickly and effectively respond to drought emergencies.

2020 LEGISLATION: SB 5675 / HB 1622

This bill will:

- Create tools and resources that help build long-term drought resiliency among water users and communities throughout the state.
- Improve the state's ability to effectively respond to drought emergencies, including establishing an advisory-type status in advance of drought conditions.
- Codify many of the best practices identified in the updated 2018 Washington State Drought Contingency Plan.



Source: WA Department of Ecology

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Clean Energy & Resilience Financing (C-PACER) SB _____ / HB _____ *Fact Sheet*



BACKGROUND

More than 20 states have active Property Assessed Clean Energy financing programs for commercial and large multi-family buildings (C-PACER). This approach to financing can reduce barriers for owners seeking to improve their buildings. Upgrade costs are tied to the property, rather than the owner, which allows for longer term and lower cost financing and does not impact the owner's debt to equity ratio. Improvements that can be financed by PACE loans include clean energy improvements such as energy efficiency and renewable energy, but also resiliency improvements including seismic retrofits, water conservation, fire protection, or flood readiness.

How does C-PACER work? This legislation would allow counties to establish C-PACER programs and cooperate with local lenders on loans secured by the property tax obligation, similar to a local improvement district. The obligation to repay the improvements loan is tied to the property, rather than the owner, which makes longer term financing more attractive because no debt is added onto an owner's balance sheet. If the building is sold, the loan repayment obligation stays with the property rather than the owner. Eligible properties include new and existing commercial, industrial, non-profit, and multifamily buildings.

C-PACER programs help building owners save money through lower utility bills and insurance premiums. The long term payback can make PACE-funded projects cash flow positive; spur economic activity by making building improvements easier to finance; communities meet climate goals by facilitating more energy efficiency and renewable energy projects.



Source: shiftzero.org/pace

Example C-PACER Scenario: The owner of a 50-unit apartment building with high utility bills adds insulation, seals air leaks, replaces lighting and windows, updates an old boiler with high efficiency equipment, and adds water saving features. After checking on program details with the local county program administrator, the owner engages a participating lender to set up the improvements loan. The contractor implementing the upgrades creates employment. The owner deploys no cash out of pocket and gets an immediate positive impact to their net operating income: the upgrades save over 50% in energy! The owner sells the building the next year for a higher value because of the upgrades. The new owner continues to repay the loan and reap the benefits of lower energy use and a more valuable asset.

Success from Elsewhere: *In Colorado*, two six-story office buildings, totaling 414,000 square feet, are undertaking a \$7.1 million energy retrofit project, financed through the State's CPACE program. The project is expected to result in a 30% energy savings at the end of the project. The work will include replacing HVAC rooftop units, upgrading controls, redoing lighting, updating water fixtures, and installing new meters. *In California*, a medical center campus is undergoing a \$40 million seismic upgrade to comply with a California seismic upgrade mandate for hospital facilities. The funding will come through C-PACE financing and with a contribution from a C-PACE capital provider.

2020 LEGISLATION: In Washington state, C-PACER legislation would allow local county governments to set up their own programs, to address a variety of needs. For example: 1) Washington State requires large commercial buildings to meet energy performance standards. Meeting these standards will, in some cases, require capital improvements. C-PACER provides a financing mechanism to fund these improvements. 2) There are many unreinforced masonry buildings around the state; these buildings are particularly vulnerable in the event of an earthquake. C-PACER would allow for long-term financing that can fund these expensive retrofits. 3) Other improvements with longer term payback such as renewable energy or water efficiency, could be facilitated with C-PACER.

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