

GREENHOUSE GAS EMISSIONS AND THE STATE ENVIRONMENTAL POLICY ACT

We are asking the legislature to direct the Department of Ecology to adopt guidance for project proponents when an **Environmental Impact Statement (EIS)** is prepared.

THIS GUIDANCE IS NEEDED BECAUSE:

NO GUIDANCE ON SIGNIFICANCE

No guidance exists for project proponents about how to assess the significance of greenhouse gases (GHGs) under the State Environmental Policy Act.

NO GUIDANCE ON MITIGATION

Likewise, no guidance exists for project proponents to determine appropriate mitigation for emissions of GHGs that are significant under the State Policy Act.

LEGAL VULNERABILITY

The lack of guidance creates a legal vulnerability for any project emitting GHGs. As a result, projects are exposed to challenges claiming adequate consideration of GHG emissions and mitigation.

NO GUIDANCE ON TIMELINE OR COST

Investors, state and local governments developing projects or taking non-project actions cannot assess the time it will take to complete review by the courts nor the ultimate cost of permit requirements in Washington.

INCREASED INFRASTRUCTURE COST

Uncertainty of this kind increases the cost of public infrastructure.

HOUSE BILL 1549 and SENATE BILL 5561

direct the Department of Ecology to provide guidance to eliminate the current legal vulnerability and process uncertainty