

Senator Shelly Short

April 30, 2024

Harrison Ashby

Department of Ecology

Climate Pollution Reduction Program

PO Box 47600 Olympia, WA 98504-7600

Re: Climate Commitment Act Funds Reporting Proposed Rule (WSR 24-10-028)

Dear Harrison Ashby,

Thank you for the opportunity to submit comments on the department's new proposed rule on reporting requirements for Climate Commitment Act (CCA) funds. I agree that it is important for Ecology to maintain good recordkeeping for CCA expenditures, and I especially appreciate that the agency has made tracking emissions reduction a centerpiece of the proposed rule. However, I am writing to suggest that emissions tracking could be improved by requiring emissions reduction reporting for *all* funded activities, not just selected activities, as proposed.

The CCA requires Ecology to:

"[P]repare, post on the department website, and submit to the appropriate committees of the legislature an annual report that identifies all distributions of moneys from the [CCA accounts}.... The report must identify, at a minimum, the recipient of the funding, the amount of the funding the purpose of the funding, the actual end result or use of the funding, **whether the project that received the funding produced any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions, and if so, the quantity of reduced greenhouse gas emissions, the cost per carbon dioxide equivalent metric ton of reduced greenhouse gas emissions, and a comparison to other greenhouse gas emissions reduction projects in order to facilitate the development of cost-benefit ratios for greenhouse gas emissions reduction projects**" (RCW 70A.65.300 (2023) (emphasis added)).

While the stated purpose of the CCA is to reduce emissions, I am concerned that your proposed rule strays from this core goal. For example, proposed WAC 173-446B-040 lists several types of expenditures for which recipients will *not* have to report emissions reduction:

"(2) Expenditures that are **not required to report whether the funding will produce any verifiable reduction in greenhouse gas emissions or other long-term impact to emissions may include, but are not limited to, those that involve only:**

- (a) Building awareness in or educating a community.
- (b) Clean energy workforce development.
- (c) Conducting administrative appeals.
- (d) Conducting outreach in communities.
- (e) Conducting research
- (f) Creating plans for future activities.
- (g) Enhancing a recipient's or other entity's capacity to fulfill its mission.
- (h) Enhancing or maintaining emergency response systems or procedures.
- (i) Hiring agency staff.
- (j) Providing technical assistance.
- (k) Training new employees, sharing knowledge among staff, or building employees' skills"
(Proposed WAC 173-446B-040 (WSR 24-20-028) (emphasis added)).

I encourage Ecology to adopt a rule that *does* require recipients for the above-listed expenditure activities to report their emission reduction, even if reporting shows that emissions reduction did not result from the funding. It should be acceptable for a funding recipient to be required to report "zero" or "none" for emissions reduction in such cases because the legislature will receive and evaluate this information to determine if statutory adjustments to CCA spending priorities should be made. Without comprehensive emissions reporting, the legislature will lack sufficient data to determine whether CCA funds are being spent wisely.

Furthermore, I worry that the department's proposal to exempt some activities from emissions reporting will be taken as confirmation of the belief, held by some lawmakers, that Ecology is not being diligent about tracking greenhouse gas emissions. As you know, lawmakers have criticized Ecology for failing to keep a current statewide greenhouse gas emissions inventory, as required by law (RCW 70A.45.020). As a result of this failure, lawmakers currently lack access to emissions data beyond calendar year 2019 (Department of Ecology, Washington State Greenhouse Gas Emissions Inventory: 1990-2019 (Dec. 2022) (Pub. No. 22-02-054)). And despite calls for a new report, Ecology has not produced one.

Once again, thank you for the opportunity to review and comment on the new proposed rule for CCA funding reports. I hope these comments will help the agency consider ways to improve the

rule to make emissions reduction the primary purpose of CCA spending.

Cordially,

Shelly Short

State Senator

7th Legislative District



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¹ RCW 70A.65.300 (2023) (emphasis added).

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Cordially,



Shelly Short
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² Proposed WAC 173-446B-040 (WSR 24-10-028) (emphasis added).

³ RCW 70A.45.020.

⁴ Department of Ecology, Washington State Greenhouse Gas Emissions Inventory: 1990-2019 (Dec. 2022) (Pub. No. 22-02-054).