

WEEK of Monday, February 16, 2009

Environmental Community

Hot List for the STATE SENATE

For the seventh year in a row, the environmental community will be sending legislators and key stakeholders its weekly Environmental Community "Hot List" detailing positions on no more than ten of the highest priority issues for the upcoming week. Separate Hot Lists will be prepared for the House and Senate and distributed each Monday via email and in hard copy to your office. At the end of the document, you will find a list of environmental community organizations that contributed to the Hot List. We hope you find this communication helpful. Please feel free to contact me at clifford@wcvoters.org or 206-369-2235, if you have any questions.

Respectfully,

Clifford R. Traisman, State Lobbyist, Washington Conservation Voters & Washington Environmental Council

SENATE COMMITTEE ACTION

SB 5114: Eliminating the partial relinquishment of water rights.

SB 5692: Regarding sufficient cause for the nonuse of water.

Environment, Water, and Energy Committee: Possible Executive Session

POSITION: *OPPOSE BOTH BILLS*

- Water is a limited and publicly owned resource that is asked to meet many demands. Water policies must fairly balance multiple needs for critical fish habitat, agriculture, industry, and use in our homes.
- These bills weaken or remove the long-standing principle that water users relinquish the right to water that has not been used for five or more years. Undermining this principle encourages water hoarding and financial speculation and may seriously impact to the rights of other water users.

SSB 5279: Providing safe collection and disposal of unwanted drugs from residential sources.

Health & Long-Term Care Committee: Possible Executive Session

POSITION: *SUPPORT*

- Reduces risks of accidental poisonings, drug diversion, and contamination of surface and ground water by requiring drug producers to provide residents with a secure and convenient statewide program for disposing unwanted and left-over prescriptions and over-the-counter medicines.
- Budget-neutral to the State. The drug producers set up and pay for the program, and a fee paid by the producers recovers agency oversight costs.

SB 5299: Concerning water resource management on the Columbia and Snake rivers.

Environment, Water, and Energy Committee: Possible Executive Session

POSITION: *OPPOSE*

- This bill is inconsistent with the Columbia River Management Program, which requires that conservation and other management tools benefit both instream flows and out-of-stream uses, by unilaterally amending statutory language that was agreed to in 2006 by both agricultural and environmental communities. The bill also raises serious legal questions by retroactively eliminating relinquishment, which may impact the rights of other water users.
- Although water conservation should be encouraged, it is not in the public interest to reduce the benefits of conservation by irrigating new land in dry areas of the state, increasing water demand unnecessarily, and reducing flows in already burdened rivers and streams.

SB 5384: Regarding high-performance public buildings.

Environment, Water and Energy Committee: Possible Executive Session

POSITION: *OPPOSE*

- This bill weakens Washington’s first-in-the-nation green buildings law, which was a 2005 Environmental Priority. The law currently requires most public buildings to be built to the widely-used and highly-respected LEED (Leadership in Energy and Environmental Design) standard. The bill adds Green Globes as an allowable standard.
- The Green Globes standard is a less rigorous and transparent program than LEED. In addition, the bill would raise state costs for program implementation by requiring additional staff training around another standard. In 2005, the timber industry and environmental community were able to agree upon language which recognized Washington wood products, which led to the bill moving forward. This bill undermines that agreement.

SSB 5687: Reducing greenhouse gas emissions through land use and transportation requirements (a.k.a. Transit Oriented Communities, Sen. Marr, Prime Sponsor).

Government Operations & Elections Committee: Public Hearing

POSITION: *SUPPORT*

- One of the four environmental priorities for 2009, the bill incorporates climate change consideration into land use and transportation planning, helping to significantly reduce the state's greenhouse gas emissions and pollution of Puget Sound by accommodating future population growth with minimal environmental impacts.
- The proposed substitute addresses many stakeholder concerns and is still a work in progress. The bill includes strong protections increasing housing affordability and mitigating displacement in communities closest to the major transit stations.



SB 5726: Clarifying the integration of the shoreline management act policies with the growth management act.

Environment, Water & Energy Committee: Possible Executive Session

POSITION: *SUPPORT the Agencies' substitute*

- This bill would eliminate the confusion caused by a Supreme Court decision and restore the original legislative intent that regulates critical areas in shorelines through the SMA—upon the next update of a jurisdiction’s SMA regulations. The bill creates no new protections, it just clarifies how and when existing protections apply on the state’s shorelands.
- The environmental community, local governments and ports are united in their support for the need for clarification and are working with the Departments of CTED & Ecology on the exact language.

SB 5735: Reducing greenhouse gas emissions (a.k.a. Cap and Invest; Sen. Phil Rockefeller, Prime Sponsor).

Environment, Water and Energy Committee: Possible Executive Session

POSITION: *SUPPORT*

- This bill moves forward with implementing a cap on global warming pollution, to enable Washington to achieve the emission limits enacted by the Legislature last year.
- Discussions continue around the bill, which is a work in progress. It is important to continue moving forward this year toward meeting our climate goals, and this bill is the foundation of the state’s overall strategy.



SB 5754: Establishing sustainable instream flows.

Environment, Water, and Energy Committee: Public Hearing

POSITION: *OPPOSE*

- Instream flows have all the benefits of a regular water right and are set in watersheds around the state to protect wildlife, fish, recreation, and other environmental and navigational values. In order to manage water resources successfully, we must balance both instream flows and out-of-stream demands.
- This bill weakens instream flows in two critical ways: (1) by giving water used for agriculture elevated status over instream flow rights, and (2) by undermining the science used to establish a “base flow” and replacing it with a standard that benefits water users and harms fish and other aquatic life.

SB 5854: Reducing climate pollution in the built environment (a.k.a. Efficiency First, Sen. Kilmer, Prime Sponsor).

Environment, Water & Energy Committee: Possible Executive Session

POSITION: *SUPPORT*

- This bill requires super efficient energy codes, disclosure of buildings' energy use scores to prospective buyers, makes our public buildings models of energy efficiency, and provides financing for energy-saving upgrades to existing buildings.
- This bill provides tax incentives for existing buildings that operate super-efficiently.



Contributing Organizations

American Rivers ▪ Audubon Washington ▪ Climate Solutions ▪ Conservation Northwest ▪ Earth Ministry ▪ Environment Washington
Fuse ▪ Futurewise ▪ Heart of America Northwest ▪ League of Women Voters of Washington ▪ Lutheran Public Policy Office
National Wildlife Federation ▪ Nature Conservancy ▪ NW Energy Coalition ▪ People for Puget Sound ▪ Sierra Club ▪ Surfrider
Foundation ▪ Transportation Choices Coalition ▪ Washington Citizens for Resource Conservation ▪ Washington Conservation Voters
Washington Environmental Council ▪ WashPIRG ▪ Washington Toxics Coalition ▪ Washington Wildlife and Recreation Coalition