

Five Years of Environmental Policy in Washington State

Are we making
a difference?



by Todd Myers & Brandon Houskeeper
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About the Project

During the past five years, the Washington state legislature has enacted more than two dozen environmental policies ranging from climate change, to clean water and banning flame-retardant compounds. While these policies receive significant attention as they are being considered by the legislature, few of them are audited afterward to determine if they are having the intended results.

We have examined the environmental policies passed by the legislature and governor during the past five years to determine when they have succeeded and when they have failed. The results are mixed, but in too many cases the programs are off track and policies have either already failed or are likely to fall short. Considered together, these environmental policies are likely to do more damage to the environment than good.

We have used a ten-point scale to score each policy, ranging from -5 to +5. Effective policies are rated positively while policies that actually harm the environment rate a negative score. In judging them, we examined two elements of each policy:

- **Objective results.** The policies have sometimes produced measurable results. In those cases we have compared the actual results to what lawmakers promised. Since these results are less subject to debate, we stressed these metrics whenever possible.
- **Projected results.** In many cases, the policies are early in their implementation or do not have calculated measurable results. In these instances we tried to gauge the general direction of success, and we have applied lessons from similar programs to judge the likely merit of the policy.

In every case we kept in mind that costs do not occur in a vacuum. Money spent on one particular policy means those resources cannot be spent on an alternative. Thus, ineffective policies actually have a negative impact because even if they do not harm the environment directly, they take funding from projects that could have helped.

We realize it is easy to criticize policies after the fact. In each case we have offered alternative approaches that could either replace the policy or help ensure it lives up to what lawmakers promised. Our full recommendations are available in the in-depth version of this study, which can be found at washingtonpolicy.org.

The results of the analysis and the scores offer an important warning: policymakers should not confuse politically popular policies with those that may actually have a positive impact on the environment. Politicians are best at judging the potential popularity of various policies. Judging the potential environmental impact of those policies for legislators, few of whom are scientists or economists, is more difficult. The results offered here demonstrate that many of the policies lawmakers enacted were chosen primarily because they are trendy or popular. If we truly care about promoting environmental sustainability and a healthy environment, we need to encourage policymakers to take a closer look at the science and economics of the environmental policies they support.

2005-2009 Legislative Environmental Scorecard Ranking from -5 to +5



Policy	Score
"Green" Schools	-4
Banning Flame-Retardant Compounds	0
Requiring Schools to Buy Locally	-2
Washington State Climate Policy	-2
Building Weatherization	1
Climate Change & GMA	-1
Fixing Septic Tanks to Reduce Pollution	3
Puget Sound Partnership	2
Promoting Biofuels	-3
Climate Change Executive Order	-4
Average Score	-1

“Green” Schools

Score:



Green building standards: Requires state buildings to be designed and constructed to meet high-performance “green” buildings standards. (Sen. Poulsen, SB 5509; companion bill Rep. Dunshee, HB 1272) - *Senate Majority “Environmental Priorities”*

In 2005, the legislature adopted “green” building standards for schools and state buildings. It was claimed the standards would add little cost and yield significant energy savings. Leaders of the Washington Conservation Voters (WCV) claimed the buildings would “reduce ongoing utility costs by 30%.” They claimed green buildings:

...have been shown to save nearly \$50 per square foot over a 20 year period, even considering any minimal increase in construction costs. That’s a net savings of over \$1.2 million for a 25,000 square foot building...

The WCV went on to claim “this investment typically pays for itself in power operating costs within two years.”

A number of schools have been built to meet the new law and the results are consistent: “green” schools cost more and use more energy per square foot than schools without the required elements. In the seven districts studied, five “green” schools are less efficient, using from 15 percent to 52 percent more energy than recently built, non-green schools. In two districts, they are more efficient, using about 13 percent less energy.

Costs are also higher than expected. One facilities director estimates it costs six percent more to meet the standards. For a typical school opened in 2006, that amounts to \$816,000. Assuming it is 15 percent more efficient a “green” school saves about \$8,000 per year in energy. The school will take 102 years to pay the increased cost.

“Green” schools have cost more than expected, increased energy use and environmental impact. Smart facilities directors are working around those problems, but they can only do so much. **This policy is an environmental failure, scoring -4.**

School Energy Use: Green vs. Non-green (Green schools in bold)

District	School	Energy Cost	Year Opened
Spokane 07-08	Lincoln Heights	\$0.99/sq foot	2007
Spokane 07-08	Browne	\$0.76/sq foot	2001
Tacoma 08-09	Giaudrone MS	\$0.99/sq foot	2003
Tacoma 08-09	Mason MS	\$0.71/sq foot	2003
Everett 08-09	Forest View	\$0.56/sq foot	2006
Everett 08-09	Penny Creek	\$0.44/sq foot	1998
Northshore 08-09	Cottage Lake	\$0.76/sq foot	2007
Northshore 08-09	East Ridge	\$0.64/sq foot	1991
Bellevue 08-09	Sherwood Forest	\$1.38/sq foot	2008
Bellevue 08-09	Somerset	\$0.91/sq foot	2004
Lake Washington	Rosa Parks	\$1.00/sq foot	2006
Lake Washington	Juanita	\$1.15/sq foot	2005
Bethel 08-09	Thompson	\$0.50/sq foot	2007
Bethel 08-09	Clover Creek	\$0.57/sq foot	1983



Alternative Approach

Data show that districts consistently improve energy efficiency in schools without mandates from Olympia. Leaving local facilities directors in charge allows them to continue that trend while avoiding some of the costly and ineffective elements of the “green” school requirements.

Fixing Septic Tanks to Reduce Pollution

Score:



Addressing on-site sewage disposal in marine waters: Local health officers in 12 Puget Sound counties are directed to develop management plans to clean up marine recovery areas where failing onsite systems pollute marine waters. (Rep. Hunt, HB 1458) - *Senate Majority "Environmental Priorities"*

Clean up Puget Sound - *Washington Conservation Voters, 2006 Priority*

Passed in 2006, HB 1458 required 12 Puget Sound counties to develop local on-site sewage disposal management plans that would guide the development and management of septic systems in marine recovery areas within local health jurisdictions. Each county is required to prepare a management plan and adopt marine recovery boundaries where septic systems were found to be a contributing factor leading to the degradation of water quality.

In 2008, the Department of Health submitted a report to the Legislature stating that all 12 counties had received the required approval for their management plans. In addition, the report noted that all of the counties had identified and designated marine recovery areas that displayed one of the contributing factors leading to the decreased water quality.

The results to date, however, have been mixed. The following two examples illustrate the positive and negative approaches county officials have used to develop management plans.

Earlier this year Henderson Inlet in Thurston County was re-opened for shellfish harvesting. This marks the first time in more than 20 years that the Inlet was opened without any harvest restrictions. Local officials attribute the re-opening to the collective effort by homeowners and the government, which benefited from tools identified in the County's management plan, such as teaching homeowners how to provide routine maintenance and inspections of their septic systems.

North of Henderson Inlet the story is a little different. Quartermaster Harbor, on Vashon Island, was identified in the King County plan as a marine recovery area. As the *Maury/Vashon Island Beachcomber* noted, however, the cleanup is far behind schedule reporting that the County cannot get the homeowners to cooperate in assessing the impact that failing septic tanks are having on the Harbor.

In the meantime, local and state political leaders have spent time on less important, but politically attractive, issues on the island like the move by Public Lands Commissioner Goldmark to stop dock construction on Maury Island.

Unlike Thurston County, homeowners and government officials in King County have not been able to work collaboratively. The mixed bag of results makes this a hard accomplishment to judge, but it also shows that more politically favorable ideas get more attention while more important environmental issues are pushed to the side. Failing septic tanks can have a serious impact on water quality. **The policy earns a 3, but the implementation, especially in King County, earns a low grade.**



Alternative Approach

The success in Thurston County establishes a good benchmark for others to follow. Since the adoption of the management plan, County workers have worked with more than 1,500 citizens in the marine recovery area, teaching the skills needed to improve the environment. This approach, while less politically rewarding, led to the re-opening in hundreds of acres of shellfish beds. Others should follow their lead.

Banning Flame-retardant Compounds

In 2007 the legislature voted to ban polybrominated diphenyl ethers (PBDEs), compounds used to make a range of products flame-retardant. The environmental community claims that PBDEs are health risks, citing rising levels in humans as a concern. The health concerns, however, were largely speculative and regulators admit that the ban offers marginal improvement at best and assumes the data about the lesserstudied replacements is accurate.

Requiring Schools to Buy Locally

One of the strongest trends among environmental activists is the push to “buy local,” assuming that local food reduces energy use by reducing transportation. Recent legislation set up a pilot project, promoting locally grown food. That project, however, has had little success and is based on flawed assumptions. As a state that relies on agricultural exports we should hope that communities who buy our apples, lentils, wheat and other products do not adopt their-own “buy local” programs.

Washington State Climate Policy

Despite the adoption of HB 2815, which passed in 2008, codifying statewide goals to reduce greenhouse gas emissions, two years later there is little progress on the state’s climate policy agenda. In fact, according to our research, the state has adopted competing policies that will create problems by adding to budget shortfalls and failing to develop a “green” economy.

Building Weatherization

The 2009 Legislature passed SB 5649, aimed at reducing home and business energy bills through increased energy efficiencies and to create family wage jobs. A key component of the legislation requires the pilot project to use key metrics to measure whether these types of projects are worth the costs. Such metrics will help to ensure that taxpayers are getting the best return on their investment. However, serious questions exist regarding the claims of job creation.

Climate Change & the Growth Management Act

In December 2008 the State Department of Commerce released a series of recommendations to address climate change through amendments to the state’s Growth Management Act (GMA). To date, however, none of the top policy recommendations have been adopted. Uncertainty and lack of resources have led to the failure of these initiatives. Failures were also due to unknown costs and the lack of mechanisms in place to assess outcomes.

Puget Sound Partnership

When created in 2007, the Puget Sound Partnership hit the ground running culminating with the release of the state’s Action Agenda, a roadmap to a healthier Puget Sound, which was released in late 2008. However, since release of the Action Agenda, there have been several setbacks and indications that politics has been driving the work of Partnership. Such political influence threatens to corrupt a promising, scientific and priority-based process.

Promoting Biofuels with Regulations and Subsidies

Perhaps no other environmental policy has received more attention during the past five years than the promotion of biofuels. And few have more consistently fallen short of their promises. A series of regulations and taxpayer subsidies has sought to make biofuels a centerpiece of the state’s strategy for reducing carbon emissions. The promise of biofuels has not been fulfilled. Biofuels may yet play a role in providing an alternative to fossil fuels, but the technology is still developing.

Climate Change Executive Order

Despite the Legislature’s rejection of her cap-and-trade policy, Governor Gregoire signed an Executive Order directing state agencies to implement several key elements of the failed policy. In order to implement the policy approach directed by the Governor through her Executive Order, the Department of Ecology was forced to shift \$1.6 million from current programs. This resulted in the state delaying action on existing programs such as air quality and toxic cleanups.



Washington Policy Center is a non-partisan, independent policy research organization in Washington state. With offices in Seattle, Olympia, and Eastern Washington, WPC promotes sound public policy based on free-market solutions and shapes the public debate on the vital issues facing the region.

WPC's Center for the Environment brings balance to the environmental debate and promotes the idea that human progress and prosperity work in a free economy to protect the environment.

This publication is a summary version of an in-depth study available online at washingtonpolicy.org.

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