



Via Electronic Mail

March 21, 2024

The Honorable David A. Bennett
Chair, House Environment and Natural Resources Committee
Room 135, State House
Providence, RI 02903

Re: CLF **Supports** House Bill No. 8043 – State Agency Emission Reporting

Dear Chair Bennett:

The Conservation Law Foundation (“CLF”) appreciates the opportunity to comment on House Bill No. 8043, which would direct the Executive Climate Change Coordinating Council (“EC4”) to establish an emissions tracking template for state agencies to use to better comply with the Act on Climate. We offer our **support** for this bill, and offer suggested additions.

CLF is a member-supported non-profit advocacy organization working to protect public health and the environment and build healthy communities in Rhode Island and throughout New England. CLF is aware of the important leadership role that state agencies must take to meet Rhode Island’s climate mandates.

This bill directs the EC4 to develop a framework for agencies to track their carbon emissions from a variety of sources, including agency fleets and buildings. The Act on Climate directs state agencies to address climate change and grants them the authority to pass regulations to meet the Act’s emissions reductions targets. For agencies to reduce their emissions, it needs to start with tracking them. This bill directs the EC4 to prepare a much-needed framework for agencies to track and measure their carbon emissions. This data can thus inform each agency on how to reduce emissions in accordance with Rhode Island’s climate mandates.

For example, the state of Rhode Island owns and operates approximately 2,000 fleet vehicles.¹ Statewide, transportation contributed 38% of all greenhouse gas emissions in 2020.² By creating a tracking mechanism, the EC4 can help state agencies to identify and reduce their vehicle emissions, thereby moving us all closer to achieving Rhode Island’s climate mandates. Tracking

¹ *Fleet*, STATE OF RHODE ISLAND DIVISION OF CAPITAL ASSET MANAGEMENT & MAINTENANCE, <https://dcamm.ri.gov/dcamm-business-units/fleet> (last visited Mar. 18, 2024).

² Rhode Island Department of Environmental Management, *2020 Greenhouse Gas Emissions Inventory*, available at <https://dem.ri.gov/sites/g/files/xkgbur861/files/2023-10/2020%20RI%20GHG%20Emissions%20Inventory%20Summary.pdf>

greenhouse gas emissions will also assist agencies in improving efficiency and lowering energy costs, promote government transparency, and foster trust that agencies are taking the necessary action to achieve the Act on Climate's goals.

CLF urges the General Assembly to expand the scope of this proposal to address a critical need for complying with the Act on Climate. In addition to tracking existing operational greenhouse gas emissions, state agencies need to standardize how they quantify the emissions associated with proposed agency actions.

While the Act on Climate directs state agencies to address climate change, there is no standard means of assessing whether a given agency action will contribute to a state-wide reduction (or increase) of greenhouse gas emissions. Often, agency decision-makers defer to their staff, or to applicants who make general and unsubstantiated assertions that proposed actions are consistent with meeting Act on Climate mandates. Thus, in addition to creating a tracking template, the EC4 should also create standardized guidance for agencies to use in evaluating a proposed action.

In reviewing state action to meet the Act on Climate requirements, a court would need to determine a baseline of emissions if an agency took no action and compare it to the expected increase or decrease that would flow from a proposed agency action. These causal connections are fundamental accountability checks for those agencies, especially those that continually deny their obligation to align their actions with the Act on Climate. In face of ongoing agency intransigence to addressing the climate crisis, we ask the General Assembly to clarify the path forward and reduce opportunities for obfuscation and denial.

To this end, CLF respectfully asks the Committee to consider the following:

- **Make lines 9-17 into a subsection (A).**
- **Add a subsection (B) stating:**

(B) The EC4 shall also create a template to be used by all agencies of the state to evaluate the emissions impact of proposed actions. The template shall include, but not be limited to, a framework for the agency to follow in establishing current baseline emissions and net change in emissions due to a proposed agency action. In the agency's report to EC4 required by subsection (A), each agency shall also include their measure of metric tons of carbon dioxide equivalent reduced or increased due to its actions. Each agency may request to use an alternative to the template, subject to the approval by the EC4.

House Bill No. 8043 is an important step in the right direction. It will provide state agencies with the necessary data to aid them in reducing greenhouse gas emissions, increasing energy efficiency, and promoting government transparency as Rhode Island works to meet the Act on Climate's emissions reduction targets. However, CLF urges the Committee to take advantage of

the opportunity to direct the EC4 to issue further guidance for state agencies to use the Act's emissions reduction mandates when evaluating proposed actions.

Thank you for your time and consideration of this testimony.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "D.A. Brown". The signature is stylized with a large, sweeping initial "D" and "B".

Darrèll Brown
Vice President, Rhode Island
Conservation Law Foundation

cc: Members of the House Environment and Natural Resources Committee
Representative John Edwards
Representative Camille Vella-Wilkinson
Representative Megan Cotter