



350 Seattle  
5031 University Way NE  
Seattle, WA 98105

Rachel Assink  
Rulemaking Lead  
Washington Department of Ecology  
300 Desmond Dr SE, Lacey, WA 98503

Re: Chapter 173-424 WAC, Clean Fuels Program Rule

Dear Ms. Assink,

Thank you for the opportunity to comment on the rulemaking for the Clean Fuel Standard.

350 Seattle works toward climate justice by organizing people to make deep system change: resisting fossil fuels; building momentum for healthy alternatives; and fostering resilient, just, and welcoming communities.

350 Seattle wants the Clean Fuel Standard to be as strong as possible.

In our previous group comment of November 5, 2021 we advocated for a sharper reduction trajectory, which is not only more aligned with our statutory emissions reductions limits but is also closer to Clean Fuels programs in other states. California's current program requires a 20% reduction in carbon intensity by 2030; this standard was updated in 2018 (1) to better meet their state's climate mandates as passed by the California Legislature (40% below 1990 levels by 2030) (2). Oregon is currently in the process of expanding their Clean Fuels Program, and as a result of public feedback, they are considering a standard of 20% below 2015 levels by 2030 and 37% below 2015 levels by 2035 (3, 4). British Columbia's standard also requires a 20% reduction by 2030 (5). To summarize, all three West Coast states and provinces that have adopted a Clean Fuel Standard, apart from Washington, require a 20% reduction in carbon intensity by 2030.

Given that context, we strongly recommend that Washington's Clean Fuels rule require a 20% reduction in carbon intensity of fuels be achieved by the earliest date allowed in the law — 2034.

A 20% reduction in carbon intensity by 2034 is more aligned with Washington State policy, other state's programs, and will lead to faster pollution reductions and the commensurate benefits to our health and well-being. It will lead to a strong signal for greater clean fuels investments in the near term, to the benefit of Washingtonians.

We also strongly urge Ecology to revisit the proposed iLUC values for ethanol intended for use in the WA-GREET model. Significant questions regarding the benefits of ethanol as a gasoline additive have been raised for years (6, 7). The most recent analysis finds that ethanol has a higher carbon intensity than gasoline when indirect land use change is taken into consideration -- at least 24% higher (8).

Since the EPA's ability to set biofuel volume requirements will broaden significantly in 2023, it is imperative that Washington align with the best available science regarding the life cycle impacts of corn ethanol.

It is also essential that our Clean Fuel Standard use the appropriate timeframes when incorporating calculations related to the global warming potential (GWP) of greenhouse gasses. The IPCC's Sixth Assessment tells us that we are on track to exceed a global temperature increase of 1.5 C within the next seven years (9). Ecology must respond with appropriate urgency. While calculations using a 100 year GWP are useful, modeling defaults should be set for 20 year GWP.

Appropriate methane leakage rates from fossil fuel extraction is another critical component of life cycle modeling. Global methane emissions are on the rise (10) and the proportion of methane emissions attributable to fossil fuel extraction and transport is growing (11). Ecology's modeling needs to incorporate the best available science, subject to periodic review and revision.

Finally, as the state's Health Disparities Map illustrates (12), the victims of vehicle particulates are disproportionately low income and people of color. We strongly urge Ecology to follow the environmental justice requirements of the HEAL Act when finalizing this rule.

Sincerely,

David Perk  
350 Seattle  
info@350seattle.org

(1) California Air Resources Board. "Low Carbon Fuel Standard". Accessed October 28, 2021. <https://ww2.arb.ca.gov/sites/default/files/2020-09/basics-notes.pdf>

(2) Berkeley Law. "California Climate Policy Fact Sheet: Emission Reduction Policy". Accessed October 28, 2021.

<https://www.law.berkeley.edu/wp-content/uploads/2019/12/Fact-Sheet-Emission-ReductionPolicy.pdf>

(3) Office of the Governor, State of Oregon. "Executive Order No. 20-04". March 10, 2020.  
[https://www.oregon.gov/gov/Documents/executive\\_orders/eo\\_20-04.pdf](https://www.oregon.gov/gov/Documents/executive_orders/eo_20-04.pdf)

(4) Oregon Department of Environmental Quality. "Oregon Clean Fuels Program - Program Review". Accessed April 18, 2022.  
<https://www.oregon.gov/deq/ghgp/Documents/CFP-ProgramReview.pdf>

(5) Government of British Columbia. "BC-LCFS Requirements". Accessed October 28, 2021.  
<https://www2.gov.bc.ca/gov/content/industry/electricity-alternative-energy/transportationenergies/renewable-low-carbon-fuels/requirements>

(6) Associated Press. "AP investigation explores hidden cost of ethanol", Nov. 6, 2013.  
<https://www.ap.org/press-releases/2013/ap-investigation-explores-hidden-cost-of-ethanol>

(7) The Atlantic. "Stop the Ethanol Madness", November 23, 2019.  
<https://www.theatlantic.com/ideas/archive/2019/11/ethanol-has-forsaken-us/602191/>

(8) "Environmental outcomes of the US Renewable Fuel Standard," The Proceedings of the National Academy of Sciences, February 14, 2022.  
<https://www.pnas.org/doi/full/10.1073/pnas.2101084119>

(9) The Guardian. "IPCC report: 'now or never' if world is to stave off climate disaster". April 4, 2022.  
<https://www.theguardian.com/environment/2022/apr/04/ipcc-report-now-or-never-if-world-stave-off-climate-disaster>

(10) Nature. "Scientists raise alarm over 'dangerously fast' growth in atmospheric methane". Accessed April 21, 2022.  
<https://www.nature.com/articles/d41586-022-00312-2>

(11) Carbon Brief. "Methane emissions from fossil fuels 'severely underestimated'". February 19, 2020.  
<https://www.carbonbrief.org/methane-emissions-from-fossil-fuels-severely-underestimated>

(12) Washington Department of Health. "Washington Environmental Health Disparities Map". Accessed April 18, 2022.  
<https://doh.wa.gov/data-statistical-reports/washington-tracking-network-wtn/washington-environmental-health-disparities-map>