

Department of Ecology  
State of Washington

July 7, 2022

RE: Comment on Draft Rule WAC 173-446-505 re Urban Forest Compliance Offsets

Dear Department of Ecology,

I am writing to comment on the proposed WAC 173-446-505, specifically section 173-446-505 (3)(d), which requires urban forest ecology offset credits to result from the use of the California ARB Urban Forest Protocol dated October 20, 2011 (referred to in this comment letter as "2011 ARB UF Protocol").

I understand why Ecology would select this protocol to serve as the compliance protocol for urban forest projects in Washington State, since it is the only urban forest protocol adopted by ARB in California. However, the 2011 ARB UF Protocol has never had an applicant in the 11 years since adoption. It has never been used.

Adoption by Ecology of the 2011 ARB UF protocol would kill urban forest compliance projects in Washington State before they have a chance to be born.

Stakeholders in California recognized that the 2011 ARB UF Protocol was unusable from the start. In 2013, ARB gave a grant to the Climate Action Reserve (CAR) to develop a new, improved, and streamlined protocol. I served on the work group for the 2013 CAR protocol development. My brother, Dr E. Gregory McPherson, was the lead scientist on both the 2011 ARB UF Protocol as well as the 2013 CAR protocol development.

CAR adopted two urban forest carbon protocols in 2014, over the objection of the urban forest stakeholders, who pointed out that the 2014 CAR protocols were also not usable in the real world of urban forestry. ARB, recognizing that the CAR protocols were unlikely ever to be used, declined to put the 2014 CAR protocols through its notice and comment rulemaking. So, ARB never adopted the 2014 CAR protocols.

In short, California does not have and has never had a functioning urban forest compliance offset program.

Adoption by Ecology of the 2011 ARB UF Protocol or the non-ARB- adopted 2014 CAR protocols would produce the same result in Washington State - no compliance urban forest carbon projects and thus no compliance urban forest credits issued and used to fund urban forest projects.

If Ecology wants to have compliance urban forest projects and crediting in Washington State, it must develop its own protocols. It is that simple.

I understand the goal of creating credits that are fungible, recognized, and linked across multiple states. But California has no urban forest credits. If Ecology in Washington State develops its own urban forest

protocols, those Ecology credits can be purchased inside or, if Ecology permits, outside the state. It would be far better to have a functioning urban forest compliance program that is not linked to California, than a linked program to California that is non-functional.

I make these comments based on:

- Many decades of experience in urban forestry, such as drafting the first conservation easement for Seattle's Heritage Tree program over 25 years ago and receiving a Founder's Award from a Seattle non-profit tree organization for years of work on Seattle urban forest issues,
- Working with California stakeholders beginning in 2013 on the CAR protocol work group,
- Working with the lead scientist of both the ARB and the CAR protocols,
- Founding and developing a national urban forest carbon registry for the voluntary carbon market. Information on that program, which is based in Seattle, can be found at [www.cityforestcredits.org](http://www.cityforestcredits.org).

Yours,

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