



July 15, 2022

Joshua Grice
Department of Ecology
Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

Dear WA State Dept. of Ecology:

Friends of Toppenish Creek (FOTC) is a 501 C (3) non-profit group from the Yakima Valley where air pollution is severe, and many communities are overburdened.

Friends of Toppenish Creek is dedicated to protecting the rights of rural communities and improving oversight of industrial agriculture. FOTC operates under the simple principle that all people deserve clean air, clean water and protection from abuse that results when profit is favored over people. FOTC works through public education, citizen investigations, research, legislation, special events, and direct action.

We ask Ecology to delete the use of the California Air Resources Board Compliance Offset Protocol Livestock Projects for October 2011 and November 2014 from the proposed section WAC 173-446-505 (page 69) because these protocols have been challenged in California with good reasons that apply equally seriously in Washington.¹

Methane gathered from anaerobic manure lagoons would not exist if not for manure storage in lagoons. There are better ways to manage manure.¹ Because methane from lagoons and digesters can be gathered, sold as fuel, and used to generate significant revenue from LCFS credits, methane production by concentrated animal feeding operations (CAFOs) will increase if generating renewable natural gas (RNG) from manure digesters is approved as an offset. This is the opposite of Climate Commitment Act (CCA) goals. Some studies tell us that CAFO dairies

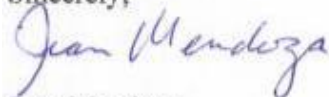
could potentially earn more income from incentives related to methane production than they do by selling milk.^{2,3}

FOTC has serious concerns related to utilizing manure biogas digesters to produce RNG:

- Dry manure management techniques and other alternative practices can prevent the creation of methane in the first place.
- The studies that support RNG production do not account for the associated upstream and downstream pollutants – pollutants from dairy production areas and pollutants related to digestate from methane extraction.
- In addition to methane, CAFO manure management produces volatile organic compounds, ammonia, hydrogen sulfide, nitrous oxide, and other major air pollutants. These pollutants are all ignored in bio-digester analyses.
- Dairy bio-digesters do nothing to address enteric (intestinal) methane emissions from cows, or other GHG emissions from dairies. Dairies produce more methane via enteric fermentation than they do via manure management.
- Manure digesters provide increased profits for mega-dairies and push smaller dairies out of the marketplace. Smaller dairies cannot finance these million dollar projects.
- Manure has the lowest return per wet ton of input of any digester feedstock. Animal carcasses (think unwanted dairy calves) produce 13 times more biogas per wet ton than manure.⁴
- CAFOs pollute ground and surface water. Producing more methane to feed bio-digesters will increase this pollution and exacerbate environmental and health risks in overburdened communities.
- The methane from renewable natural gas is the same as methane from fossil fuels. When it burns the amount of CO₂ air pollution is the same.

Please remember the purpose of the Climate Commitment Act. Many commenters have already encouraged Ecology to take the strongest possible measures to address Climate Change. Incentivizing methane production is worse than a weak measure. It is a step in the wrong direction.

Sincerely,



Jean Mendoza

Executive Director, Friends of Toppenish Creek
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White Swan, WA 98952

¹ Petition for rulemaking to exclude all fuels derived from biomethane from dairy and swine manure from the Low Carbon Fuel Standard Program. 2021. Available at <https://food.publicjustice.net/wp-content/uploads/sites/3/2021/10/Factory-Farm-Gas-Petition-FINAL.pdf>

² Hoards Dairyman (2021) Energy revenue could be a game changer for dairy farms. Available at <https://hoards.com/article-30925-energy-revenue-could-be-a-game-changer-for-dairy-farms.html>

³ Lee, H., & Sumner, D. (2018). Dependence on policy revenue poses risks for investments in dairy digesters. *California Agriculture*, 72(4), 226-235. Available at <https://calag.ucanr.edu/Archive/?article=ca.2018a0037&sharebar=share>

⁴ WA State University (2017) Harnessing Renewable Natural Gas for Low-Carbon Fuel: A Roadmap for Washington State. Available at <http://www.commerce.wa.gov/wp-content/uploads/2018/02/Energy-RNG-Roadmap-for-Washington-Jan-2018.pdf>