

## Katie Fields

Thank you very much. My name is Katie Fields, spelled K-A-T-I E F-I-E-L-D-S. And I'm speaking on behalf of Washington Environmental Council. First off, I would like to thank Ecology for the opportunity to present comments. We appreciate all the work Ecology is doing to transition the Climate Commitment Act from law into policy, and we understand it's a pretty large undertaking. Today, I'm sharing some of the areas we at Washington Environmental Council think could be strengthened in the proposed rule and we will be providing detailed, written comments as well. The first topic is overburdened communities and environmental arm-- environmental harm rather. The statute is clear that the program should benefit overburdened communities and not cause environmental harm. The rule should be strengthened to articulate ecology's responsibilities for engaging with the environmental justice council, clarify ecology's rule-role in evaluating impacts on overburdened communities of all emission-intensive trade-exposed facilities, regardless of when they become a covered entity, and establish an explicit review process for how the program is impacting overburden communities, and ensure ecology has information required to conduct that review. Additional information is needed to clarify how air pollution burden will be monitored, how a decision will be reached to reduce offset usage, how information will be shared publicly, and whether relevant offset credits will be retired. More specificity is needed on implementation of the requirement that offsets do not produce significant adverse environmental impacts after mitigation, including how the definition of adverse impacts relates to the rule definition of environmental harm. The next topic area is honoring tribal sovereignty. This rule must explicitly incorporate Ecology's existing obligation to proactively engage and consult with federally recognized tribes. It is critical that offset rules are guided by feedback from tribal nations, designed to facilitate participation of tribal nations and support tribal sovereignty. We would also like to see clarification and strengthening of Ecology's responsibility to provide oversight and review of EIT allocation of allowances, provide guidance and establish reporting requirements for consumer-owned utilities on the use of the value of no-cost allowances, and engage with the UTC on its regulation of investor-owned utilities use of the value of no cost allowances. Next in terms of adaptive management, it is important that the rule establishes the process to evaluate the impact of offset, and the effectiveness of the offsets program over time. In terms of adaptation and creation of new protocols, it is important that the rule includes language allowing for adaptation and adoption of new protocols moving forward, post rulemaking, including updating existing offset protocols based on lessons learned in California, such as evolving California's urban forestry offsets protocol, which is never been feasible to implement and adopting new offset protocols to harness other natural climate solutions in Washington, such as blue carbon and agriculture. Finally, aggregation. More clarity is needed on how aggregation will be supported and how ecology will ensure the rule meets the needs of all relevant landowners, including tribal nations. Thank you very much for the opportunity to present these comments.