

Washington Conservation Action

Comments attached



WASHINGTON CONSERVATION ACTION

December 12, 2023

Nikki Harris
Rulemaking Lead
Washington Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Re: Informal Comment for Chapter 173-446 Cap-and-Invest Offsets Input on the Technical Working Group Recruitment and Facilitation Processes

Dear Nikki,

Washington Conservation Action appreciates the opportunity to submit the following recommendations pertaining to the recruitment and development of technical workgroups for the Chapter 173-446 WAC Cap-and-Invest Offsets rulemaking. While our comments primarily apply to the US Forests and Blue Carbon protocols based on our organizational focus, many may be applicable to the Ozone Depleting Substances protocol as well as any other protocols that emerge for consideration for revision or development.

Workgroup Recruitment and Composition

Inclusive, representative workgroups comprised of members with a range of knowledge types and experiences – including lived experience – will help to ensure effective offset protocol revision and development. To that end, **we encourage Ecology to actively recruit and ensure representation within the US Forest and Blue Carbon workgroups of Tribal entities and environmental justice organizations.**

Balancing economic and ecological priorities will also be key to ensuring functional outcomes from this process. The workgroups should include equitable representation from environmental justice organizations, conservation organizations, Tribes, industry, project developers, and a range of landowners including small forestland owners and Tribal landowners.

Facilitation Process

In addition to recruitment, working group outcomes will depend largely on process considerations. We offer the following recommendations for specific strategies to foster effective collaboration:

- We acknowledge that Ecology has previously established that consensus will not be required, however we recommend that Ecology collaborate with members of each working group to

establish protocols for how decisions will be made in the initial meeting of each group, for example by submitting majority/minority opinion reports.

- We recommend that standards be developed in advance of the workgroup meetings to establish minimum criteria for acceptable scientific resources to be considered by the workgroups, including peer reviewed studies and traditional ecological knowledge.
- While the November 14 public presentation established that “Ecology will propose revisions and additions to offset protocols based on public comment, technical working group input, and internal review,” we encourage the Department to explicitly invite the workgroup members to co-create topical agendas in advance of each meeting
- We recommend that Ecology establish group agreements that uphold the principles of **tribal sovereignty, environmental justice** – including but not limited to those identified in RCW 70A.02 (HEAL Act) – and commitment to upholding the **greenhouse gas emissions reductions** goals established under RCW 70A.45.020 (Climate Commitment Act) as well as additions that are suggested and mutually agreed upon by all members of each working group.
- In order to support an inclusive process, we recommend that Ecology ensure meetings are accessible, including consideration of meeting timing, location, and translation/ASL interpretation. Language services should be considered for members of the public viewing meeting recordings as well as workgroup participants.
- We appreciate that Ecology has established that recordings of working group meetings will be made available to the public and encourage the Department to consider allowing real-time observation of meetings by the public.

Thank you for your consideration of these comments. Washington Conservation Action looks forward to continued participation in this rulemaking and appreciates Ecology’s ongoing work.

Sincerely,

Katie Fields
Forests and Communities Program Manager
206.631.2628 • katie@waconservationaction.org

Katie Byrnes
Toxics and Stormwater Policy Manager
206.631.2605 • kbyrnes@waconservationaction.org

Robinson Low
Habitat Policy Manager
206. 794.2490 • robinson@waconservationaction.org