

Northwest Gas Association

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October 9, 2020

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Mr. Doenges:

I am writing with regard to the Northwest Innovation Works – Kalama Manufacturing and Marine Export facility (NWIW), particularly the process by which the Department of Ecology (ECY) arrived at its conclusions in the Second Supplemental Environmental Impact Statement (SSEIS). ECY has intensely studied and assessed this project in two separate Environmental Impact Statements (EIS), both of which concluded that the project will drive a net global reduction in greenhouse gas emissions (GHGs).

What we liked about the process:

The SSEIS reflects an exhaustive effort to thoroughly analyze the NWIW project with unprecedented depth and a focus on GHGs. While we would argue over the utility of accounting for GHGs outside of the state’s jurisdiction (upstream and downstream), the SSEIS relies upon definitive science and analysis conducted or published by bona fide government agencies to arrive at its conclusion of a net global benefit.

What we didn’t like about the process:

The inclusion of “less likely” scenarios in the assessment contributed nothing to the conclusions drawn in the SSEIS. They are not the equivalent of project options or mitigation alternatives. Instead of informing the process, less likely scenarios serve only to obscure, even to confuse it.

ECY’s determination that an additional supplemental EIS was required thereby preempting control from the lead agency appeared arbitrary. That appearance was only reinforced when, after more than another year’s delay, ECY arrived at essentially the same conclusions as the lead agency. Other than satisfying ECY that the lead agency’s original analysis was appropriately rigorous and arrived at the correct conclusion, the only thing accomplished by requiring a second SEIS was another year’s delay (with associated costs).

On that note, several years to develop a project within ever-changing and uncertain guidelines is much too long and ambiguous a process. If viewed as a precedent for permitting future projects, this one will discourage environmentally beneficial projects from locating in our region.

What we’d like to see in future processes:

In a word: certainty.

Project developers must be able to rely on **a standardized process** for evaluating projects, as well as the consistent application of that process across jurisdictions. We are aware that ECY is in the midst of a rule making in this regard (i.e. Greenhouse Gas Assessment for Projects or GAP rule) and want to take this opportunity to offer some thoughts on what that process should include:

- The process must clearly and conclusively define up front what is to be measured and how it is to be measured. This will help inform project developers from the outset whether or not a project is viable, potentially saving time, energy and money.
- It must rely on definitive science and analysis. A standardized process will define acceptable data sources and preclude “cherry picking” the science. Public input should be encouraged and embraced (it often makes a project better), but the environmental assessment must be rooted in definitive science and analysis. Data sources should be limited to those produced by governmental entities with regulatory responsibilities.
- It must clearly delineate process timing. The timeline should be reasonable and predictable. It must include definitive decision points and preclude revisiting analyses except under defined parameters.

Mitigation requirements outlined in a standardized process should be calculated based upon in-state, project-related impacts. ECY’s current approach in this and other recent environmental impact statements considers upstream and downstream emissions that are outside of both the project proponent’s control and ECY’s jurisdiction to regulate. While Ecology may be able to require disclosure of these impacts there is no authority in SEPA to require mitigation of upstream and downstream impacts.

A standardized process should include a variety of acceptable **mitigation measures** for direct project emissions. To the extent possible, the process should be as expansive as possible when defining the spectrum of options available to mitigate GHG impacts. For example, mitigation measure options should include, but not be limited to:

- Purchase of credits or allowances from international or domestic carbon markets;
- Purchase of credits through recognized registries; or
- Offset projects that meet established carbon protocols.

Technological advancements that can reduce the overall GHG impact of a project are increasing. It is important to continue allowing, and not limit, market-based options as a tool. Until technology advances to the point where projects can be built and operated with zero emissions, market-based options and carbon offsets will be essential to helping projects attain a net zero status.

In conclusion, NWIW is a shining example of a major project that is both economically beneficial and environmentally responsible. Future permitting processes should facilitate the development of such projects through clarity and certainty.

Thank you for the opportunity to comment on the process for developing the NWIW SSEIS.

Sincerely,

A handwritten signature in blue ink that reads "Dan S. Kirschner". The signature is fluid and cursive, with a long horizontal stroke at the end.

DAN S. KIRSCHNER
Executive Director