

Union of Concerned Scientists

I wanted to share a few thoughts responsive to the current interpretive statement. It is important that whatever approach you decide is enforced uniformly, to avoid cherry picking and pollution shuffling. Petitioners should not be able to choose the approach that is most favorable for their specific application. This principle should apply to electricity, upstream methane leakage, or any other element of a pathway.

I appreciate the legislature has encouraged WDE to give more generous accounting treatment for power used to produce SAF, as a means of encouraging the development of what is currently perceived to be a hard-to-decarbonize fuel pathway. However, I am concerned that establishing inconsistent accounting practices among very similar fuel pathways (SAF versus renewable diesel for example) could lead to unintended consequences that could be difficult to address later without establishing the appropriate mechanisms now.

It was only a few years ago that renewable diesel (RD) was an expensive source of compliance with the California LCFS. But changes in policies outside California led RD to become a very inexpensive and abundant source of LCFS compliance, creating a major crisis for the California LCFS and undermining the support CARB expected the LCFS to provide for electrification (see my January blog for more details <https://blog.ucsusa.org/jeremy-martin/a-cap-on-vegetable-oil-based-fuels-will-stabilize-and-strengthen-californias-low-carbon-fuel-standard/>). Changes in federal support for SAF could plausibly create a similar dynamic down the road, which could then render the preferential treatment of SAF inappropriate and counterproductive.

For this reason I would encourage you to ensure that any special treatment afforded to SAF is limited and can be phased out when circumstances no longer support the special treatment. For example, the special accounting treatment for each new pathway could be contingent on a determination that the scale of SAF production is still below a target level that demonstrates that special treatment is appropriate. This would be consistent with the caps put in place on other special treatment, for example capacity-based credits for ZEV infrastructure.

I would also encourage you to set stringent limits on the use of book and claim accounting for biomethane. Without these limits book and claim accounting can undermine the support for investment in Washington's fuel system and function instead as an offset (for more details, see my February blog at <https://blog.ucsusa.org/jeremy-martin/something-stinks-california-must-end-manure-biomethane-accounting-gimmicks-in-its-low-carbon-fuel-standard/>).

Thank you for the opportunity to comment on this.

Regards,

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