

August 1, 2025

Department of Ecology
Climate Pollution Reduction Program
Adam Saul
PO BOX 47600
Olympia, WA 98504-7600
Submitted Electronically

RE: Chapter 173-424 WAC, CR 102 Clean Fuels Program Rule

Dear Mr. Saul:

I am a fourth-generation dairy farmer. My wife, Karen, and I have four children who grew up on our family's J&K Dairy near Sunnyside in the Yakima Valley. Two of our children are already making plans to come back to the farm full time. We are committed to sustainability and good stewardship of the land, air, and water that undergirds this way of life and our community. I have testified publicly several times in favor of state programs that incentivize GHG emission reductions and am working with Promus Energy on a digester development plan in anticipation of a Washington Clean Fuels Program that makes GHG reductions and production of super low carbon intensity electricity for EV charging financially viable.

It's frankly a tough time for dairying in Washington State. Increasingly stringent and expensive regulations, the threat of lawsuits by anti-dairy groups, and high milk processing fees are driving many dairies to other states or out of business. The loss of a single large dairy, such as the Dolsen family's Cow Palace, results in the loss of over a hundred living wage jobs and hundreds of millions in lost economic value in the Yakima Valley.

Anaerobic digesters help dairies become more environmentally and economically sustainable. They're a win-win. And yet digesters, and avoided dairy methane emission crediting, are under attack by extremist anti-dairy advocates who have admitted to me personally that their goal is to eliminate dairies. Last time I checked, milk products are legal and in high demand – with demand growing worldwide. Dairies won't be eliminated, they'll just go to places where they're less regulated and where incentives for GHG reductions don't exist. This is the exact opposite of what we need to reduce GHGs and produce local, nutrient-rich food affordably. The CFS rules should be guided by science and these practical realities. I urge Ecology to make the following changes to the proposed rule:

- 1) Increase avoided dairy methane emission crediting period to two or three 10-year periods, same as California's LCFS program. Investors in digester projects require at least 20-year crediting. What is the justification for a shorter period than CA?
- 2) Coordinate CFS program rules and policies with CA and OR to create a larger, more unified, and stable market for low carbon fuels. We're better and stronger together. Don't re-invent the wheel.
- 3) Allow book and claim accounting for all clean fuels within the West Coast, and don't impose access barriers between our partner states. To secure financing for a digester project in WA, I still need to show that I have access to the more mature CA LCFS market.
- 4) Technology and fuel-type neutrality and flexibility is important with constant changes in these areas (e.g., efficient power production using linear generators or fuel cells); biogas-to-electricity should be treated the same as liquid or gas fuels.

Thank you for your consideration of these comments. I also support the additional comments provided by the Washington State Dairy Federation. Please don't hesitate to contact me if you have any questions or would like to discuss any of my comments further. I look forward to a CFS rule that follows the science and practical realities and that supports dairy digesters that are critical to meeting stringent GHG reduction targets in a cost-effective manner.

Sincerely,

Jason Sheehan, Owner / Operator

J&K Dairy

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