

South Dakota Soybean Association (Kevin Deinert)

July 29, 2025
Adam Saul, Washington Department of Ecology
PO Box 47600, Olympia, WA 98504-7600
Via Electronic Submission

Re: Rule Proposal Notice: Washington State Clean Fuel Standard (Chapter 173-424 WAC)

Dear Mr. Saul,

On behalf of farm families in our state, the South Dakota Soybean Association (SDSA) would like to thank you for the opportunity to comment on the Rule Proposal Notice: *Washington State Clean Fuel Standard (Chapter 173-424 WAC)*. SDSA appreciates the opportunity to provide feedback and remains committed to engaging constructively with the Department to shape a Clean Fuel Standard that is sustainable, effective, inclusive, and grounded in science.

We respectfully submit the following comments, concerns, and recommendations with the goal of ensuring Washington's Clean Fuel Standard is built on sound science, promotes environmental and economic resilience, supports American farm families, and helps Washington achieve its climate goals while avoiding the drawbacks experienced by the biased pivot the California Air Resources Board (CARB) has made related to agricultural feedstocks used for biofuels in the California Low Carbon Fuel Standard (LCFS) program.

Ensuring Practical Feedstock Traceability

SDSA strongly supports the Washington Clean Fuel Standard rule's updated requirements for attestation of specified-source feedstocks, including waste-based feedstocks. Ensuring the integrity of feedstock sources is vital to the credibility and success of low-carbon fuel programs.

We applaud the inclusion of professional verification services, expert judgment, and risk assessments to support traceability. This approach is consistent with best practices adopted in other states and will help prevent fraud in the clean fuels marketplace. Recent interim guidance from the U.S. Department of the Treasury on the Section 45Z Clean Fuel Production Credit excludes imported used cooking oil (UCO) due to concerns regarding verification.

SDSA encourages the Department of Ecology to work closely with federal agencies, including Treasury, USDA, EPA, USTR, and U.S. Customs and Border Protection, to ensure consistency in substantiation and recordkeeping requirements.

If the Department of Ecology ever chooses to implement traceability rules for agricultural feedstocks, we urge that these be voluntary, science-based, and incentivize the adoption of sustainable practices beyond those already assumed in lifecycle analysis (LCA) models.

Reward Climate-Smart Farming

If enacted, and voluntary verification can demonstrate additional CI reductions, scoring systems should reward farm families who use science-based, conservation-focused practices. We encourage the Department of Ecology to collaborate with USDA in developing consistent, transparent mechanisms to account for climate-smart practices in CI calculations, ensuring that U.S. farm families who invest in sustainability receive recognition, economic incentives and enhanced market access under the Clean Fuel Standard.

USDA has developed tools to quantify carbon intensity (CI) reductions from practices such as no-till farming, the use of cover crops, and nitrogen inhibitors. Additional practices, including reduced tillage, nutrient management, buffer strips, tree planting, and improved fertilizer technologies, also reduce CI and are currently tracked through USDA conservation programs. Traceability models should recognize and reward these practices by assigning lower CI scores and providing fair incentives for farmers. Many farmers double-crop soybeans as a secondary crop, which reduces land use and contributes positively to carbon sequestration. SDSA recommends that the Department of Ecology proactively engage with the USDA to ensure alignment of methodologies for quantifying such practices in CI calculations, while working toward further incentivization for farmers.

Avoiding Caps on U.S. Vegetable Oils

As the Department of Ecology completes rule updates, SDSA urges that it refrain from imposing any cap on U.S.-grown vegetable oil feedstocks. Restricting U.S. feedstocks could inadvertently shift demand toward less transparent international supply chains, undermining Washington's clean energy progress while raising costs for local consumers and businesses. These feedstocks are already subject to federal guardrails to ensure production on land that has not been converted since 2008. The RFS was explicitly designed to prevent land conversion for biofuel production, and USDA data shows a decrease in farmland over the same period.

Capping U.S. vegetable oil usage would:

- Reduce air quality benefits by encouraging increased use of fossil diesel.
- Increase fuel costs for Washington consumers.
- Artificially limit the availability of the most efficient, cost-effective feedstocks.
- Undermine domestic renewable diesel and biodiesel production.
- Increase reliance on foreign feedstocks, some of which may be less verifiable.

Such a policy would not only contradict Washington's clean energy goals but also unfairly penalize American farm families, processors and related industries, as well as taxpayers.

Promoting a Science-Based Sustainable Path Forward

SDSA is encouraged by the Department's continued efforts to advance the use of low-carbon fuels. As the Clean Fuel Standard evolves, we urge the Department of Ecology to ensure that:

- Regulatory decisions are grounded in the latest science.
- U.S. agricultural feedstocks are equitably included and prioritized.
- Vegetable oil caps are avoided.
- Traceability requirements remain voluntary and economically sustainable.
- Incentives are provided for sustainable, climate-smart practices for farmer families.

Recognizing the role of American agriculture in decarbonizing fuels offers a pathway that balances environmental integrity with economic opportunity. With thoughtful implementation, Washington can be a leader in promoting clean fuels while supporting domestic farm families and U.S. industries.

We respectfully request a written response to the issues and recommendations outlined in this letter. SDSA looks forward to continued collaboration with the Department of Ecology and other stakeholders to provide clean fuel alternatives for all Washingtonians by expanding the use of U.S. soy-based biofuels and increasing market opportunities for soybean farm families.

Sincerely,



Kevin Deinert, President
South Dakota Soybean Association