Kansas Soybean Association (Kaleb Little)

Please see attached letter for Kansas Soybean Association comments.

July 31, 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 the Kansas Soybean Association, thank you for the opportunity to comment on the Rule Proposal Notice: *Washington State Clean Fuel Standard (Chapter 173-424 WAC)*. KSA values ongoing engagement with the Washington Department of Ecology to support the development and implementation of a successful, sustainable Clean Fuel Standard (CFS) for the state.

KSA represents soybean farmers across Kansas on public policy issues important to the soybean industry. Growers across the state have long been committed to producing the world's food, feed, fuel, fiber, and thousands of bioproducts in an environmentally and economically sustainable way. Biodiesel and renewable diesel have become a critical market for soybean oil as our farmers look to co-produce additional protein to feed the world. US soybean growers have the ability to grow a new, sustainable crop each year that provides both feedstocks for clean fuels and protein-rich soybean meal.

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 agriculture, and helps the state achieve its climate goals while avoiding the key pitfalls of what has been experienced with the drastic and inequitable 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.

Practical Traceability and Verification of Feedstocks

KSA 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 verify feedstock sources. This approach is consistent with best practices adopted in other states and will help prevent fraud in the clean fuels marketplace.

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Of particular relevance, recent interim guidance from the U.S. Department of Treasury on the Section 45Z Clean Fuel Production Credit excludes imported used cooking oil (UCO) due to verification concerns.

KSA encourages the Department of Ecology to work closely with federal agencies, including the Treasury, USDA, EPA, USTR, and U.S. Customs and Border Protection, to ensure consistency in substantiation and recordkeeping requirements, especially for imported feedstocks being utilized under the program.

If the Department of Ecology ever chooses to pursue agricultural feedstock traceability requirements for domestic 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.

Incentivizing Climate-Smart Ag Practices

If ever enacted, and voluntary verification can demonstrate additional CI reductions, scoring systems should reward farmers using 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. farmers who invest in additional sustainability practices receive recognition, economic incentives, and enhanced market access under the Clean Fuel Standard.

More specifically, the USDA has developed tools to quantify carbon intensity (CI) reductions from practices such as no-till farming, use of cover crops, and nitrogen inhibitors. Additional practices, including low- and reduced-tillage, nutrient management, buffer strips, tree planting, and improved fertilizer technologies, also reduce CI and are already tracked through USDA conservation programs. Any potential future traceability framework should recognize and reward these practices with lower CI scores and provide fair incentives for farmers. We further note that many soybeans are double-cropped, grown as a secondary crop without additional land use, contributing positively to carbon sequestration. KSA recommends that the Department of Ecology proactively engage with USDA to ensure alignment on methodology for quantifying such practices in CI calculations while working towards further incentivization for farmers.

Avoiding Arbitrary U.S. Feedstock Caps and Supporting U.S. Agriculture

As the Department of Ecology finalizes present and future rule updates, KSA urges that it does not impose any arbitrary cap on U.S.-grown vegetable oil feedstocks. These feedstocks are already subject to federal guardrails to ensure production on land not converted since 2008. The federal RFS was designed specifically to prevent land conversion for biofuel production, and USDA's real-world data shows a decrease in farmland since its inception.

Capping U.S. vegetable oil usage would:

- 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.
- Raise fuel costs for Washington consumers.
- Diminish air quality gains by encouraging increased use of fossil diesel.

Such a policy would not only contradict Washington's clean energy goals but would also unfairly penalize American farmers, processors, and taxpayers.

A Sustainable Pathway Forward

KSA 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.
- Arbitrary vegetable oil caps are avoided.
- Traceability requirements remain voluntary and economically feasible.
- Incentives are provided for sustainable, climate-smart practices for farmers.

Recognizing the role of American agriculture in decarbonizing transportation fuels offers a pathway that balances environmental integrity with economic opportunity. With thoughtful implementation, Washington can lead the way in promoting clean fuels while supporting domestic farmers and processors.

We respectfully request a written response to the issues and recommendations outlined in this letter. As a regulatory body tasked with protecting Washington's environment and citizens, transparency and stakeholder engagement are essential. The Kansas Soybean Association looks forward to continued collaboration with the Department of Ecology and other stakeholders to expand the use of U.S. soy-based biofuels to continue growing clean air opportunities for all.

Sincerely,

Kaleb Little
Chief Executive Officer
Kansas Soybean Association