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September 30, 2026

Lauren Sanner
Department of Ecology
Climate Pollution Reduction Program
PO Box 47600
Olympia, WA 98504-7600

Submitted electronically via: <https://ecology.commentinput.com/?id=pDR9UNjH4>

**RE: POET COMMENTS ON WASHINGTON'S DEPARTMENT OF ECOLOGY'S
CARBON INTENSITY TARGETS DISCUSSION PAPER**

Dear Ms. Sanner:

POET appreciates the opportunity to participate in Washington's Department of Ecology's ("Ecology") Clean Fuel Standard ("CFS") Rulemaking and to provide comments on the "Discussion Paper: Carbon Intensity Targets 2028 – 2038" published September 8 ("Discussion Paper"). POET has participated actively in past rulemakings through the submission of comments and engagements with Ecology's staff, and POET looks forward to continuing its positive relationship with Ecology throughout the new CFS rulemaking process.

In the Discussion Paper, Ecology evaluates three different carbon intensity (CI) reduction schedules for years 2028 through 2038. All three proposed schedules are relatively similar, with each designed to achieve a cumulative CI reduction of 24% by 2031 and a further 3% reduction annually through 2038. POET supports whichever CI-reduction schedule is the least burdensome for Ecology to implement and administer.

In any of these proposed compliance curve scenarios, Ecology should adopt policies that will lead to the steep carbon reductions that the State Legislature has mandated. To that end, POET again urges Ecology to consider in more detail the advancements in climate-smart agriculture ("CSA") practices which offer a wide range of potential decarbonization opportunities. In recent months USDA published its final Technical Guidelines and Feedstock Carbon Intensity Calculator ("FD-CIC").¹ The FD-CIC has since been incorporated into the September 2026 version of the 45ZCF-

¹ U.S. Department of Agriculture, Technical Guidelines for the Production of Regenerative Agricultural Biofuel Feedstocks, 91 Fed. Reg. 39334 (June 29, 2026) (codified at 7 C.F.R. pt. 2100).

REET model, enabling producers to claim reductions associated with cover crops, tillage practices, nitrification inhibitors, and manure application for corn, sorghum, soybeans, and canola.² Ecology could easily adopt USDA's program and integrate the FD-CIC calculator into the WA-REET model.

USDA's pioneering work dramatically reduces the administrative burden of incorporating CSA into a clean fuels program, resolving the objection most frequently raised against crediting CSA emissions reductions into a clean fuels program. Ecology need not build a quantification or verification system of its own. It may adopt, by reference, a tool developed across two federal administrations of both political parties, maintained by the federal government, and in operation today. The USDA regulations include thorough recordkeeping and auditing requirements, ensuring monitoring and verification of on-farm emissions reductions. If Washington is to succeed in the ambitious SAF goals and new CI-reduction goals required for the CFS, it will need low-CI ethanol to play a major role. And for low-CI ethanol to help achieve Washington's goals, Ecology should recognize, rather than ignore, the innovations taking place in the bioethanol industry.

POET appreciates the opportunity to comment and looks forward to working with Ecology to make the Clean Fuel Standard a continued success for Washington. If you have any questions, please contact me at Paul.Townsend@POET.com or (605) 756-5612.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Paul W. Townsend', is written over a horizontal red line.

Paul W. Townsend
Regulatory Counsel

² The USDA Feedstock Carbon Intensity Calculator has been incorporated into the September 2026 version of the 45ZCF-REET model. *See also* I.R.S. Notice 2026-53 (Sept. 8, 2026).