



The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

October 25, 2021

To: The Department of Environmental Quality (DEQ) Climate Protection Program (CPP)
GHGCR2021@deq.state.or.us

Re: Comments for Climate Protection Program Draft Rules Published for Public Review

The League of Women Voters believes that climate change is a serious threat facing our nation and planet. The League believes that an interrelated approach to combating climate change—including through energy conservation, air pollution controls, building resilience, and promotion of renewable resources—is necessary to protect public health and defend the overall integrity of the global ecosystem.

Thank you for the opportunity to provide comments to the Department of Environmental Quality (DEQ) Climate Protection Program (CCP) during the public review period for the Draft Rules as documented in the [Notice of Proposed Rulemaking and Draft Rules](#).

We have appreciated the public outreach that DEQ has made throughout the development of the program, including the workshops and Town Halls last year and the two public comment periods at each of the Rulemaking Advisory Committee meetings with at least a week for written comments.

We understand there may be a request to delay the start of the CPP. We believe the need for immediate action to reduce GHG emissions means that implementation of the program should start on January 1, 2022, as specified in Executive Order (EO) 20-04. In the year and a half since the EO was issued, the IPCC 6th Assessment concluded that global emissions must be cut by 50% by 2030 to avoid a temperature increase of 1.5° C, and Oregon has been subject to disasters, which have been at least partially attributed to climate change, including the 2020 Labor Day wildfires, the 2021 “heat dome,” and ongoing droughts.

We appreciate that DEQ has made it easier to get the Program started on time by phasing in the non-natural gas fuel suppliers, starting with the largest, and phasing in the start of the Community Climate Investments (CCIs).

Here are a few changes we believe could be made without having to make major modifications to the CCPP.

The good news is that HB 2021 (100% Clean Energy) was passed this year, meaning that more low/zero emission electricity will be available to allow for electrification of transportation, residential, and industrial uses, decreasing the need for fossil fuels. However, the generation of natural-gas-powered electricity generated in Oregon and exported to another state is not covered by HB 2021. At the current time, the amount of that electricity is very small. However, if other

states start buying that electricity, DEQ should have the authority to move it under the natural gas cap.

We realize that setting up a complex program lasting almost 30 years is difficult, even more so because the surrounding conditions are not going to remain constant; there will probably be new state and federal legislation, executive orders or regulations, as well as technological changes. Some parameters, such as the yearly caps for the three natural gas distribution companies, have been specified explicitly in the Draft Rules. We believe DEQ should have the authority to modify those parameters as conditions change.

We believe the reporting period to the Environmental Quality Commission (EQC) should be tied to the time at which regulated sources report their emissions at the end of the Compliance Period, which is specified as three years. DEQ should have authority given in the Draft Rules to initiate rulemaking at that time.

Given the interest expressed by regulated sources in buying Community Climate Investment (CCI) credits and the interest of programs such as Climate Friendly and Equitable Communities in qualifying for using CCIs, requiring CCI entities to be 501(c)(3) organizations is unnecessarily limiting. Other options such as a community-benefits agreement or direct ownership by a local government or federally recognized Indian tribe should be allowed. DEQ could still establish constraints for the projects, such as requiring one metric ton of emissions reduction for each CCI, but not necessarily approve each project individually.

We would like to stress that the current Draft Rules are a minimum response to the climate threat, and we would not want to see them weakened. For the sake of our state and planet, it is essential that the CPP be implemented immediately.

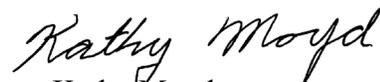
Thank you again for this opportunity to comment.



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