



## *What is the Climate Protection Program?*

The Dept. of Environmental Quality (DEQ) will set a starting ceiling or “**cap**” for climate pollution in Oregon from certain large polluters (oil companies, fracked gas utilities) in 2022. The cap lowers over time, requiring those polluters to **reduce their climate pollution** about 2-3% per year on average through 2050. According to science, reduction should be closer to 7% annually to avoid the worst impacts of climate change, so we have work to do. If polluters fail to lower their pollution, they will be held accountable by environmental regulators. Polluters will have to transition off of fossil fuels by **adopting clean, energy efficient technologies**. The resulting investments in clean energy will improve health in our communities, lower energy costs, and create local, good-paying jobs.

## *How can you help?*

While it has the *potential* to be a meaningful tool to replace fossil fuels with clean energy, the *draft* Climate Protection Program has **problems**, which keep it from living up to its name. Thankfully, the rules for the CPP aren’t final yet!

**You** can help make climate protection in Oregon stronger by adding your voice to demand DEQ strengthens the **draft Climate Protection Program (CPP)** rules:

- 1) Send written comments until Oct 4.
- 2) Speak at public hearings with DEQ on Sept. 22 & 30.

## Guide to writing comments and developing public testimony.

Written comments can be as short or as long as you feel comfortable with. Simply expressing your demand for Oregon to take bold climate action in a short, personal note or testimony is helpful. Add what worries you about the impacts of climate change and why it’s important for Oregon to act. Longer, detailed comments on the *strategically chosen topics below* is the best way to contribute. [Check out a sample of written testimony.](#)

EMAIL YOUR COMMENTS TO DEQ: [GHGCR2021@deq.state.or.us](mailto:GHGCR2021@deq.state.or.us)

Include: “Rulemaking Comment” in your subject line

To: Dept. of Environmental Quality Office of Greenhouse Gas Programs

## **The Good:**

With hard work, the Oregon Climate Action Plan (OCAP) coalition and allies have made the *draft* program rules better in some places. The positive changes *are not guaranteed* in the final rules and polluters are working to take them out. We must show support for the positive aspects to protect them, while asking for improvements (see “[The Bad](#)”).

- For the first time in Oregon, **fossil gas companies**, like NW Natural and Avista, will be held accountable for reducing their climate pollution. No other climate program in our state does this.
  - *Example comment:* For Oregon to take responsibility for our share of the climate crisis and prevent more harm to public health, we must hold the largest climate polluters accountable for reducing climate pollution. DEQ’s proposed Climate Protection Program requires fossil gas companies to reduce greenhouse gas pollution for the first time in Oregon. It’s a good start.
- Oil companies selling in Oregon will be held accountable to reduce their climate pollution. Each year more oil companies, beginning with the largest, will be brought into the program until 2031 when roughly 98% of oil’s climate pollution will be regulated and must be reduced under the program.
  - *Example comment:* DEQ’s proposal to include an increasing number of oil companies in the program each year is a good compromise from previous draft rules. I would encourage the final rules to go further to include more oil companies at a faster rate.
- Community Climate Investments (CCI) are a DEQ-designed *alternative* for large polluters to account for 10-20% of their required climate pollution reduction in the Climate Protection Program. CCIs allow polluters to pay for clean energy projects in Oregon communities, rather than reduce their own pollution. ([more on CCIs](#)). DEQ seems determined to keep CCIs as part of the Climate Protection Program, so we must fight to keep them as well-defined as possible. ([Click to see CCI problems](#)) Recent *improvements* to the draft rules include **important new limitations** on the use of CCIs, and increased **oversight** to ensure that the CCI program is meeting its climate and equity goals. We must defend these:
  - *Example comment:* Community Climate Investments should be a more limited part of the Climate Protection Program. DEQ’s **recent move to limit** how many CCIs polluters can buy and use to comply with the program is a start and **at minimum** should stay at these new proposed levels or decrease further in the final rules, so polluters are required to reduce more emissions in their own operations.
  - *Example comment:* I support a requirement for DEQ to review the CCI program every two years to ensure CCIs investments reduce an average of one ton of climate pollution each or more and prioritize investments in communities most impacted by climate damages. DEQ should include in its biennial report to the Environmental Quality Commission a recommendation for changing the price of CCIs as-needed to meet climate and equity goals.

## The Bad:

While it has the *potential* to be a meaningful tool in Oregon’s work to replace fossil fuels with clean energy, the *draft* Climate Protection Program has problems, which keep it from living up to its name. We must fight to make this program as ambitious as possible, and urge DEQ to do the following--

- FOLLOW THE SCIENCE: The science is clear, every state and nation must cut climate pollution in half this decade. In the Climate Protection Program, “the cap” does most of the work.
  - *Example comment:* DEQ’s current cap proposal does not reduce pollution fast enough and does not follow the science. Oregonians demand a cap that will cut 50% of climate pollution from the covered sources by 2030 and at least 90% by 2050.
- HOLD ALL LARGE POLLUTERS ACCOUNTABLE: In Oregon, there are currently **no climate pollution regulations on major industrial emitters** or “stationary sources” (picture smoke-belching factories). DEQ’s draft rules *do not* require industrial emitters to actually reduce their climate pollution. Instead it allows industrial polluters to *self-identify* what way is best to reduce their emissions and only update their plan twice per decade. Pollution from these sources could *increase* under this proposal, which flies in the face of its purpose and stifles innovation.
  - *Example comment:* Stationary source polluters should not be exempted from the cap in the Climate Protection Program. If DEQ chooses to exempt industrial polluters from the *overall* program cap, it should at least require these sources follow some other form of mandatory emissions reductions, in line with the state’s climate targets. At minimum, an *unbiased third-party* should decide the actions industrial emitters must take to reduce climate and air pollution, and these plans should be reviewed every 3 years.
  - *Example comment:* I urge DEQ, at a later date, to revisit regulating gas-burning power plants in Oregon, which are exempted from the program now. As our state's largest individual climate polluters, the Climate Protection Program should required them to cut their pollution.
- INVEST TO REDUCE POLLUTION & BENEFIT FRONTLINE COMMUNITIES: Community Climate Investments (CCI) are a DEQ-designed *alternative* for large polluters to account for 10-20% of their required climate pollution reduction in the Climate Protection Program. CCIs allow polluters to pay for clean energy projects in Oregon communities, rather than reduce their own pollution. ([more on CCIs](#)). DEQ seems determined to keep CCIs as part of the Climate Protection Program, so we must fight to keep them as well-defined as possible to ensure they effectively reduce greenhouse gases AND benefit communities unfairly burdened by climate pollution. DEQ has made some improvements ([see above](#)). However, the draft rules leave too much undefined.
  - *Example comment:* A clear **percentage** of CCI investments should be *guaranteed* to those on the frontlines of harm from climate damage, such as low-income, rural, Tribal, and BIPOC communities. The current language is too vague, only prescribing that DEQ *\*may\** prioritize CCI projects that benefit frontline communities, among other purposes.

- *Example comment:* Each CCI credit should eliminate one ton of climate pollution. DEQ should review all CCIs every two years to get as close to that target as possible.
- *Example comment:* The price of a CCI should be adjusted as-needed to make sure it covers the cost of investing in enough clean energy to reduce one ton of climate pollution.

### *What is a Community Climate Investment (CCI)?*

Community Climate Investments (CCIs) are a DEQ-designed *alternative* for large polluters to account for 10-20% of their required emissions reduction in the Climate Protection Program. CCIs allow polluters to pay for clean energy projects in Oregon communities, rather than reduce their own pollution. A polluter can buy a CCI credit and the money could go to projects like replacing a polluting gas furnace in an apartment building with energy-efficient, clean electric heat pumps, or buying an electric bus to eliminate diesel pollution in frontline communities. These are worthwhile investments, potentially millions of dollars, and should be prioritized for **communities on the frontlines of climate damage and most harmed by burning fossil fuels**, especially Black, Indigenous, and communities of color, rural or low-income Oregonians. However, CCIs are a form of “offset,” which is controversial because they allow polluters to keep on polluting the communities around them instead of meeting their prescribed reduction limits.

Regulators often include offsets in programs like the Climate Protection Program (CPP) for flexibility for polluters (oil companies, fracked gas utilities) who claim they’re not able to meet their emissions reduction targets with available technology. Such flexibility makes the program less strong on reducing climate pollution at the source-- burning of fossil fuels. For that reason, we’re demanding DEQ limit the sales, total number, and length of time polluters can hang on to CCIs credits, and maintain a ban in the draft rules on trading or selling CCIs credits to other polluters.

DEQ seems determined to keep CCIs as part of the Climate Protection Program, so we must fight to keep them as well-defined as possible. Investments **must** benefit local Oregon communities and economies, with **guaranteed** investment in frontline communities and CCI investments must prove real reductions in climate pollution, about one ton eliminated for every CCI credit sold.

## SAMPLE WRITTEN TESTIMONY--

**Subject line:** Rulemaking Comment: please strengthen draft Climate Protection Program rules

To Dept. of Environmental Quality Office of Greenhouse Gas Programs,

I am frustrated and sad to experience this "summer of the climate crisis" in Oregon, where our communities are once again inundated with wildfires and parched by drought; more than 100 of our fellow Oregonians killed by extreme heat-- all due to climate change.

Oregon is not taking responsibility for our part of the climate crisis, with our greenhouse gas pollution continuing at unsustainable levels, against the best advice of scientists. DEQ's draft rules for the Climate Protection Program are not sufficient to meet our responsibility and it is your moment in history to step up.

Credit where credit is due, I am pleased that the draft rules seek to hold many of the worst polluters in Oregon accountable, with a pollution cap on fossil fuel "natural" gas for the first time and more accountability for the oil industry than ever before. The recent change of a declining threshold for fuel suppliers is a noteworthy compromise and should be retained in the final rules, if not set at the lowest threshold at the outset. Community Climate Investments (CCI) are an innovative idea in need of much further refinement.

Please make the following improvements on the draft rules for the Climate Protection Program.

- 1) Follow the science, which tells us we must cut our climate pollution by 50% by 2030.
- 2) Don't give any polluters a free pass; hold large industrial sources accountable to mandatory declining emissions reductions.
- 3) Invest in projects that result in real, verifiable pollution reductions that benefit Oregonians most harmed by fossil fuels and climate change.

#### FOLLOW THE SCIENCE

Without strong targets and an ambitious cap ratcheting down annually, this program will not achieve meaningful pollution reduction for Oregonians. The current proposed cap does not even follow the Oregon Climate Action Plan (EO 20-04)'s minimum targets of at least 45% below 1990 levels by 2035 and at least 80% below 1990 levels by 2050. The targets need to be based on the latest science, which says that more ambitious climate pollution reductions-- cutting emissions at least 50% by 2030-- are needed to return to a healthy climate. DEQ must make the cap stronger, reduce pollution more quickly, and begin immediately.

#### DON'T GIVE ANY INDUSTRIAL POLLUTERS A FREE PASS

There are currently no climate pollution regulations on major industrial emitters in Oregon. DEQ's draft rules do not require industrial sources to follow the cap and instead would allow industrial polluters to self-identify what way is best for them to reduce emissions and only update their plan twice per decade. Pollution from these sources could increase under this proposal, which flies in the face of its entire purpose.

If you choose to exempt industrial polluters from mandatory emission reductions, then the actions necessary to achieve climate and air pollution reductions should be verified by an unbiased third-party every 3 years or fewer and track a timeline consistent with the overall declining cap trajectory. I

would also urge DEQ at a later date to revisit covering in-state gas power plants, the state's largest single climate polluters, which are currently exempted from the program.

## INVEST IN PROJECTS TO REDUCE POLLUTION FOR OREGONIANS MOST HARMED BY FOSSIL FUELS AND CLIMATE DAMAGES

DEQ has proposed a unique way to account for climate pollution with investments in projects to reduce greenhouse gas emissions. A novel and potentially beneficial approach in theory, but as currently written there is no guarantee that this program will result in a “one ton for one credit” or 1:1 reduction of climate emissions or co-pollutants. It also doesn’t guarantee meaningful investment in communities most harmed by fossil fuels and climate change, especially Black, Indigenous, and communities of color, rural or low-income Oregonians. If Community Climate Investments (CCIs) are not required to result in a 1:1 overall reduction of climate pollution or co-pollutants, it will allow pollution to occur above the limit, rendering the cap practically meaningless and continuing pollution in Oregon communities.

At minimum, the CCI program needs much stricter definitions to guarantee pollution reduction and investment in frontline communities. It needs to clearly define what kinds of project investments qualify and ensure that the price of CCIs reflects the real cost of project implementation.

I want our state to do more to ensure a better world for our children and to stave off the worst of climate disruption yet to come. This program has huge potential. It can still be meaningful. Please listen to the voices for environmental justice, climate protection, and public health who have been asking for these changes and more for many months.

Sincerely,

Firstname, Lastname

City (or county), Zip code