



# RULE-MAKING ORDER PERMANENT RULE ONLY

## CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: June 16, 2026

TIME: 7:53 AM

WSR 26-13-083

**Agency:** Department of Ecology AO # 25-01

**Effective date of rule:**

**Permanent Rules**

- 31 days after filing.
- Other (specify) \_\_\_\_\_ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

**Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?**

- Yes  No If Yes, explain:

**Purpose:** Ecology is adopting amendments to chapter 173-446 WAC, Climate Commitment Act Program Rule. The purpose of the rule amendments is to update the US Forest offset protocol, adopted by reference in the rule. This will increase the potential variety of offset projects that can be developed within the Cap-and-Invest Program, as directed by RCW 70A.65.170(1) and RCW 70A.65.170(4)(b). This statute directs Ecology to conduct rulemaking that ensures that any updates or additions to the offset program are both based in the best available science and support the needs of landowners and communities in Washington state. The adopted protocol is a revision to the protocol that the Department of Ecology previously adopted from the California Air Resources Board (Compliance Offsets Protocol US Forest Projects (June 25, 2015)). The adopted protocol utilizes a combination of approaches from more recent protocols, such as the Climate Action Reserve Forest Protocol (Version 5.1), alongside research and analysis done by the Department of Ecology. The proposed protocol revises offset project baselines to increase environmental benefits, provides new ways for Tribal nations and small landowners to participate by removing barriers that existed in the previous protocol, and updates fire and disease risk estimates to better reflect actual conditions. The adopted amendments will also improve the clarity and readability of the offset program rules and correct errors identified during the rulemaking process.

**Citation of rules affected by this order:**

- New:
- Repealed:
- Amended: Chapter 173-446 WAC Climate Commitment Act Program Rule
- Suspended:

**Statutory authority for adoption:** Chapter 70A.65 RCW, GREENHOUSE GAS EMISSIONS—CAP AND INVEST PROGRAM

**Other authority:** Ecology has completed an Environmental Justice Assessment in accordance with RCW 70A.02.060 as a part of this rulemaking.

**PERMANENT RULE (Including Expedited Rule Making)**

Adopted under notice filed as WSR 26-03-095 on January 21, 2026 (date).  
 Describe any changes other than editing from proposed to adopted version: Changes we've made in response to public comments include clarifications of rule language, changes that allow for Common Practice Standards to be revised and updated, a revised quantification approach for soil carbon emissions, and improved readability. In response to comments, we made revisions related to proposed language pertaining to offset project reversals. Offset project reversals occur when carbon in an offset project is lost (due to fire, disease, harvesting or other events). Please refer to the Concise Explanatory Statement of this rulemaking for more details on the changes.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

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 Climate Pollution Reduction Program  
 P.O. Box 46700  
 Olympia, WA 98504-760  
 Phone: (360) 972-0313  
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 TTY: For Washington Relay Service or TTY call 711 or 877-833-6341.

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.**

**The number of sections adopted in order to comply with:**

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

**The number of sections adopted at the request of a nongovernmental entity:**

New	___	Amended	1	Repealed	___
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**The number of sections adopted on the agency's own initiative:**

New	___	Amended	4	Repealed	___
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New	___	Amended	2	Repealed	___
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**The number of sections adopted using:**

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

**Date Adopted:** June 16, 2026

**Name:** Casey D. Sixkiller

**Title:** Director

**Signature:**

