

June 4, 2015

California Air Resources Board Member and Staff
Air Resources Board, California Environmental Protection Agency
1001 I Street
Sacramento, CA 95812

RE: Comments on Proposed Revisions to Compliance Offset Protocol for U.S. Forest Projects

Dear Chair Nichols and Members of the Board:

Ruby Canyon Engineering, Inc. (RCE) appreciates the opportunity to provide comments on the California Air Resources Board's (ARB) proposed 15-day draft of the Regulatory Review Update of the Compliance Offset Protocol for U.S. Forests Projects ("Protocol"). RCE is a leading verifier and consultant in North American GHG markets as well as an accredited verification body (H2-12-008) under the California Cap-and-Trade Program. We would like to thank the board and staff for the time and effort it will invest in considering our comments.

RCE would like to comment on the verification standards put forth to assure harvest and buffer size requirements found in the protocol. We believe the guidance is unclear, possibly resulting in inconsistent application across verification bodies. In particular:

- The new procedure does not include how many harvests need to be examined in order to confirm that harvest size and buffer requirements have been met across the project. This will force verifiers to examine a potentially excessive number of harvested stands to feel comfortable that they are meeting ARB standards. This will increase both the cost and time required for site verifications.
- The new procedure requires that "Countable Trees," defined as "trees that must be in place at least two growing seasons and must be live and healthy." (page 4) be measured, but no definition of "healthy" is provided. This will lead to verification problems when determining which trees are acceptable to be counted.
- The new procedure mandates, "Even-aged harvest units shall be separated by an area that is at least as large as the area being harvested or 20 acres, whichever is less..." (page 21) but it is not clear how this area of separation between harvests is to be calculated. Linear distance between harvest boundaries is logical and verifiable, but an area metric is inappropriate here.
- The new procedure is unclear on how to assess the basal area requirement during full verifications. The procedures outlined in the protocol are for assessing the 150 point count/acre requirement, but there is no guidance on how to assess the 50 BA requirement. This could lead to verifier's conducting work that will later be judged by ARB as unacceptable, thereby requiring additional field work, expense, and ARB staff time.

In addition, we would like to reiterate our concerns regarding the modified methods for establishing minimum baseline level (MBL) for IFM projects with initial carbon stocking (ICS) above Common Practice (CP) (Protocol Chapter 5.2.1(d)(1)), which we find to be similarly lacking in effective verification guidance, possibly leading to significant increases in the scope of verification.

As a result of our concerns, we would like to request that ARB maintain the current version of the Protocol, while allowing for the incorporation of qualifying Alaskan forest projects into the program. Ruby Canyon Engineering acknowledges that protocol updates will be desirable and necessary as the ARB program matures; however, we feel that such modifications are not necessary at this time. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Browning", with a stylized flourish at the end.

Peter Browning
Forest Carbon Project Manager
Ruby Canyon Engineering, Inc.