

WAC 173-446-515 Authorized project designee. (1) General requirements for designation of authorized project designee. An offset project operator may designate a party as an authorized project designee at the time of offset project listing or any time after offset project listing as long as the offset project operator meets the requirements of this section.

(a) The offset project operator may assign ownership rights of ecology offset credits or registry offset credits to any of the following parties at the time of issuance of a registry offset credit or ecology offset credit:

(i) Authorized project designee; or

(ii) Any other third party not otherwise prohibited from acquiring an ownership interest in compliance instruments under this chapter.

(b) The director or officer of the offset project operator, as identified pursuant to WAC 173-446-055 (3)(a)(ii) may delegate responsibility to the authorized project designee for performing or complying with all the requirements of WAC 173-446-520, 173-446-525, 173-446-530, 173-446-550, and 173-446-555, where the authorized project designee is specifically identified; and the requirements set forth in WAC 173-446-580 (8)(a)(iii)(B), (b)(ii)(B), and (c), for which the authorized project designee may act on behalf of the offset project operator.

(i) If an authorized project designee is designated pursuant to this subsection, the authorized project designee will be responsible for performing all activities needed to meet the requirements set forth in this chapter and will be the main point of contact with regard to the offset project for the offset project registry and ecology. The offset project operator, however, ultimately remains responsible for ensuring compliance with the requirements of this chapter and the applicable compliance offset protocol. In addition, the offset project operator retains the authority to perform any activities required under this chapter, including signing documents and attestations.

(ii) If an authorized project designee is designated pursuant to this subsection, the offset project operator must also designate an individual employed by the authorized project designee as a primary account representative or alternate account representative on the offset project operator's tracking system account before the authorized project designee may act on behalf of the offset project operator or submit any documentation to the offset project registry and ecology.

(iii) Consultants. An offset project operator or authorized project designee may use a consultant to prepare documents or attestations for submittal by the offset project operator or authorized project designee to the offset project registry or ecology. However, a consultant may not sign any such documents or attestations on behalf of the offset project operator or authorized project designee. A consultant may only communicate with ecology or the offset project registry to the extent authorized by the offset project operator or authorized project designee, and the offset project operator or authorized project designee must be included in all communications regarding the offset project, whether written or otherwise, between the consultant and ecology or the offset project registry.

(2) Modifications to authorized project designee and activities. An offset project operator may modify or change its designation of an authorized project designee once within each calendar year after the offset project has been listed by ecology or an offset project regis-

try by submitting a written request to ecology or the offset project registry.

[Statutory Authority: RCW 70A.65.220. WSR 22-20-056 (Order 21-06), § 173-446-515, filed 9/29/22, effective 10/30/22.]