

## Local Government “Extent Practicable” Rulemaking – Advisory Committee

Initial Scoping Meeting: September 26, 2014, 10am-12pm

### *MEETING NOTES*

Attending: Ron Stuart, Port of Tacoma, Washington Public Ports Association; Fred Chun, City of Tacoma, Fleet Manager, Public Fleet Managers Association; Paul Hanna, City of Olympia, Fleet Manager, Public Fleet Managers Association; Allan Jones, Director of Student Transportation, Office of Superintendent of Public Instruction; Randy Winders, Chair, Maintenance Committee, Washington State Transit Association; Ben Farrow, Major Accounts Executive, Puget Sound Energy; Scott DeWees, Co-Coordinator, Western Washington Clean Cities; Jeff Jensen, Tacoma Fire, Washington Fire Chiefs; Dave Warren, Director, Energy Services, Washington Public Utility District Association; Carl Schroeder, Government Relations Advocate, Association of Washington Cities; Peter Moulton, Department of Commerce; Jim Jensen, Washington State University Energy Program

Attending by Phone: Cindy Steigerwald, President, Washington Association for Pupil Transportation; Gary Rowe, Managing Director, Washington Association of County Engineers, Washington State Association of Counties; Leslie Stanton, SeaTac Airport, Port of Seattle

Not Available: Washington Parks & Recreation Association

#### **Overview of the Process**

Peter Moulton, Washington Department of Commerce, made an overview presentation about the rulemaking process, including a detailed review of the way the process unfolded for the state agency rule adopted in 2013. He described the similarities and differences expected in the process for local government rulemaking. The presentation opened up some discussion around the purpose and scope of possible reporting requirements under the rule.

Peter also introduced the tool developed for use by state agencies to compare the total cost of ownership for light duty and passenger vehicles.

*See Attachment 1: Overview presentation*

*See Attachment 2: The total cost of ownership tool*

#### **Definition of Local Government for this Rulemaking Process**

This topic began with a description of the information developed from research supported by the Municipal Research Service Center (MRSC). Informed by a paper entitled: “[A Local Government by Any Other Name](#),” by Hugh Spitzer, the definition of “local government subdivision” as used throughout state law is quite broad. It may include municipal and county governments, as well as any of hundreds of special use districts that have some or all of the functions attributed to local governments.

Jim described the make-up of the advisory committee, including cities, counties, transit agencies, ports, public utility districts, fire districts, school districts, parks and recreation districts, and public and private utilities. There were no suggestions from this initial group for any additional representation on the advisory committee from other forms of local government.

**Data Gathering about Fuel Use**

The topic of data collection centered on volumetric measures of fuel use. The table below outlines the possible data available for each category of local government represented.

Cities	281 jurisdictions, most small; no current data, can query, may be data through Auditor’s local govt fiscal reporting (dollars not gallons)
Counties	Can poll on fuel consumption, may be difficult to parse out other users (e.g. fire)
Transit	Already gathering data, posted on web
Public Fleets	PFMA ~100 paying members, willing to poll for data; variety of general purpose governments, ports, transit
Ports	No current data gathering, would need to poll
Fire	472 districts, vast majority small, likely to propose exemption, will have data for disaster response planning, interest in idle reduction strategies (incl. joint procurement, technology advances, grants)
Parks	TBD
PUDs	Can poll members on fuel volumes (WPUDA represents all PUDs except SnoPUD)
K-12	Data on gallons and cost by district, incl. contracted services (n=228); ~25 mgy diesel, 1.7 mgy gas (only a few >500,000 gal/yr), interest in propane, four diesel/electric hybrids in state but now off procurement contract, lack of funding for infrastructure (vs operations)

Next steps include developing an internet-based survey instrument (a la Survey Monkey) to collect the data desired for this purpose. The associations without existing sources of data will distribute the survey link to their members with a request to provide the information. Jim will draft survey questions for review by the advisory committee, along with a list of individuals to contract in order to avoid overlaps. He’ll also follow up on any additional questions as the survey is developed.

**Threshold Levels for Reporting and Verification**

The next area of discussion covered questions about thresholds versus exemptions. State law allows local governments to, “exempt police, fire, and other emergency response vehicles, including utility vehicles frequently used for emergency response” but the definition of “emergency response” may need further clarification.

The idea for thresholds may be applied for the purpose of data tracking and reporting, but several representatives spoke in favor of applying the same rules for compliance across all levels of local government. In other words, there should not be any exemption based upon the size of local government. All governments would be expected to comply, but in the interest of reducing paperwork reporting thresholds based upon level of fuel use, vehicle fleets, and so on could be applied in order to capture a large percentage of fuel use.

**Issues Identified for Further Study and Discussion:**

- Identify any anticipated exemptions prior to data gathering (e.g. emergency response)?
- Concerns about compliance threshold(s) if smaller entities are absolved of requirements; if total cost of ownership is a wash, then no need to exempt smaller jurisdictions, and larger entities could still be required to report
- Is anyone already reporting under the 10,000 MTCO<sub>2e</sub> threshold required by Ecology?
- How to accommodate rural jurisdictions with small fleets that may consume high levels of fuel?
- Be cautious of unique data consumption situations, e.g. Oso
- Is cargo handling and other off-road equipment considered a “vehicle?” (e.g. mules, snowcats); should vehicles be limited to licensed rolling stock?
- Consider limiting vessels to ferries (King, Pierce, anyone else?); don’t include regular “boats”

**Next Meeting:** October 23, 2014, 10am-Noon