

ORDINANCE No. 189820

Amend Motor Vehicle Fuels Code to move authority to establish, revise as necessary and enforce standards for biofuels sold in the City to the Director of the Bureau of Planning and Sustainability (Ordinance; amend Code Chapter 16.60)

The City of Portland ordains:

Section 1. The Council finds:

1. The scientific evidence is clear that human activities are the primary cause of the accelerating changes in the global climate.
2. Climate change poses a significant threat to Oregon's forestry, fisheries, water supplies, and coastal resources; impacts are likely to include winter flooding, summer droughts, loss of shoreline, forest fires, diminished fish and wildlife habitat, retreating glaciers, decreased snow pack, and increased disease vectors and invasive species.
3. The City of Portland 1990 Energy Policy (Ordinance No. 162975), 1993 Carbon Dioxide Reduction Strategy (Resolution No. 35207), 2001 Local Action Plan on Global Warming (Resolution No. 35995), 2009 Climate Action Plan (Resolution No. 36748), and 2015 Climate Action Plan (Resolution No. 37135) established plans to reduce carbon emissions.
4. The 2015 Climate Action Plan includes an objective to reduce the lifecycle carbon emissions of transportation fuels by 20 percent by 2030.
5. Petroleum diesel and gasoline are non-renewable fossil fuels that are the primary source of local carbon emissions in the transportation sector.
6. It is the responsibility of government to recognize the climate impacts that result from the use of nonrenewable transportation fuels and proactively reduce citizens' reliance.
7. Biodiesel, renewable diesel, and ethanol can be readily blended with petroleum diesel and gasoline to reduce the carbon emissions that result from the use of non-renewable fossil fuels and may also improve air quality and public health.
8. Biofuels – like biodiesel, renewable diesel, and ethanol – are viable alternatives to diesel and gasoline as fuel for motor vehicles and can be produced domestically in the United States.
9. The City of Portland adopted the Renewable Fuel Standard (Ordinance No. 180313) in 2006 to regulate minimum blends of biofuels in petroleum-based fuels sold in Portland, with the intent to reduce dependence on non-renewable fossil fuels.

10. The Oregon Department of Environmental Quality (DEQ) has established the Clean Fuels program to certify the lifecycle carbon emissions of qualifying fuels, like biodiesel, renewable diesel, and ethanol.
11. The Clean Fuels program requires annual reductions in carbon pollution from Oregon's transportation fuel with a goal of cutting emissions 10 percent by 2025.
12. As of May 31, 2018, the DEQ reports that its annual-reduction requirement resulted in a reduction of 1 million tons of greenhouse gases.
13. The City has established a goal to meet 100 percent of community-wide energy needs, including transportation fuels, with renewable energy by 2050 (Resolution No. 37289).
14. For the last decade the Bureau of Development Services (BDS) has been responsible for administering the Renewable Fuel Standard. This has been an incongruous fit, as BDS is responsible for permitting changes to the built environment. The regulation of fuel sales is consistent with the Bureau of Planning and Sustainability's (BPS) mission and expertise.

NOW, THEREFORE, the Council directs:

- a. Portland City Code Chapter 16.60 is amended as shown in Exhibit A.
- b. The Bureau of Planning and Sustainability (BPS) shall evaluate options and bring a recommendation to City Council to amend Portland City Code Chapter (PCC) 16.60 to support the goals adopted by the 2015 Climate Action Plan and the 100 percent Renewables Resolution, including but not limited to allowing the use of renewable diesel, utilizing a carbon intensity standard, and better alignment with the Clean Fuels program.
- c. BPS shall conduct stakeholder engagement and develop policy recommendations that mitigate potential cost impacts on frontline communities, such as communities of color and low-income populations.
- d. BPS shall report to the City Council periodically with recommendations for code amendments or revisions to advance the City's transition to renewable fuels.
- e. BPS will apply the current administrative rule adopted by the Bureau of Development Services until the BPS Director modifies the rule as described in PCC 16.60.070.

JAN 08 2020

Passed by the Council:

Mayor Ted Wheeler
Prepared by: Kyle Diesner
Date Prepared: August 29, 2019

Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

Agenda No. **189820**
ORDINANCE NO.
 Title

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Mayor Wheeler</p> <hr/> <p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance & Administration - Wheeler <i>W</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Hardesty</p> <p>Position 4/Safety - Eudaly</p> <hr/> <p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Planning and Sustainability Bureau Head: Andrea Durbin <i>Chau DM</i></p> <p>Prepared by: Kyle Diesner Date Prepared: November 6, 2019</p> <p>Impact Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>City Auditor Office Approval: required for Code Ordinances <i>Tom/K</i></p> <p>City Attorney Approval: required for contract, code, easement, franchise, comp plan, charter <i>MKH</i></p> <p>Council Meeting Date December 18, 2019</p>	<p>CLERK USE: DATE FILED <u>DEC 10 2019</u></p> <hr/> <p style="text-align: right;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <i>MHC</i> Deputy</p> <p>ACTION TAKEN: DEC 18 2019 PASSED TO SECOND READING JAN 08 2020 9:30 A.M.</p>
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AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: <u>2pm</u></p> <p>Total amount of time needed: 1 hour (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	—	
3. Hardesty	3. Hardesty	✓	
4. Eudaly	4. Eudaly	✓	
Wheeler	Wheeler	✓	