

POTENTIAL 2021 TIDEFATS NON-INTERIM REGULATIONS AMENDMENTS

1. New and Expanded Renewable Facilities Outright Permitted

I move to allow renewable fuel production and blending facilities as an outright permitted use, with renewable fuels defined as fuels that meet requirements under federal or state programs for reduction of greenhouse gas emissions, including fuels that generate credits in Cap-and-Trade Programs, and fuels which meet current and future definitions in State law for low carbon fuels, renewable fuels or renewable resources, and fuels which meet the definitions State law for alternative energy resources. Such facilities may include shared infrastructure with other permitted facilities that meet the requirements of this Title.

2. Limited Fossil Fuel Facility Expansion Outright Permitted

I move to allow improvements that increase the fossil fuel storage capacity of existing facilities, by no more than 15% over their capacity at the effective date of these regulations be permitted through the standard permitting process.

3. Fossil Fuel Facility Projects for Maintenance, Safety, Security, or Required to Meet Regulatory Changes

I move to allow through the standard permitting process, improvements to existing fossil fuel facilities which, maintain, or improve the safety or security of the facility, or allow the facility to meet new regulatory requirements including the State Clean Fuel Standard, including replacement of deteriorated or obsolete infrastructure and infrastructure which reduces air emissions and stormwater runoff. Such improvements may not increase the storage, production, transshipment, or transportation capacity by more than 15% over their capacity at the effective date of these regulations.

4. National Security Fossil Fuel Facilities

I move to allow expansion, modifications and additions to existing fossil fuel facilities through the standard permitting process where the project is requested in writing by an agency of the federal government to serve the needs of Joint Base Lewis McChord or other national defense needs.

5. Marine Vessels Fossil Fuel Facilities

I move to allow expansion, modifications and additions to existing fossil fuel facilities through the standard permitting process where the expansion of storage, production, transshipment, or transportation capacity is for the sole purpose of fueling marine vessels.

6. Fossil Fuels which meet the Clean Fuel Standard

I move to allow expansion, modifications and additions to existing fossil fuel facilities through the standard permitting process where the fossil fuel produced or stored meets the Washington State Clean Fuel Standard.

7. Projects which have undergone Environmental Review and Mitigated Impacts

I move to allow additions to existing fossil fuel facilities which would create the maximum proposed capacity of a facility that was the subject of an EIS prepared and published by the City under RCW 43.21C and TMC Ch. 13.12 on or before June 2, 2021 and for which the City has accepted on or before June 2, 2021, all funds that fully mitigate the adverse environmental impacts of the facility's maximum capacity pursuant to a Mitigation Agreement between the City and the facility proponent.