



Legislation Details (With Text)

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Enactment date: 11/3/2025 **Enactment #:** 19988

Title: AN ORDINANCE relating to the sale of environmental attributes held by the county; authorizing the executive office of climate to enter into an agreement with an environmental services aggregator who would support the tracking and reporting of low-carbon fuels usage in county fleets and production of low-carbon fuels to generate credits in the Washington Clean Fuels Program and manage the sale of credits to producers and suppliers of regulated fuels.

Sponsors: De'Sean Quinn

Indexes: Agreement, environment, Washington Clean Fuels Program

Code sections:

Attachments: 1. Ordinance 19988, 2. A. Clean Fuel Standard Credit Aggregator Services Agreement dated October 6, 2025, 3. A. FuSE-King County Agreement, 4. 2025-0214_AMD1_ATT_A_dated Oct 6, 5. 2025-0214_Revised_SR_Clean Fuel 10-6-2025, 6. 2025-0214_SR_Clean Fuel, 7. 2025-0214 transmittal letter, 8. 2025-0214 Fiscal Note, 9. 2025-0214 Legislative Review Form, 10. 2025-0214_ATT3_AMD1_ATT_A_RedLine Vesion

Date	Ver.	Action By	Action	Result
10/21/2025	2	Metropolitan King County Council	Passed	Pass
10/6/2025	1	Committee of the Whole	Recommended Do Pass Substitute Consent	Pass
8/19/2025	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/06/2025

AN ORDINANCE relating to the sale of environmental attributes held by the county; authorizing the executive office of climate to enter into an agreement with an environmental services aggregator who would support the tracking and reporting of low-carbon fuels usage in county fleets and production of low-carbon fuels to generate credits in the Washington Clean Fuels Program and manage the sale of credits to producers and suppliers of regulated fuels.

STATEMENT OF FACTS:

1. Chapter 70A.535 RCW established a Clean Fuels Program with the objective of reducing emissions from transportation fuels. A clean fuel standard program is a market-based policy

mechanism designed to reduce greenhouse gas emissions from transportation by setting and gradually reducing the carbon intensity of transportation fuels like gasoline, diesel, and electricity. The Clean Fuels Program created in Washington achieves that goal by creating a marketplace that rewards public and private entities that invest in clean transportation. The Clean Fuels Program began on January 1, 2023. In 2025, chapter 70A.535 RCW was amended requiring that the carbon intensity of the state's transportation fuels be reduced to forty five percent below 2017 levels by 2038.

2. Under the Clean Fuels Program, suppliers of fossil-based transportation fuels are regulated entities that must comply with the regulation by reducing the carbon intensity of fuels they sell or by purchasing credits from producers and suppliers of low-carbon fuels.

3. County departments can generate credits under the Clean Fuels Program in the following ways: by using low- and no-carbon fuels for powering county fleets, including electricity used by both new and existing electric vehicle-charging infrastructure and fixed-guideway networks; using propane for vehicles; and generating renewable fuels for the transportation sector, such as renewable natural gas from landfill gas.

4. The county registered with the Department of Ecology ("Ecology") in early 2023 to participate in the Clean Fuels Program. The Metro transit department and department of natural resources and parks reported and generated more than 17,462 credits in 2023 and 2024. Credit generation will increase as the county expands electric charging infrastructure. Credits are sold through direct contracts between credit generators and regulated entities. Ecology does not operate an auction or market platform. Credit revenues fluctuate based on demand from regulated entities.

5. Under K.C.C. chapter 4.56, council authorization for the sale of carbon credits or environmental attributes generated is required. The environmental benefits discussed in

subsection 1 of this statement of facts, as an extension of the energy content and carbon emissions from transportation fuels, are recognized as a form of emissions attributes. Emissions attributes refer to the environmental benefits of a resource that are distinguished from a commodity and can have financial value related to both voluntary and mandatory environmental requirements.

6. The sale of environmental attributes provide public benefit by providing for revenue generated through the sale of credits associated with the use or production of transportation fuels that have lower carbon emissions. Revenue from the sales will be used in alignment with King County Comprehensive Plan policy guidance to support efforts to reduce greenhouse gas emissions.

10. Under K.C.C. 4.56.250, sales of rights, title, or interests in emissions credits, offsets, or allowances or renewable energy certificates, credits, benefits, environmental air quality credits, and any similar rights, title, or interests held by the county are exempt from the real and personal property requirements of K.C.C chapter 4.56 when unique circumstances are present. Such sales may be made in the best interests of the public to a person or entity through a direct agreement negotiated by the executive and authorized by the council.

11. Unique circumstances are present for the agreement because the market for environmental attributes is highly specialized and is subject to market variability that requires prompt action. The nature of those rights is unique in that they do not lend themselves to a sale to the highest responsible bidder at public auction or by sealed bid.

12. In recognition of the subsections 1 through 11 of this statement of facts, the executive office of climate has selected an environmental services aggregator that can support the tracking and reporting of low carbon fuels in the county's fleets to generate credits from Ecology and manage the sale of credits to regulated producers.

13. In 2022, Sound Transit issued a public request for proposals for a third-party vendor to sell credits generated under the clean fuel standard. Sound Transit received four proposals and selected Energy Mission Control, Inc. dba FuSE, ("e-Mission Control") as the most advantageous proposer. Sound Transit contracted with e-Mission Control in 2023.

14. K.C.C. 4.56.250 authorizes the county to negotiate directly with a person or entity under the circumstances referenced in subsection 10 of this statement of facts.

15. After reviewing the Sound Transit contract with e-Mission Control, after discussing the search for a qualified buyer and the ultimate selection of e-Mission Control with Sound Transit, and after performing its own due diligence, the county has determined that contracting with e-Mission Control is in the best interests of the public.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings: The King County council finds that unique circumstances make the sale of environmental attributes in the best interests of the public.

SECTION 2. The King County executive is hereby authorized to execute a base contract for clean fuel standard credit aggregator services with Energy Mission Control, Inc. dba FuSE, substantially in the form of Attachment A to this ordinance.

SECTION 3. Revenue from the sale of environmental attributes under section 2 of this ordinance shall be allocated to each participating county department based on the volume of credits a given department generated. The revenue shall be used by county departments to further the goals outlined in the King County Strategic Climate Action Plan, unless otherwise restricted by the King County Comprehensive Plan.