

Legislative Committee on Administrative Rules
c/o Charlene Dindo
115 State St.
Montpelier, VT 05602

Dear Members of the Legislative Committee on Administrative Rules,

I write in my capacity as a member of the Vermont Climate Council, appointed by the Senate Committee on Committees as a “member of a Vermont-based organization with expertise in energy and data analysis,” per the Global Warming Solutions Act (GWSA). On the Vermont Climate Council I serve as co-chair of the Science & Data subcommittee, as well as on the Cross-Sector Mitigation subcommittee and the Council Steering Committee.

I write to strongly urge you to approve the amendments proposed by the Agency of Natural Resources (ANR) to the Low Emission Vehicle (LEV) and Zero Emission Vehicle (ZEV) rules, including adoption of California's Advanced Clean Cars II (which amends Advanced Clean Cars I, currently in effect), Advanced Clean Trucks, Low NOx (oxides of nitrogen) Heavy-Duty Omnibus, and the Phase 2 Greenhouse Gas Rule (“the rules”). These rules are necessary—but not in and of themselves sufficient—to meet Vermont’s legally mandated emissions reduction requirements under the GWSA. The rules will also result in significant savings for Vermont consumers while helping to strengthen the Vermont economy by virtue of significantly reducing dependence on high cost and price-volatile fossil fuels—fossil fuels that not only put a strain on the budgets of Vermont consumers but that also drain hundreds of millions of dollars out of Vermont’s economy every year.

One of my primary responsibilities on the Climate Council is to analyze whether and how Vermont can get on track to achieve the emissions reduction requirements that are legally mandated by the GWSA (requirements which were set based on Vermont doing our part toward the global scientific consensus of what is necessary to avoid dangerous climate change, as established by the Intergovernmental Panel on Climate Change (IPCC)).

Unfortunately, of the three policy recommendations made by the Climate Council and contained in the Vermont Climate Action Plan that were modeled to result in significant emissions reductions – with “significant” defined as achieving more than 10% of our required emissions reductions by 2030 – ***none have yet been implemented***. The Clean Heat Standard, which was designed to achieve 34% of Vermont’s required emissions reductions by 2030 was vetoed by Governor Scott and failed an override attempt by a single vote in the House earlier this year. Additionally, the status of the Transportation & Climate Initiative Program (TCI-P), which was anticipated to deliver about 10% of Vermont’s required emissions reductions by 2030, is now uncertain given the decisions of Connecticut, Rhode Island, and Massachusetts in late 2021 to not continue moving forward with the program.

That leaves only one significant emissions reduction strategy among the Climate Council’s Climate Action Plan recommendations made in 2021 with a possibility to move forward in 2022: the rules now before you. Combined, these rules have been estimated by the Agency of Natural Resources (ANR) to, in a best-case scenario, achieve about 14% of Vermont’s overall needed

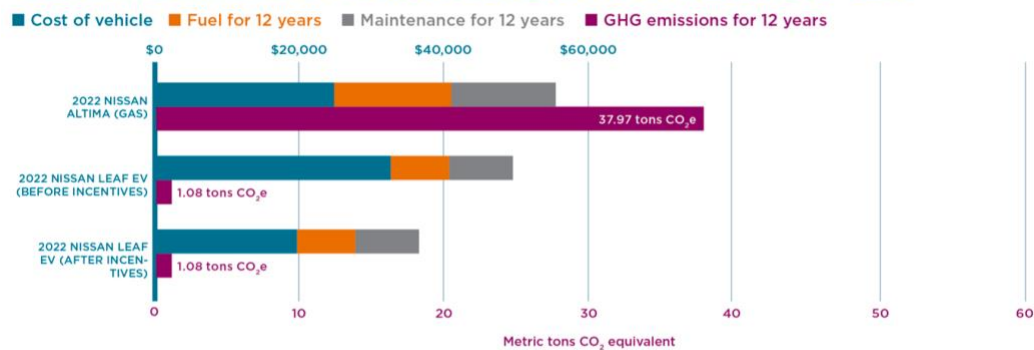
emissions reductions by 2030 (or about one-third of the needed reductions from the transportation sector, specifically).

Based on [EAN’s analysis](#)¹ of what it will take to meet the legally required emissions reductions outlined in the GWSA, I am confident that Vermont will have almost no chance to meet its legal requirements unless the proposed rules are adopted. Even if these rules are passed, Vermont will still have far more to do. Quite simply, *the rules are a necessary but not sufficient step to meeting Vermont’s legally binding emissions reduction commitments by 2030.*

Crucially, the rules will also result in significant economic benefits to Vermonters. On a consumer-level, electric vehicles cost less to fuel and maintain, resulting in lower lifetime operating costs than comparable fossil fuel/ internal combustion vehicles.

Figure 1a:

Costs and emission of comparable gas vs EV passenger cars

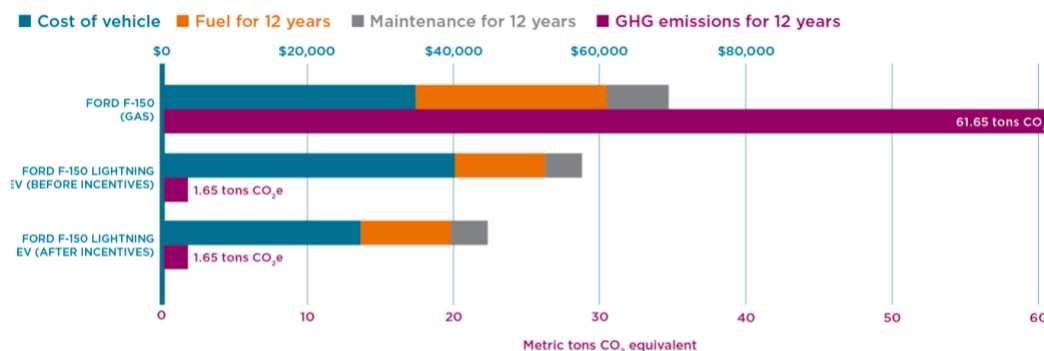


Sources and notes: Fuel costs are based on the average from December 2021 to May 2022 of \$3.75/gallon of gasoline, and the May 2022, Green Mountain Power rate of \$0.177/ kWh of electricity. CO₂e value for VT electricity is 52 lbs/MWh. CO₂e value for gasoline is 19.4 lbs/gallon. For EV vs ICE costs: EPA, Alternative Fuels Data Center Cost Calculator, 2022. For EV vs ICE Maintenance costs: U.S. Department of Energy, "FOTW #1190, Battery-Electric Vehicles Have Lower Scheduled Maintenance Costs than Other Light-Duty Vehicles", 2021. For vehicle costs: Drive Electric Vermont, 2022. For CO₂e values of VT electricity: Vermont Agency of Natural Resources, 2021. For fossil fuel CO₂e values: EIA, 2022. For fuel costs: PSD, 2022. For electricity rates GMP 2022.



Figure 1b:

Costs and emission of comparable gas vs EV pick-up trucks



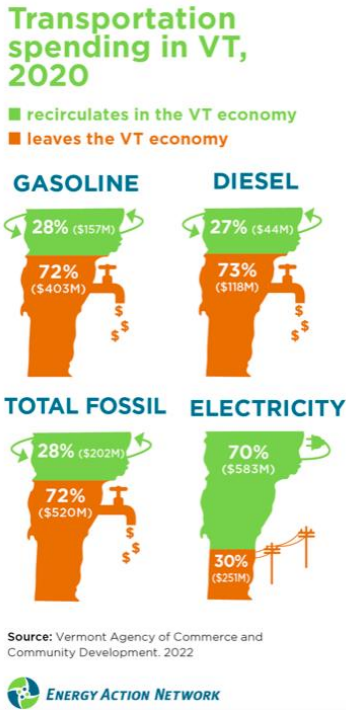
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¹ Energy Action Network Annual Progress Report for Vermont: Emissions, Energy, Equity, and the Economy. Page 8.

And from a macro-economic perspective, having our energy dollars going to electricity rather than fossil fuel companies keeps a far larger share of dollars recirculating in Vermont's economy, to the benefit of local businesses and Vermont workers.

Figure 2:



For the sake of legal compliance with the Global Warming Solutions Act; for the sake of meeting our moral responsibility, in line with Vermont's obligation to do our part to meet a global scientific imperative; and for the sake of consumer protection and a stronger Vermont economy, I strongly urge you to adopt the rules before you.

Sincerely,

Jared Duval
Member, Vermont Climate Council
Co-Chair, Science & Data Subcommittee

Cc:
House Speaker Jill Krowinski
Senate President Pro Tem Becca Balint
Julie Moore, Secretary of the Vermont Agency of Natural Resources
Richard Cowart and TJ Poor – Co-Chairs of the Vermont Climate Council's Cross-Sector Mitigation Subcommittee
Anthea Dexter Cooper, Legislative Counsel
Ellen Czajkowski, Legislative Counsel