

RESOLUTION No. 37164 As Amended

Adopt a policy opposing all project proposals that would increase the amount of crude oil being transported by rail through the City of Portland and the City of Vancouver, Washington (Resolution)

WHEREAS, there has been a significant increase in the transportation of crude oil by rail through the Pacific Northwest to existing terminals and refineries on the west coast. Most, if not all of this oil is transported through the Columbia River Gorge National Scenic Area.

WHEREAS, 15 oil-by-rail terminals are proposed, under construction, or currently operating in Oregon and Washington.

WHEREAS, serious risks are caused by oil-by-rail projects including but not limited to delayed emergency vehicles, oil fires, oil spills, oil explosions resulting from train derailments, increased air pollution, increased water pollution, and contributions to climate disruption-induced injury and disease.

WHEREAS, according to the U.S. Department of Transportation (DOT), oil transportation by rail has increased 50 to 60 times above the levels that existed prior to 2010.

WHEREAS, much of the oil being transported by rail is highly volatile oil from the Bakken oil fields in North Dakota.

WHEREAS, the oil is often being transported in tank cars, called DOT 111s, which were never intended to transport volatile crude oil.

WHEREAS, since 2013, oil train accidents have caused 47 deaths, the evacuation of thousands of residents, and billions of dollars in property damage and environmental destruction.

WHEREAS, new rules adopted by the U.S. DOT fail to ensure the safety of communities or the environment from catastrophic accidents, spill, explosions, and fires.

WHEREAS, the U.S. DOT identifies the blast zone resulting from an oil train accident, fire and explosion involving Bakken oil as being 0.5 to 1 mile in all directions.

WHEREAS, in the event of an accident, explosion and fire involving an oil train, local emergency responders would be ill-equipped to protect human health, property, or the environment. Emergency responders would likely focus on evacuation while allowing the oil fire to burn itself out.

WHEREAS, Vancouver Energy, proposed on the banks of the Columbia River in Vancouver, Washington, would be the largest oil-by-rail terminal in the country. If approved, it would transport an average of 360,000 barrels of oil (15 million gallons) per day by rail and transfer it to ocean-going vessels. From Vancouver, the vessels would travel down the Columbia River and across the perilous Columbia Bar.

WHEREAS, the terminal would result in five loaded oil trains per day, each carrying approximately 3 million gallons of volatile Bakken oil, travelling along the Columbia River through communities, parks, and endangered species habitat.

WHEREAS, Oil tanker traffic would increase by 300% on the Columbia River, raising the likelihood of a catastrophic oil spill;

WHEREAS, two additional terminals have been proposed on the Columbia River in Vancouver and in Longview.

WHEREAS, oil is transported by rail through Portland to an existing terminal in Columbia County and to refineries in California.

WHEREAS, oil-by-rail spills would have the potential to cause irreversible damage to the water quality and fish and wildlife habitat on the Columbia River.

WHEREAS, transport of oil-by-rail directly threatens the outstanding resources of the Columbia River Gorge National Scenic Area.

WHEREAS, the International Longshore and Warehouse Union (ILWU) Local 4 in Vancouver, WA, has opposed the two oil terminal proposals in Washington.

WHEREAS, the Vancouver City Council on June 2nd, 2014 adopted policies opposing all project proposals that would increase amount of crude oil being transported through Clark County, and directing their City Attorney's office to file for Energy Facility Site Evaluation Council (EFSEC) Intervener Status.

WHEREAS, Washington's EFSEC will conduct Environmental Impact Statement, hold a series of public hearings, and make a final recommendation to Governor Inslee, who is the final decision-maker on the proposed terminal.

WHEREAS, the Environmental Protection Agency, National Park Service, and others have raised serious concerns regarding the negative environmental impacts the proposed oil-by-train project may cause.

WHEREAS, Resolution 36962, adopted by Council on September 19th, 2012 adopted a policy opposing coal trains through the City of Portland until a programmatic, comprehensive, and area-wide Environmental Impact Statement is completed.

WHEREAS, this Resolution seeks to address the immediate issue of new oil-by-rail proposals in a timely manner as well as those oil trains already moving through Portland;

WHEREAS, at the 2015 United States Conference of Mayors, Mayor Charlie Hales proposed and passed the Resolution, "*Keeping Communities Safe Through Comprehensive Actions to Improve Rail Safety*" to encourage government leaders to examine the potential dangers of

transporting Volatile Materials by rail.

WHEREAS, neighbors in the City of Portland, including North East Coalition of Neighbors, have spoken out in opposition to oil trains in the City of Portland.

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NOW, THEREFORE, BE IT RESOLVED that the City of Portland opposes oil-by-rail transportation through and within the City of Portland and the City of Vancouver, WA.

Be it further resolved the City of Portland supports the preparation of a programmatic, comprehensive, and area-wide Environmental Impact Statement to identify the cumulative effects that would result from existing and proposed oil-by-rail terminals.

BE IT FURTHER RESOLVED that the City of Portland supports the development and review of a comprehensive Health Impact Assessment prior to approval of any new oil transfer and storage permits by any state, regional or federal agency; and

BE IT FURTHER RESOLVED that the City of Portland intends to address to the extent practicable any impacts to public health, safety and property caused by the transport of oil through Portland by actively enforcing applicable local public health, safety, building, electrical and fire codes; and

BE IT FURTHER RESOLVED that the City of Portland intends to address to the extent allowed by law any impacts to surface, air, and groundwater caused by the transport of oil through Portland by actively enforcing any applicable environmental statues delegated to the City of Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that railroad companies and/or oil companies make public any development plans for increased rail traffic through Portland to accommodate oil transport and storage, and to provide adequate notice to Portland citizens of any plans for new or expanded rail facilities or any anticipated increases in rail traffic volume; and

BE IT FURTHER RESOLVED that the City of Portland will request that the railroad companies and/or oil companies provide representatives to meet periodically with local citizen groups and local governmental officials to address local concerns regarding oil trains through Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that the railroad companies mitigate any public safety hazards created by existing and future transport of oil through Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that railroad and oil companies submit an emergency environmental cleanup plan in case of accidental spills or train derailment; and that they submit a bond to pay for any and all spills, explosions, etc.

BE IT FURTHER RESOLVED that the City of Portland supports economic growth that

contributes to citizens' health, safety, and well-being, and that on balance, adheres to principles of sustainable development and overall reduction of carbon emissions; and

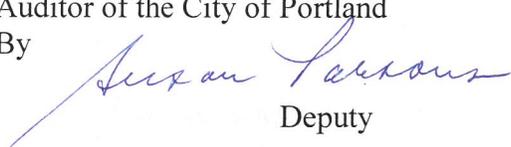
BE IT FURTHER RESOLVED that the Policy opposing all project proposals that would increase the amount of crude oil being transported by rail through the City of Portland the City of Vancouver, Washington is binding City policy.

Adopted by the Council: NOV 04 2015

Commissioner Amanda Fritz
Mayor Charlie Hales

Mary Hull Caballero
Auditor of the City of Portland

By



Deputy

Prepared by: Cristina Nieves, Commissioner Fritz's office
Date Prepared: September 24th, 2015