

RESOLUTION NO. 55-2012

**A RESOLUTION TO OPPOSE THE TRANSPORT OF COAL
THROUGH MILWAUKIE, OREGON**

The City Council of the City of Milwaukie finds that:

A. There are currently proposals for projects that would result in the increase of the shipment of coal in open-aired freight trains and barges through Oregon and Washington, including as many as four to eight, one to one and a half mile trains passing through Milwaukie per week. Even at 30 to 40 miles per hour, these trains could block intersections in Milwaukie for two to three minutes at a time. The coal trains would operate on the Union Pacific Railroad which generally bisects the city, separating a significant residential section of Milwaukie from its downtown. This condition is of heightened concern as a single train could simultaneously block the three at-grade crossings at Harrison Street, Oak Street, and 37th Avenue, which are immediately adjacent to the Milwaukie Public Safety Building that houses Police and Fire services.

B. According to findings from the Environmental Protection Agency and research in other communities, coal trains are likely to cause significant negative effects on Milwaukie's public health, economy, and air and water quality.

C. These mile and a half long trains which typically carry 100 tons of coal can lose up to 3% of their load in transit in coal dust. The train cars are not likely to be covered due to the danger of fires presented by the use of fully enclosed cars.

D. This coal dust will have a negative effect on local businesses, homes and natural areas. Property values along coal transport routes have also been shown to decline. As well, local food production is likely to sustain adverse effects which are counter to our community's desire to increase local healthy food production and the promulgation of community gardens.

E. Coal dust contains toxic heavy metals, including mercury, arsenic, and lead, all known to have serious adverse health effects, especially on children. These heavy metals are linked to increases in cancer, bronchitis, emphysema, black lung disease and birth defects.

F. The open-aired freight cars that coal is transported in are designed to drain moisture from the bottom of the car. Water seeping from the bottom of these cars could carry coal dust onto the track-way and eventually into the groundwater from which Milwaukie draws its drinking water.

G. Mercury and other toxic air pollutants produced from burning the coal in Asian nations have been shown to adversely affect the Northwest's air, water, fish, and wildlife.

H. Derailment is more likely in coal trains than in other trains. Because many homes and businesses are in such close proximity to the rail alignment, a coal train derailment could result in significant property damage to residents or business owners in Milwaukie.

I. The City of Milwaukie is a leader in the fight for clean air and against the negative impacts from climate change, as evidenced by signing onto the US Mayors Climate Protection Agreement. The City has also committed to reducing its environmental impacts in its day-to-day operations. The Milwaukie Sustainability Team (S-Team) is a committee made up of representatives from various City Departments that meets bimonthly to discuss sustainability issues. This group created the Sustainable City Plan, which was approved and adopted by City Council via resolution in March 2009. This Plan guides the City's actions in reducing the environmental impact of the City's day-to-day operation. The plan has four target action areas, namely: Waste Reduction, Energy & Fossil Fuel Consumption, Procurement, and Ongoing City Commitment & Education. The City has further committed to participate in the Portland General Electric's renewable energy clean wind green tag program for a minimum of a year, and instituted a Green Power Challenge to encourage residents to participate.

NOW, THEREFORE,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE,
a Municipal Corporation of the State of Oregon, as follows:**

Section 1. Allowing coal trains to pass through our City is not compatible with the City's efforts to improve air quality, enhance public health, and promote local food production.

Section 2. Allowing trains or barges to pass through the State of Oregon transporting coal in the volume and of the type planned is not compatible with the environmental future desired by our City residents.

Section 3. All applicable federal, state, and local laws protecting public health, safety, and air and water quality should be enforced to protect the citizens of Milwaukie and the state of Oregon from the adverse effects of coal trains and barges.

Section 4. The City fully supports Governor John Kitzhaber's request that a federal agency prepare a programmatic and comprehensive environmental impact statement (EIS) under the National Environmental Policy Act to look at the unprecedented number of coal export proposals pending in the Pacific Northwest, as well as the potential effects in this country of the use of coal in Asia. Now is the time for a programmatic EIS, before substantial and irreversible commitments of resources are made.

Section 5. The City of Milwaukie joins the call for review of a comprehensive independent Health Impact Assessment before any permits are approved for any proposed coal export project.

Section 6. This resolution shall be sent to Governor Kitzhaber, Senators Wyden and Merkley, Congressman Schrader, Secretary of the Interior Salazar, Secretary of the Army McHugh, General Temple of the US Army Corp of Engineers, Director Abbey of the Bureau of Land Management, our local state legislative delegation; in addition the City shall lobby on its behalf where appropriate.

Section 7. This Resolution is effective immediately upon its passage by the City Council.

The foregoing Resolution adopted on the 16 day of October, 2012.



Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:
Jordan Ramis PC



Pat DuVal, City Recorder



City Attorney