

SUBSTITUTE

36959

RESOLUTION No.

Adopt a policy opposing coal trains traveling through the City of Portland until a programmatic, comprehensive and area-wide Environmental Impact Statement is completed. (Resolution)

WHEREAS, the City of Portland and State of Oregon have committed to greenhouse gas reduction goals; and

WHEREAS, in 2009 the City of Portland approved the Climate Action Plan, with a goal of achieving a 40 percent reduction in carbon emissions by 2030 and an 80 percent reduction by 2050; and

WHEREAS, in 2011, the City and the County determined that people, businesses and organizations had successfully undertaken climate protection initiatives resulting in a reduction in carbon emission of 26 percent per person compared with 1990; and

WHEREAS, increasingly, evidence demonstrates the negative impacts of fossil fuel mining, processing, transport and combustion on the environment and upon human health and the imperative for development of clean renewable energy sources; and

WHEREAS, in 2010 the City of Portland worked with many community partners and Portland General Electric to arrive at an agreement to cease coal operations at the Boardman power plant, Oregon's only coal-burning power plant, by 2020 (Exhibit A); and

WHEREAS, toxic pollutants from coal-fired energy plants in Asia rise in the winds and are carried in the jet streams over the Pacific Ocean, resulting in increased air pollution in the Pacific Northwest; and

WHEREAS, studies have shown that mercury—a potent neuro-toxin—is released from burning coal; and

WHEREAS, up to one ton of coal dust can escape from each rail car in transit which is a health concern because it can cause asthma attacks, pulmonary inflammation, bronchitis, emphysema, and cancer; and

WHEREAS, over 135 Oregon physicians, 180 health professionals and public health advocates, the Environmental Justice Task Force, the Chairs of 14 North Portland Neighborhood Associations, and the Yakama Nation have called on Governor Kitzhaber to review a comprehensive Health Impact Assessment before approving any coal export permits; and

WHEREAS, it is anticipated that new coal export terminals along the Columbia River and the Northwest coast will result in significant increases in train traffic on rail corridors through Portland; and

WHEREAS, noise, diesel emissions, and toxic coal dust from the increased rail traffic will negatively impact the livability of Portland's neighborhoods and the health of our citizens; and

WHEREAS, increased rail traffic through Portland will obstruct local roads, causing additional noise, air pollution, loss of property values, delays of emergency vehicles, commuters, business and domestic traffic in residential communities and business districts; and

WHEREAS, Portland has strived to be a leader in developing and implementing clean energy technologies and practices, promoting sustainable economic development and creating clean-energy jobs; and

WHEREAS, more than twenty cities and counties in the Northwest have passed resolutions or written letters expressing their concern about the potential adverse impacts of coal exports in their communities, and called for the Army Corps to study the cumulative and comprehensive impacts of coal exports; and

WHEREAS, local, state and federal officials including Mayor Sam Adams and Governor John Kitzhaber have expressed concerns about the real and potential harm to our collective communities, as well as called on the Army Corps of Engineers to require a comprehensive Environmental Impact Statement (EIS) for the proposed coal export facilities in Oregon and Washington (See Exhibits B-C); and

WHEREAS, the Linnton Neighborhood Association, the North Portland Coalition of Neighborhoods, and the Southeast Uplift Coalition of Neighborhoods, which are adjacent to rail lines, have called for an area-wide or programmatic Environmental Impact Statement to be performed; and

WHEREAS, Environmental Assessments, as the Army Corps of Engineers currently requires, do not thoroughly review the impacts or allow for sufficient public input; and

WHEREAS, coal trains traveling through our city will have significant consequences for Portlanders, and it is of paramount importance that community members are fully engaged in the decision-making process from the beginning; and

WHEREAS, undertaking the process of performing a programmatic and comprehensive Environmental Impact Statement will ensure that the effects of increased coal export, its alternatives, and possible mitigations, are fully considered, and that the community has adequate opportunity to comment; and

NOW THEREFORE BE IT RESOLVED that the City of Portland opposes coal export on trains through its jurisdiction until the process of a programmatic, comprehensive and area-wide Environmental Impact Statement, is completed; and

BE IT FURTHER RESOLVED, that the City of Portland joins with Governor Kitzhaber in asking that the Army Corps of Engineers, the Bureau of Land Management and other responsible federal agencies undertake to perform programmatic, comprehensive and area-wide Environmental Impact Statements, studying the cumulative and comprehensive impacts of increased coal production from federal lands, and the five proposed coal export terminals in Oregon and Washington, to allow for fully informed decisions before approving any coal export facility; and

BE IT FURTHER RESOLVED that the City of Portland intends to address any impacts to public health, safety and property caused by the transport of coal 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 any impacts to surface and groundwater caused by the transport of coal through Portland by actively enforcing any applicable environmental statutes delegated to the City of Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that the Railroad companies make public any development plans for increased rail traffic through Portland to accommodate coal exports, 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 Railroads provide representatives to meet periodically with local citizen groups and local government officials to address local concerns regarding coal trains through Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that the Railroads mitigate any public safety hazards created by the transport of coal through Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that the Railroads submit an emergency environmental cleanup plan in case of accidental spills or train derailment; and

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 an overall reduction of carbon emissions.

Adopted by the Council: **SEP 19 2012**

Commissioner Fritz
Prepared by: Milena Malone
Date Prepared: [Sept. 18th, 2012]

LaVonne Griffin-Valade
Auditor of the City of Portland
By

Susan Parsons
Deputy

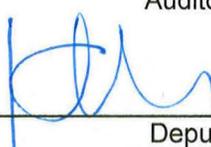
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Agenda No. **RESOLUTION NO.** **36959**
Title

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INTRODUCED BY Commissioner/Auditor: Comm Fritz	CLERK USE: DATE FILED <u>SEP 18 2012</u>
COMMISSIONER APPROVAL Mayor—Finance and Administration - Adams Position 1/Utilities - Fritz <i>Tom Berman</i> Position 2/Works - Fish <i>Chief of Staff</i> Position 3/Affairs - Saltzman Position 4/Safety - Leonard	LaVonne Griffin-Valade Auditor of the City of Portland By:  Deputy
BUREAU APPROVAL Bureau: N/A Bureau Head:	ACTION TAKEN:
Prepared by: Milena Malone Date Prepared: September 10, 2012	
Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/>	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Council Meeting Date September 19, 2012	
City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan	

AGENDA
TIME CERTAIN <input checked="" type="checkbox"/> Start time: 2:00 pm Total amount of time needed: 60 min (for presentation, testimony and discussion)
CONSENT <input type="checkbox"/>
REGULAR <input type="checkbox"/> Total amount of time needed: _____ (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	_____
4. Leonard	4. Leonard	_____	_____
Adams	Adams	✓	