RESOLUTION No. 37168 As Amended

Oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways (Resolution)

WHEREAS, the rapid development of fossil fuel resources in the western U.S. and Canada has resulted in numerous facility and infrastructure projects proposed to transport coal, diluted bitumen, natural gas, propane or other fossil fuels through the West Coast; and

WHEREAS, fossil fuels pose risks to safety, health, and livability, including mobility of people, other freight, and other commercial vehicles; and

WHEREAS, fossil fuel infrastructure poses considerable risks in the event of a major earthquake; and

WHEREAS, the extraction and combustion of fossil fuels are significant sources of greenhouse gas emissions and major contributors to climate change and pollution; and

WHEREAS, coal contains toxic heavy metals, including mercury, arsenic and lead, and exposure to these toxic heavy metals is linked to cancer, birth defects and other health problems; and

WHEREAS, transportation of coal using open top rail cars results in significant volumes of materials escaping during transit, exposing communities to toxic heavy metals in coal dust and particulates at levels potentially harmful to adjacent communities, workers, wildlife and nature; and

WHEREAS, crude oil, including oil derived from the Bakken shale reservoir, is known to be volatile, highly flammable and to contain elevated levels of benzene, a potent carcinogen; and

WHEREAS, extraction of fossil fuels through fracking and tar sands processing, which has become widespread throughout the Western United States and Canada, has damaging impacts to human and environmental health and fracking increases the potential for earthquakes; and

WHEREAS, transporting crude oil, coal and other fossil fuels into Oregon involves traversing challenging mountain passes, areas laced with significant earthquake faults and numerous older unsafe bridges lacking appropriate infrastructure maintenance or upgrades, significantly increasing the risks of serious accidents; and

WHEREAS, given the record of crude oil and coal or other fossil fuel transport accidents, such as Lac Mégantic in 2013, the 1999 Bellingham pipeline leak or a coal train derailment, an event could have catastrophic effects if it occurred in any of Oregon's populated areas; and

WHEREAS, the risks posed by the transportation of fossil fuels through the Columbia Gorge are inconsistent with the Gorge's designation as a National Scenic Area; and

WHEREAS, historically, when environmental accidents do occur, litigation over damages is drawn out over years, deflecting blame while undercutting timely assistance to affected communities; and

WHEREAS, tribal communities in Oregon and Washington have expressed concerns about the safety risks of fossil fuel infrastructure and the related threats to human health, cultural heritage, and environmental quality; and

WHEREAS, economic opportunities presented by expanding fossil fuel infrastructure are modest, with few jobs and little value added when compared to the related environmental costs; and

WHEREAS, local, regional and global economies are transitioning to low-carbon energy sources, and West Coast businesses are leaders in providing energy efficiency and renewable energy technologies and services; and

WHEREAS, the future of the fossil fuel industry is questionable given global action to reduce greenhouse gas emissions; and

WHEREAS, climate change, if unchecked, will continue impact human health, natural systems, and infrastructure, creating new costs for individuals, businesses, and governments; and

WHEREAS, the City's *2015 Climate Action Plan* (adopted by Resolution 37135) identifies the need to establish a "fossil fuel export policy that considers lifecycle emissions, safety, economics, neighborhood livability and environmental impacts" (*Climate Action Plan*, action 3G, page 69); and

WHEREAS, the City and Multnomah County, working together with many individuals, and community and business partners, have reduced local carbon emissions 14 percent since 1990 while adding population and jobs; on a per person basis, carbon emissions have decreased 35 percent since 1990; and

WHEREAS, the *2015 Climate Action Plan* commits the City to continue to advance policy and programs to reduce local fossil fuel use both in the City's own operations and through community-wide initiatives; and

WHEREAS, in September 2015, the Council added fossil fuel companies to the City's Corporate Securities Do-Not-Buy List, committing the City to hold no financial stake in the 200 largest fossil fuel firms. Resolution 37153; and

WHEREAS, 27 Oregon and Washington communities have passed resolutions addressing fossil fuel transport and export, and hundreds of public officials, including the governors of Oregon and Washington, state and federal agencies, tribes, health organizations, religious leaders and other community leaders, have recognized the harms presented by fossil fuels to the environment and Northwest communities; and

WHEREAS, in 2012, the Council expressed opposition to coal trains traveling through Portland until a programmatic, comprehensive and area-wide Environmental Impact Statement and comprehensive Health Impact Assessment are completed. Resolutions 36959 and 36962; and

WHEREAS, the City is continuing to work with utilities to reduce coal and other fossil fuels in Portland's electricity supply;

NOW, THEREFORE, BE IT RESOLVED, that the City Council will actively oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways; and

BE IT FURTHER RESOLVED, that this Resolution does not restrict:

1. improvements in the safety, or efficiency, seismic resilience, or operations of existing infrastructure;
2. the provision of service directly to end users;
3. development of emergency backup capacity;
4. infrastructure that enables recovery or re-processing of used petroleum products; or
5. infrastructure that will accelerate the transition to non-fossil fuel energy sources; and

BE IT FURTHER RESOLVED, that City bureaus are directed to examine existing laws, including those related to public health, safety, building, electrical, nuisance, and fire codes, and develop recommendations to address fossil fuels that strengthen public health and safety; and

BE IT FURTHER RESOLVED, that the Bureau of Planning and Sustainability is directed to develop proposed code changes for Council consideration to advance the policies set forth in this Resolution; and

BE IT FURTHER RESOLVED, that prior to any further Council action, the mayor shall schedule (1) a work session to review any proposed code changes and (2) an executive session to review the legal considerations of any proposed code changes; and

BE IT FURTHER RESOLVED, that the Bureau of Planning & Sustainability shall undertake an analysis of the economic impacts of any proposed Code changes to advance the policies set forth in this resolution, with a particular focus on potential impacts to local blue-collar jobs; and

BE IT FURTHER RESOLVED, that the City and applicable bureaus shall seek and identify opportunities to invest in Portland's 'human infrastructure' by supporting programs to retrain our workforce as the city transitions to a clean energy economy; and

BE IT FURTHER RESOLVED, that the City shall consult with its Tribal Government Partners, the State of Oregon, local governments, and other key stakeholder including labor, business, environment, neighborhoods and communities of color in advancing this policy; and

BE IT FURTHER RESOLVED, notwithstanding anything in this resolution, the Council will exercise its duty as a quasi-judicial land use decision making body in an impartial manner consistent with City Code and Oregon law.

BE IT FURTHER RESOLVED, this resolution is binding City policy.

Adopted by the Council: NOV 12 2015

Mayor Charlie Hales
Prepared by: M. Armstrong, BPS
Date Prepared: October 23, 2015

Mary Hull Caballero
Auditor of the City of Portland
By Susan Parsons
Deputy

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Agenda No.
RESOLUTION NO. 37168 As Amended

Title

Oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways (Resolution)

INTRODUCED BY Commissioner/Auditor: **Charlie Hales** / Amanda Fritz	CLERK USE: DATE FILED OCT 27 2015
COMMISSIONER APPROVAL Mayor—Finance and Administration - Hales Position 1/Utilities - Fritz Amanda Fritz Position 2/Works - Fish Position 3/Affairs - Saltzman Position 4/Safety - Novick	Mary Hull Caballero Auditor of the City of Portland By: _____ Deputy
BUREAU APPROVAL Bureau: BPS Bureau Head: Susan Anderson Susan Anderson	**ACTION TAKEN:** NOV 04 2015 **CONTINUED TO** NOV 12 2015 2 P.M. TIME CERTAIN
Prepared by: Michael Armstrong Date Prepared: October 23, 2015	
Impact Statement Completed ☒ Amends Budget ☐	
Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes ☒ No ☐	
City Auditor Office Approval: required for Code Ordinances	
City Attorney Approval: required for contract, code. easement, franchise, charter, Comp Plan	
Council Meeting Date: **November 4, 2015**	

AGENDA
TIME CERTAIN ☒ **Start time: 2:00 pm** **Total amount of time needed: 2 hours** **(for presentation, testimony and discussion)**
CONSENT ☐
REGULAR ☒ **Total amount of time needed: 2 hours** **(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. Novick	4. Novick	✓	
Hales	Hales	✓	