

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Approval of Resolution No. 339 Opposing Facilities That Will Increase Transporting Coal Across Washington State and Through the City of Shoreline
DEPARTMENT:	Planning & Community Development
PRESENTED BY:	Paul Cohen, Planning Manager Kim Lehmberg, Associate Planner
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

PROBLEM/ISSUE STATEMENT:

Resolution No. 339 (Attachment A) opposes facilities that will increase transporting coal across Washington State and the through the City of Shoreline specifically. The proposal is for a new terminal to receive an expected 54 million tons of coal annually from Montana and Wyoming via Burlington Northern Santa Fe (BNSF) railroad tracks along the Puget Sound to the Gateway Pacific Terminal at Cherry Point – just north of Bellingham. The coal is to be loaded onto ships destined for Asian markets. The project is expected to bring a significant increase in coal train traffic through Shoreline beginning in 2015. The project is one of several coal export terminals proposed for Washington and Oregon; the cumulative impacts of the combined projects will have local, regional and global significance.

On January 14 the City Council took comments from the public regarding scoping comments to be considered during the environmental impact study of the proposed terminal. That same evening the Council directed staff to prepare a resolution for Council consideration opposing the Gateway Pacific Terminal, the continued export of coal, and any increased coal transport through the City of Shoreline. The January 14 staff report may be found at <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2013/staffreport011413-9a.pdf>

RESOURCE/FINANCIAL IMPACT:

There is no Council action on this issue that would directly result in resources or financial impact. However, increased coal transport activity could result in lowered property values along the railroad corridor.

RECOMMENDATION

Staff recommends that the Council adopt Resolution No. 339, opposing the export of coal through Washington State, the City of Shoreline and the Gateway Pacific Terminal specifically.

Approved By: City Manager **JU** City Attorney **IS**

INTRODUCTION

There are several projects planned by coal companies that involve construction of port terminals in Washington and Oregon for the export of coal from the Powder River Basin in Montana and Wyoming for shipping to Asian markets. On January 14 the City Council heard a staff presentation and public comment regarding the environmental review process for the one of the proposed terminals - Gateway Pacific Terminal at Cherry Point, north of Bellingham. At that meeting, Council deliberated and decided to provide scoping comments to the lead agencies on the Environmental Impact Statement, as well as to adopt a resolution opposing the entire project and the export of coal.

BACKGROUND

An application has been submitted for the Gateway Pacific rail/marina terminal at Cherry Point in Whatcom County. The primary use for this terminal will be to transfer coal strip-mined in Montana and Wyoming from railcars onto ships destined for Asia per the map below:



An Environmental Impact Statement (EIS) is being prepared for this project. Other coal export terminals being proposed in the Northwest are Longview, Washington and Boardman, St. Helens and Coos Bay, Oregon.

Cherry Point is located between Bellingham and Birch Bay, just north of Lummi Bay, and is 1,500 acres of industrial zoned land which is mostly undeveloped. The proposed wharf and trestle would be located in an area that contains the Washington State Department of Natural Resources (DNR) Cherry Point Aquatic Reserve.

The Gateway Pacific Terminal will be built to handle approximately 50 million metric tons of coal annually. The terminal would be developed on approximately 350 acres

and would include a three-berth, deep water wharf approximately 3,000 feet long and 105 feet wide, accessed by an approximately 1,100 feet long by 50-foot train trestle. Storage facilities include open air and covered commodity storage that is serviced by an on-site rail loop. Development of these facilities will impact approximately 162 acres of wetlands, two streams and numerous drainage ways that flow into the Strait of Georgia and ultimately Puget Sound.

On January 14 Council heard a presentation from staff regarding the project and the environmental review process. At the time, the lead agencies in charge of the EIS were soliciting comments for the scoping of the Draft EIS. This is a period in which the lead agencies (Department of Ecology, Whatcom County, and U.S. Army Corp of Engineers) ask affected jurisdictions and the public what impacts should be analyzed in the Draft EIS. The Scoping Period ended January 22, 2013. The Draft EIS is expected sometime in 2014. The Draft EIS will have its own comment period.

Also on January 14 Council heard extensive public comment regarding the project and coal exports in general. All of the speakers expressed opposition or deep concern about the environmental impact of the project itself and the broader impacts of exporting coal in general. With a unanimous vote, Council directed staff to draft a letter responding to the scoping request to include the public and Council concerns and recommendations (Attachment B) and to draft a resolution outlining Council's opposition to the Gateway Pacific Terminal project and coal exports in general (Attachment A). The scoping letter was submitted to the lead agencies on January 21, 2013. Resolution No. 339 is before Council tonight for adoption.

OTHER JURISDICTIONS, PUBLIC OFFICIALS AND AGENCIES

Many other jurisdictions, public officials and agencies have officially voiced either opposition or concerns about the projects. These include cities and counties in Washington, Oregon and Montana, public health agencies, economic development agencies and chambers of commerce, tribes, and legislators. See the following link for a listing:

<http://www.powerpastcoal.org/statements/>

The cities directly south and north of Shoreline (Seattle and Edmonds) have passed resolutions that oppose transporting coal across Washington State and through Seattle, citing negative health impacts, negative impacts to traffic and the earth's climate and traffic and transportation concerns. The resolution before Council tonight expresses these same concerns.

RESOURCE/FINANCIAL IMPACT

There is no Council action on this issue that would directly result in resources or financial impact. However, increased coal transport activity could result in lowered property values along the railroad corridor.

RECOMMENDATION

Staff recommends that the Council adopt Resolution No. 339, opposing the export of coal through Washington State, the City of Shoreline and the Gateway Pacific Terminal specifically.

ATTACHMENTS

Attachment A: Resolution No. 339

Attachment B: EIS Scoping Letter

RESOLUTION NO. 339

A RESOLUTION OF THE CITY OF SHORELINE OPPOSING FACILITIES THAT WILL INCREASE TRANSPORTING COAL ACROSS WASHINGTON STATE AND THROUGH THE CITY OF SHORELINE

WHEREAS, mounting evidence demonstrates the negative health impacts of coal mining, processing, transport and combustion; and

WHEREAS, air quality studies show living near major transportation routes and industrial areas correlates with higher rates of respiratory and other illnesses; and

WHEREAS, studies show burning coal releases harmful greenhouse gases into the atmosphere, accelerating climate deterioration; and

WHEREAS, Washington State recognizes the negative economic, public health, and environmental impacts of climate change on this state (80.80 RCW; Executive Order No. 0905); and

WHEREAS, because of these environmental and health risks, Washington State and other states are taking steps toward reducing American dependence on coal-fired power, including the 2011 passage of the TransAlta Energy Transition Bill, making possible the retirement of the state's last coal-fired power plant by 2025; and

WHEREAS, The City of Shoreline previously signed the Mayors Climate Protection Agreement, supporting efforts to curb global warming; and

WHEREAS, coal is commonly transported via open-top rail cars that allow the spread of coal dust and chunks of coal as well as increased diesel emissions; and

WHEREAS, it is anticipated that new coal export terminals in Western Washington will result in an increase in coal train traffic of at least 9 additional trains per day through Seattle, Shoreline, Edmonds, Mukilteo, Everett, Bellingham, and other cities along rail corridors; and

WHEREAS, the building of the Gateway Pacific Terminal will negatively impact cultural and natural resources at the Cherry Point site; and

WHEREAS, Washington State has been a national leader in creating clean-energy jobs and innovating, developing, demonstrating, and marketing clean energy technologies and practices that promote sustainable global economic development, and coal export promotes damaging and unsustainable energy programs; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHORELINE THAT:

Section 1. The City of Shoreline opposes the establishment of new coal export terminals in Washington State and supports economic growth that does not jeopardize Washington State's commitment to fight the serious impacts of climate change.

Section 2. The City of Shoreline will address impacts to public health, safety, property, and surface and groundwater caused by the transport of coal through Shoreline by actively enforcing local public health, safety, and nuisance codes.

Section 3. The City Manager is directed to request that the railroad make public any plans for new or expanded rail facilities or significant rail traffic volume increases within Shoreline city limits.

Section 4. The City Manager is directed to request that the railroad provide representatives to meet periodically with local citizen groups and local government officials from Shoreline to seek mutually acceptable ways to address local concerns.

Section 5. The City Manager is directed to seek mitigation of any public safety hazards created by the transport of coal through Shoreline.

Section 6. The City of Shoreline urges the Governor and the Legislature to work on a comprehensive policy opposing coal export terminals in Washington State.

ADOPTED BY THE CITY COUNCIL ON JANUARY 28, 2013

Keith A. McGlashan, Mayor

ATTEST:

Scott Passey, City Clerk



SHORELINE
CITY COUNCIL

Keith A. McGlashan
Mayor

Chris Eggen
Deputy Mayor

Will Hall

Doris McConnell

Chris Roberts

Jesse Salomon

Shari Winstead

January 18, 2013

EIS Scoping
GPT/Custer Spur EIS
c/o CH2M Hill
1100 112 Avenue NE, Suite 400
Bellevue, WA 98004

Re: Scoping Comments for Coal Train EIS

Dear Department of Ecology, U.S. Army Corp of Engineers, and Whatcom County:

On behalf of the City of Shoreline City Council, we are providing comments for the scoping of the coal train proposal Draft EIS. After holding several community meetings, a council meeting, and receiving written comments, Shoreline, overwhelmingly, has deep concerns about the wisdom of the project as well as the environmental analysis and impacts.

On January 14 the City Council voted to unanimously oppose the proposed project at Gateway Pacific Terminal at Cherry Point and all exports of coal. On behalf of our 53,000 residents, the City Council will be passing a resolution in the next several weeks opposing the project entirely. We realize that an EIS is a document that discloses environmental impacts but does not approve or deny a project.

We believe the project has very little benefit in terms of job growth and will result in tremendous adverse impacts that disclosure in an EIS will not avert or mitigate. Our concerns range from local impacts to Shoreline to regional and global impacts. Shipping the coal to be burned in poorly regulated Asian plants does not address climate change or reduce greenhouse gas emissions. We believe this is contrary to our community's, Governor Inslee's, and President Obama's desire to expand and grow alternative and green energy jobs and products.

Our recommendations for you to include in the scoping of the Draft EIS are the following:

1. The project is narrowly focused on the Gateway Terminal at Cherry Point and increase in train traffic. The EIS should be a programmatic EIS that is more comprehensive which would include the mining, transportation, terminals, unloading/loading, shipping to Asia, burning with its impacts on climate change, ocean acidification, and air pollution.
2. The Cherry Point site was zoned and partially developed prior to SEPA so the impact analysis should reach back to include those changes as well as the proposed changes. Off Cherry Point is a herring breeding ground and eelgrass bed that the State Department of Natural Resources has designated as an Aquatic Reserve. The herring population has been diminished in recent years and this project would further impact this resource. Puget Sound fisheries in general and endangered salmon and orca rely on the herring; any negative impacts to this area could have profound and far-reaching effects on food production, existing jobs in the fishing and tourism industries, and cultural impacts to traditional Lummi Tribal grounds at Cherry Point.
3. Puget Sound is a huge estuary. Salmon are an endangered species and a major food source for orcas and essential to the NW fishery industry. The transportation of coal and its attendant coal dust and possibility of derailment would result in an increase in toxic pollutants into the Sound, including arsenic, lead, and mercury. Through Shoreline there is little or no buffer between the rail line and Puget Sound. The BNSF tracks drain directly into Puget Sound. The section of rail between Seattle and Everett is precarious with about 70 landslides since November 2012 that disrupt train traffic and in one case derailed a train toward Puget Sound. Water pollution is also a regional and global concern. All waterways along the train route may be impacted, including the Columbia River. Further, mercury and other toxic air pollutants produced when China and other Asian countries burn coal shipped from Washington will end up in the Northwest's air, water and fish.
4. Vehicle traffic impact analysis related to RR crossings will be important including emergency service access and their response times should be conducted. Diesel emissions and vibration from passing train engines and idling, side-tracked engines and the proximity to human habitation should be studied.
5. The economic impacts of those whose jobs or homes are negatively affected by the project should be studied. A cost-benefit analysis of jobs

destroyed verses jobs created should be conducted. Environmental justice should be considered for those who cannot afford to move from polluted areas.

6. Economic impacts include human health care, environmental remediation, and to property values and city tax revenue. Financial impacts to state and local jurisdictions (and taxpayers) that will result from having to fund needed infrastructure improvements must also be assessed.
7. No Project Alternative - If the project could not be sited at Cherry Point for whatever reason, what would be the alternative? Would a terminal be built in British Columbia? If so, what would the environmental review process for that site entail? If the terminal is placed in Vancouver BC, could BNSF increase the traffic through our city without any environmental review? Alternative uses of the site should also be analyzed. There may be better ways to use the industrial site that offer more jobs per acre and have less environmental impact.

As lead agency, we urge you to complete a more comprehensive environmental review until we can urge our state government to deny the project all together.

Sincerely,



Julie Thuy Underwood
City Manager

cc: Shoreline City Council
Rachael Markle, Planning & Community Development Director

Enclosures: Written public comments