

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Adoption of Resolution No. 390 Supporting the Prohibition of the Transportation of Coal via Rail Through the City of Shoreline
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Alex Herzog, Management Analyst
ACTION:	<input type="checkbox"/> Ordinance <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing <input type="checkbox"/> Proclamation

PROBLEM/ISSUE STATEMENT:

Mayor Roberts and Councilmember McConnell have requested Council consider proposed Resolution No. 390, which urges the United States Department of Transportation and the United States Congress to prohibit the transportation of coal via rail through the City of Shoreline and all other populated areas (Attachment A).

Trains carrying coal present health and safety risks to the people and areas near these rail lines. The US Energy Information Administration forecasts that in 2017, total U.S. coal production is expected to increase by 6%. This increased production of coal is likely to lead to an increase in the number of trains carrying coal throughout the United States, especially to export facilities in Washington and Canada. An increase in the number of trains carrying coal through the City of Shoreline increases the potential risks to the health and safety of our residents.

RESOURCE/FINANCIAL IMPACT:

There is no immediate or significant resource or financial impact of proposed Resolution No. 390.

RECOMMENDATION

Staff recommends Council adopt proposed Resolution No. 390 based on Council's January 2013 adoption of Resolution No. 339, Opposing Facilities That Will Increase Transporting Coal Across Washington State and Through the City of Shoreline. Proposed Resolution No. 390 is potentially similar in intent to Resolution No. 339.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Over the last few years, a number of citizens and local governments have been concerned about the impacts of increased coal transport via rail through their communities. These impacts include health and pollution issues associated with railroad accidents, traffic congestion at rail crossings, air quality concerns, and the indirect impacts of increased greenhouse gases on the environment. Although a number of local governments are concerned about health and safety risks associated with coal and its transport via rail, regulation of freight and passenger transport by railroads and is primarily a federal issue.

Federal regulation of railroads is primarily through the United States Department of Transportation, especially the Federal Railroad Administration which regulates safety, and the Surface Transportation Board which regulates rates, service, the construction, acquisition and abandonment of rail lines, carrier mergers and interchange of traffic among carriers. Individual states may only exercise limited control over some aspects of railroads and their operation. For example, the Utilities and Transportation Commission (UTC) in Washington state generally has the authority to set speed limits at all grade crossings in unincorporated areas and in all cities, except those where populations are greater than 100,000 (RCW 81.48.030).

Proposed Expansion of Coal Facilities

In 2010, coal companies began announcing plans for coal export terminals on the west coast to ship coal to growing markets in Asia. Trains originate primarily in the Powder River Basin, a region known for its coal deposits in southeast Montana and northeast Wyoming. The size of the Basin is about 120 miles east to west and 200 miles north to south. It is the single largest source of coal mined in the United States and contains one of the largest deposits of coal in the world.

The destinations of coal trains have been an export terminal in Longview in southwestern Washington and export terminals in British Columbia, Canada. These British Columbia terminals receive much of the export as it is cheaper to export coal to Asia through Canada. Thus, some coal trains will travel through Shoreline to reach these export facilities. Expansion efforts at these coal export facilities would likely increase the amount of coal train traffic through Shoreline.

While this is the case, some of the coal export terminals originally proposed in the Pacific Northwest have not been constructed. This includes projects at Grays Harbor, Washington and at Coos Bay, Port of St. Helens, and Port Westward, Oregon. As well, the proposed coal terminal at Cherry Point, near Bellingham, is likely dead after the U.S. Army Corps of Engineers denied a needed permit on May 9 of this year. The Corps ruled the project would impact the treaty-protected fishing rights of Lummi Nation based on the fact that the proposed trestle and associated wharf would take up 122 acres over water. Information on this recent decision can be found at the following link: <http://media.bellinghamherald.com/static/downloads/GPTDecision.pdf>.

DISCUSSION

There are a number of health and safety risks associated with train transport of coal. First, trains are powered by diesel engines which release diesel particulates via exhaust. The health effects from diesel engine particulate matter were the reason that in 2008 the Environmental Protection Agency (“EPA”) began implementing emissions standards for diesel locomotive engines manufactured and used in the United States. As stated in a 2008 EPA Regulatory Announcement: “Locomotive and marine diesel engines contribute significantly to air pollution in many of the nation’s cities and towns.” And, an increase in the number of trains traveling through Shoreline will increase the level of diesel engine particulate matter released in the environment surrounding the City of Shoreline.

Another issue is coal dust that is blown from the “open-top hopper” train cars used to haul the coal via rail. Although many rail companies have implemented procedures that can reduce coal dust lost during transit, it is estimated that coal trains can lose a significant amount of coal dust. BNSF Railways has conducted studies indicating that as much as “500 pounds to a ton of coal can escape from a single loaded coal car. Other reports have indicated that as much as 3% of the coal loaded into a coal car can be lost in transit. In many areas, a thick layer of black coal dust can be observed along the railroad right of way and in between the tracks.” Railroad industry officials claim that the bulk of coal dust that emanates from open-top train cars does so closer to the loading stations and mines and decreases as the train travels further from the loading terminal. Additionally, industry officials claim that other factors like weather and train speed can affect coal dust loss. However, there is no solidly conclusive evidence as to how much coal dust is actually lost.

Though coal has been transported via train for decades, little research has been done on the potential health effects for people who live near coal train routes. The presence of toxins in coal dust (mainly arsenic, mercury, and other heavy metals) and exposure to coal dust have been linked to many health problems, including: birth defects, cancer, heart disease, and respiratory illnesses like asthma, chronic bronchitis, and lung cancer. Although the effects of coal dust in mines has been thoroughly studied for its potential health impacts, there is no research based evidence that living near rail lines over which trains carrying coal travel is directly related to any health defects. Coal dust can also harm the environment.

Recent Train Derailments and Accidents and Local Jurisdiction Actions

In the last five years, at least seven coal trains have been involved in derailments and/or rail accidents in the U.S. and Canada. Also over the last five or so years, a number of northwest cities, including Anacortes, Edmonds, Eugene, Portland, Spokane, Seattle, Vancouver and Washougal have passed resolutions expressing concerns about and opposition to potential environmental risks of transporting coal, increased rail traffic, and/or environmental impacts of the use of fossil fuels.

In January 2013, Council adopted Resolution No. 339 opposing facilities that will increase transportation of coal across Washington and through the City of Shoreline. Resolution No. 339 and the accompanying staff report can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2013/staffreport012813-7h.pdf>.

On August 1, 2013, the City signed a contract with Washington State University to support the regional Health Impact Assessment, which will comprehensively examine the cumulative health impacts – favorable and unfavorable -- of coal transport, as well as the potential climate change impacts from burning coal shipped to Asian markets. The study's results indicate that further investigation is necessary to fully understand the impacts of coal transport.

Proposed Resolution No. 390

Proposed Resolution No. 390 conveys that the City supports the transition of energy production away from the consumption of fossil fuels and toward the implementation of a sustainable, renewable, and environmentally friendly system of energy production. The resolution also calls upon the United States Department of Transportation and the United States Congress to prohibit the transportation of coal via rail through the City of Shoreline and all other populated areas. A copy of the resolution will be sent to the President of the United States, the Secretary of the United States Department of Transportation, the United States Secretary of Energy, each member of the United States Congress elected from Washington, and each member of the Washington State delegation representing the City of Shoreline.

FINANCIAL IMPACT

There is no immediate or significant resource or financial impact of proposed Resolution No 390.

RECOMMENDATION

Staff recommends Council adopt proposed Resolution No. 390 based on Council's January 2013 adoption of Resolution No. 339, Opposing Facilities That Will Increase Transporting Coal Across Washington State and Through the City of Shoreline. Proposed Resolution No. 390 is potentially similar in intent to Resolution No. 339.

ATTACHMENTS

Attachment A – Proposed Resolution No. 390 Supporting the Prohibition of the Transportation of Coal via Rail Through the City of Shoreline

RESOLUTION NO. 390

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON URGING THE PROHIBITION OF THE TRANSPORTATION OF COAL VIA RAIL THROUGH THE CITY OF SHORELINE

WHEREAS, the City Council has a responsibility and a duty to protect the health and safety of its citizens; and

WHEREAS, Shoreline has committed itself to protecting the environment and natural resources of our community, the State of Washington, the United State of America, and the Earth; and

WHEREAS, the burning of fossil fuels in the production of energy is unsustainable and is in stark contradiction to the goals of Shoreline to mitigate and combat the effects of climate change; and

WHEREAS, the transportation of coal ore via rail, and the burning of coal and other fossil fuels in the production of energy, threatens both the personal health and safety of Shoreline citizens as well as the health and safety of our natural resources and environment; and

WHEREAS, the coal transported via rail is exposed in open-top rail cars resulting in coal dust contaminating all areas along the rail lines where coal is transported via train; and

WHEREAS, coal dust contamination has the potential to cause serious growth and development conditions in children, cardiovascular and respiratory health problems, as well as, the potential to pose a threat to personal safety and property; and

WHEREAS, estimates indicate a significant increase in the number of coal trains traveling the rail lines that run through Shoreline to export facilities in the State of Washington and British Columbia, Canada; and

WHEREAS, the City of Shoreline should join with other cities, localities, states, and tribal nations in demanding a cessation of the use of fossil fuels for the production of energy and of the transportation of fossil fuels via rail through populated areas; and

WHEREAS, a prior resolution passed by this Council, Resolution No. 339 (2013), opposing facilities that will increase transporting coal across Washington State and through the City of Shoreline, has not been adequately addressed by the State of Washington or the United States of America, has not led to a decrease in the transportation of harmful fossil fuels through our community, and did not account for the recent increases in transportation of fossil fuels via rail through Shoreline;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, HEREBY RESOLVES:

Section 1: The City of Shoreline adamantly supports and urges the transition of energy production away from the consumption of fossil fuels and toward the implementation of a sustainable, renewable, and environmentally friendly system of energy production.

Section 2: The City of Shoreline opposes the transportation of coal via rail through the City of Shoreline, along the Puget Sound, and other populated areas.

Section 3: The City of Shoreline strongly urges the United States Department of Transportation and the United States Congress to prohibit the transportation of coal via rail through the City of Shoreline and all other populated areas.

Section 4: Copies of this resolution shall be transmitted by the City Clerk to the President of the United States; the Secretary of the United States Department of Transportation; the United States Secretary of Energy, each member of the United States Congress elected from this State, including: Senator Patty Murray, Senator Maria Cantwell, and Representative Jim McDermott; Governor Jay Inslee; and each member of the Washington State delegation representing the City of Shoreline, including: Senator Maralyn Chase, Representative Cindy Ryu, and Representative Ruth Kagi.

ADOPTED BY THE CITY COUNCIL ON AUGUST 1, 2016.

Mayor Christopher Roberts

ATTEST:

Jessica Simulcik Smith
City Clerk