Meg Moorehead
LEG coal train RES
May 3, 2012
Version #4b

RESOLUTION 31379

A RESOLUTION stating The City of Seattle's opposition to transporting coal across Washington State and through Seattle due to negative health impacts and negative impacts to the Earth's climate.

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 mining and burning coal releases harmful greenhouse gases into the atmosphere, accelerating climate deterioration, and the mining of coal can result in erosion and toxic waste; 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, 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 Seattle previously passed Resolutions 30316 and 31312 supporting efforts to curb global warming, adopting greenhouse gas emission reduction goals for The City of Seattle, and calling for continuing and new actions toward achieving those goals; and

WHEREAS, coal is commonly transported via open-top rail cars that allow the spread of coal dust and chunks of coal; 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, Edmonds, Mukilteo, Everett, Bellingham, and other cities along rail corridors; 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 development practices; NOW, THEREFORE,

THIS CITY CLERK

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE, THE MAYOR CONCURRING, THAT:

Section 1. The City of Seattle opposes the establishment of 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 Seattle intends to address any impacts to public health, safety, property, and surface and groundwater caused by the transport of coal through Seattle by actively enforcing generally applicable local public health, safety, building, electrical, nuisance, and fire codes and by actively enforcing applicable federal environmental statutes delegated to The City of Seattle.

Section 3. The City of Seattle will request that the railroad make public any plans for new or expanded rail facilities or significant rail traffic volume increases within Seattle city limits.

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

Section 5. The City of Seattle will request that the railroad mitigate any public safety hazards created by the transport of coal through Seattle.

Section 6. The City of Seattle will request that the railroad monitor the loading of coal at the mines and at any transfer points as part of the contract(s) with the coal companies to assure best loading practices and to reduce the amount of coal and coal dust coming out of rail cars in route.

Section 7. For any coal loading facilities located within Seattle, The City of Seattle will:

a) require all locally applicable permits and approvals be obtained for the operation of such a facility,

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b) fully enforce public nuisance and municipal land use restrictions,

c) require any piles of coal stored on the property to be fully covered, and

d) require that the facility use a covered loading process to reduce health and safety impacts.

Section 8. The City of Seattle will request that the railroad draft road improvement plans for intersections that would be impacted by rail traffic increases, and require the railroad to cover the cost of those upgrades as part of the mitigation for increase in rail traffic.

Adopted by the City Council the ____ day of _____, 2012, and signed by me in open session in authentication of its adoption this_____ day of _____, 2012.

_____

President _____of the City Council

THE MAYOR CONCURRING:

_____

Michael McGinn, Mayor

Filed by me this ____ day of _____, 2012.

_____

Monica Martinez Simmons, City Clerk

(Seal)

SEAL CITY CLERK

Form revised: July 12, 2011

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
Legislative	Meg Moorehead 684-8929	

Legislation Title:

A RESOLUTION stating The City of Seattle's opposition to transporting coal across Washington State and through Seattle due to negative health impacts and negative impacts to the Earth's climate.

Summary of the Legislation:

A proposal has been made to transport coal by rail from Montana and Wyoming through Washington State (including Seattle) to Cherry Point North of Bellingham for shipping to Asia. This resolution expresses the City of Seattle's concerns about coal trains and opposition to coal export terminals in Washington State. It also states that to the extent possible Seattle will use its local regulatory authority to mitigate coal train impacts in the city. And, the resolution requests that the railroad work with the City on any plans for new rail facilities or train traffic increases, outreach to local citizens and officials, mitigation of safety hazards, road improvements needed to accommodate increased rail traffic and monitoring of rail car loading practices.

Background:

A proposal has been made to transport coal by rail from Montana and Wyoming through Washington State (including Seattle) to Cherry Point North of Bellingham for shipping to Asia. The proposal would substantially increase coal train traffic through Seattle with potential impacts to public health and safety, road traffic, property and the environment. American coal sold in Asia also would support continued use of coal-fired power plants that contribute to greenhouse gases and global climate change. This resolution expresses Seattle's concerns about coal trains, opposition to coal export terminals in Washington State, and the City's intent to use its local regulatory authority to address impacts if the coal transport proposal goes forward.

Please check one of the following:

__X__ This legislation does not have any financial implications.

No additional City government appropriations or revenues are anticipated from this resolution at this time. If the coal train traffic ultimately increases as proposed, fees for City permits and approvals would be collected to cover any related City regulatory expenses. The railroad company would be requested to fund any needed road crossing improvements.

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