

DRAFT – Model Local Government Resolution Opposing Coal Export

Resolution No. _____

A RESOLUTION stating the *local government body* opposes transporting coal across Washington State to export for overseas consumption.

WHEREAS mounting evidence demonstrates the overwhelming negative impacts of coal mining and combustion on public health.

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

WHEREAS Washington State and other states are taking steps toward reducing American dependence on coal-fired power, including the recent passage of TransAlta Energy Transition Bill, which will retire the state’s coal-fired power plant starting in Washington State by 2020.

WHEREAS Washington State is currently experiencing an onslaught of proposals to export coal mined in the United States to foreign countries. These coal export proposals call for shipping tens of millions of tons of coal by rail from the Powder River Basin in Montana and Wyoming across Washington State to private and public ports on the Columbia River and Puget Sound for shipment overseas.

WHEREAS coal is commonly transported via opentop rail cars without covers. Opentop rail cars will contaminate cities, towns, farmland, forestland, streams and rivers across Washington State with coal dust and chunks of coal. According to BNSF, each coal car loses at least 500 pounds of coal in transit. A recent Surface Transportation Board proceeding on coal dust regarding the transportation of coal by rail found coal dust to be a “pernicious ballast foulant,” which can destabilize rail tracks and can contribute to train derailments.

WHEREAS coal contains toxic heavy metals - including mercury, arsenic, and lead - and exposure to these toxic heavy metals in high concentrations is linked to cancer and birth defects.

WHEREAS increased rail traffic on this scale will lead to an increase in diesel emissions in communities along rail lines, and exposure to particulate matter from diesel engines has been linked to impaired pulmonary development in adolescents; increased cardiopulmonary mortality and all-cause mortality; measurable pulmonary inflammation; increased severity and frequency of asthma attacks, emergency room visits, and hospital admissions in children; increased rates of myocardial infarction (heart attack) in adults; increased risk of cancer; and increased asthma and lung disease in children.

WHEREAS high concentrations of coal dust have been known to cause marine dead zones in areas where coal is loaded or transported near water.

WHEREAS coal from the Powder River basin is highly explosive, and the transportation of coal in open rail cars has been known to create public safety hazards, and the accumulation of coal on or near rail lines has led to train derailments, explosions and fires.

WHEREAS coal export terminals in other parts of the nation and world are associated with significant air and water pollution.

WHEREAS new coal export terminals are expected to result in an increase in coal train traffic in Washington of at least 20 additional trains per day, causing concerns about blocked roads inhibiting the travel of emergency vehicles, pedestrians, access to waterways near the rail lines for fishing and other recreational use, and other vehicle traffic.

WHEREAS Washington 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 the most destructive and unsustainable energy development practices.

RESOLVED, That the *local government body* of _____ opposes 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.

RESOLVED, That the *local government body* of _____ urges the Governor and the Legislature to work on a comprehensive policy opposing coal export terminals in Washington State.

RESOLVED, That the *local government body* of _____ intends to address any impacts to public health, safety, property, and surface and groundwater caused by the transport of coal through _____ 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 *local government body*;

RESOLVED, That the *local government body* of _____ will request from the railroad, and make public, any plans for new or expanded rail facilities or significant rail traffic volume increases within the *local government body* of _____;

RESOLVED, That *local government body* of _____ will request that the railroad provide representatives to meet periodically with local citizen groups and local government officials from _____ to seek mutually acceptable ways to address local concerns;

RESOLVED, That *local government body* of _____ will request that the railroad conduct environmental monitoring in _____, including but not limited to groundwater and air monitoring, and will request that the railroad submit environmental monitoring or testing information to local government entities on a monthly basis for X years or until the *local government body* _____ determines that there is no significant environmental impact from activities conducted by the railroad in _____;

RESOLVED, That *local government body* of _____ will request that the railroad carefully monitor the loading of coal at the coal mines as part of the contract(s) with the coal companies to assure best loading practices in order to reduce the amount of coal and coal dust coming out of the rail cars;

RESOLVED, That if any coal loading facilities are located in *local government body* of - _____, the City will require all locally applicable permits and approvals for the operation of such a facility; will fully enforce public nuisance and municipal land use restrictions, will require the coverage of any piles of coal stored on the property and will require that the facility utilize a covered coal loading process given the known health and safety dangers of coal;

RESOLVED, That *local government body* of _____ will request that the railroad draft road improvement plans for grading, widening, or otherwise providing crossings at intersections that would be impacted by rail traffic increases and require the railroad to pay in full for these upgrades;

RESOLVED, That the *appropriate official* be directed to transmit copies of this resolution to the Governor of Washington, the State Lands Commissioner, Federal public officials, and to each Senator and Representative from the County of _____ in the State of Washington Legislature;

This Resolution shall take effect immediately upon its adoption by