

RESOLUTION NO. M-1812

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLYMPIA,
WASHINGTON, CONCERNING THE OIL-BY-RAIL INDUSTRY, HYDRAULIC
FRACTURING, AND OIL EXPORTS.**

WHEREAS, newly applied technologies, including hydraulic fracturing, have resulted in the extraction of unprecedented amounts of crude oil from the Bakken shale formation in North Dakota, now estimated to extract one million barrels per day; and

WHEREAS, oil companies plan to expand rail capacity in the State of Washington to receive this crude oil at four refineries and at newly proposed marine transfer stations at the Ports of Vancouver and Grays Harbor, which will greatly increase the number of oil trains traveling through Thurston County; and

WHEREAS, the U. S. Pipeline and Hazardous Materials Safety Administration has concluded that Bakken crude oil "is more volatile than most other types of crude," making it more hazardous than other cargo; and

WHEREAS, these unit oil trains composed of some 100, or more, tankers filled with Bakken oil now travel through the Thurston County towns of Bucoda, Tenino, and Lacey on Burlington Northern Santa Fe (BNSF) lines headed north, and could soon travel through Rochester along the Chehalis River west on the Genesee & Wyoming lines to three proposed marine transfer terminals at the Port of Grays Harbor; and

WHEREAS, the BNSF rail lines cross through the Deschutes River watershed, which eventually flows directly through the City of Olympia, and an oil spill could substantially affect the quality of life in our community; and

WHEREAS, the BNSF rail lines run adjacent to and directly uphill from Olympia's drinking water source, and along other waterfronts, creeks, and precious natural areas; and

WHEREAS, between April 29 and May 21, 2014, there were four derailments on the Genesee and Wyoming rail line between Centralia and Aberdeen, raising serious questions about the capability of this rail line to handle current export commodities, let alone trains with explosive Bakken and tar sands crude oil; and

WHEREAS, catastrophic explosions, spills, and deaths due to derailments of tanker cars carrying Bakken crude oil have occurred in Lac Megantic, Quebec; Casselton, North Dakota; near Plaster Rock in New Brunswick, Canada; Aliceville, Alabama; and Lynchburg, Virginia within the last year causing immeasurable loss of life and property, and immeasurable environmental damage – damage which could occur in our towns, on our farm lands and in our river systems, posing a serious threat to Thurston County and its economic viability, as well as our pristine wilderness; and

WHEREAS, in July 2014, three 29,200-gallon oil cars on a slow-moving train derailed without spills or fires beneath Seattle's Magnolia Bridge; and

WHEREAS, in January 2014, the National Transportation Safety Board stated, "Because there is no mandate for railroads to develop comprehensive plans or ensure the availability of necessary response resources, carriers have effectively placed the burden of remediating the environmental consequences of an accident on local communities along the route"; and

WHEREAS, at the same time this burden to protect our urban centers, farm lands, river systems, and our natural environment from oil trains is being placed on local jurisdictions, many of which are struggling to maintain their fire fighters and first responders, let alone provide them with adequate resources to respond to oil fires, explosions and derailments; and

WHEREAS, in testimony before the U.S. Surface Transportation Board, a BNSF spokesperson admitted, "Insurance is not commercially available to sufficiently protect us against catastrophic loss"; and

WHEREAS, oil trains are not adequately covered by insurance for major accidents and catastrophic loss; and

WHEREAS, various groups and organizations such as the Washington State Council of Firefighters, the International Brotherhood of Electrical Workers Local 77, the International Longshoremen and Warehousemen's Union Local 4, and Railroad Workers United, have registered strong opposition, due to safety concerns, to the transportation and storage of crude oil anywhere in the state of Washington; and

WHEREAS, the seafood industry would be irreparably devastated by spills of crude oil into the coastal waters of our state; and

WHEREAS, shipments of fruits, grains, and other vital commodities are experiencing delays and stoppages due to precedence being given to crude oil trains, resulting in goods being damaged and higher prices for consumers; and

WHEREAS, hydraulic fracturing is not only associated with concerns related to transportation but also with depleting fresh water supplies through the use of millions of gallons of water at each fracturing site, injecting toxic chemicals underground and into ground water, increased seismic activity, habitat destruction, and workers' exposure to hazardous materials; and

WHEREAS, increased transport of oil to other countries increases the risk of spills and accidents, both here and abroad, and the burning of fossil fuels anywhere contributes to the emission of greenhouse gases, as well as mercury, arsenic, and sulfur, and finally, the export of large volumes of fossil fuels is not compatible with the City of Olympia's role as a leader in environmental stewardship.

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The City of Olympia strongly urges Washington State to adopt legislation requiring disclosure of the volumes and types of petroleum, petroleum products, and petroleum derivatives; transportation routes; and the frequency and duration of transfers of petroleum, so that the state and local communities can be fully informed of and plan for the risks posed by the transport of petroleum by rail.

Section 2. The City of Olympia strongly urges the U.S. Department of Transportation (DOT) to increase federal tank car design and operation regulations for petroleum product shipments and aggressively phase out older-model tank cars used to move flammable liquids that are not retrofitted to meet new federal requirements.

Section 3. The City of Olympia strongly urges the Washington State Department of Ecology and the Military Department Emergency Management Division, in collaboration with the Washington State Department of Fish and Wildlife, the U.S. Coast Guard, and local government emergency response entities, to assess the impact to public safety, the environment, the economy, and traffic of petroleum transport by rail through Thurston County and the State of Washington.

Section 4. The City of Olympia requests that the Governor of Washington State, the Washington State Department of Ecology, the Washington State Energy Facility Site Evaluation Council, and any other

relevant state agencies refrain from permitting projects that would expand the capacity for petroleum export out of the state or otherwise increase the number of trains carrying petroleum through Thurston County and other Washington communities until the cumulative environmental and safety impacts of these projects are studied and addressed.

Section 5. The City of Olympia requests that the State of Washington and all involved state and local agencies consider the lack of adequate insurance for catastrophic loss when reviewing proposals related to oil trains. The City of Olympia requests that all permitting agencies require insurance to cover catastrophic loss in amounts that are available in the insurance market.

Section 6. The City of Olympia requests that any railroad company that operates rail lines adjacent to Olympia's assets, including our drinking water supply, consider restrictions on the shipment of petroleum products along those routes until adequate study by relevant state, local, and federal government agencies have determined that the transport of petroleum by rail meets established public safety and environmental protection standards.

Section 7. The City of Olympia asks the Port of Grays Harbor Commission to reconsider its proposal to build three marine transfer terminals for oil export which will result in volatile Bakken oil being transported through urban centers and farm areas and endangering the health, safety, welfare and economic viability of our citizens and the natural environment that supports our livelihood.

Section 8. The City of Olympia strongly requests the City of Hoquiam to deny construction permits for all three of these proposed terminals for oil export which will result in volatile Bakken oil being transported through Thurston County.

Section 9. The City of Olympia strongly urges the Washington State Department of Transportation and the Freight Mobility Strategic Investment Board to analyze and study the potential economic effect of this oil train traffic on the displacement of existing economic activity and the potential loss of access to rail transport by local and regional shippers.

Section 10. The City of Olympia asks the Port of Olympia Commission to reconsider its role in the import and transport of materials, which are used for hydraulic fracturing. These materials contribute to the movement of dangerous oil trains through our communities, the potential development of oil export terminals on our fragile coastline, the increased burning of fossil-based carbon fuels, and the worsening of the climate crisis.

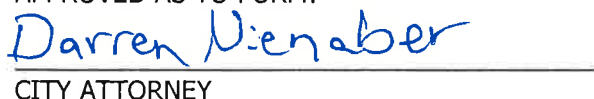
PASSED BY THE OLYMPIA CITY COUNCIL this 25th day of November 2014.


MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY