

RESOLUTION NO. 879

A RESOLUTION PERTAINING TO PETROLEUM TRANSPORT BY RAIL THROUGH MOUNT VERNON AND THE STATE OF WASHINGTON; SEEKING ADOPTION OF STATE LEGISLATION AND FEDERAL REGULATIONS; STATE ASSESSMENT OF RISKS; RAILROAD COMPANY RESTRICTION OF PETROLEUM TRANSPORT; AND UPDATE OF CITY INCIDENT RESPONSE PLANS TO ADDRESS THE POTENTIAL SAFETY, ENVIRONMENTAL AND ECONOMIC IMPACTS OF PETROLEUM TRANSPORT BY RAIL.

WHEREAS, the Mayor and City Council of the City of Mount Vernon, Washington, are committed to the protection of its citizens, as well as the natural resources on which the City depends that define the City and Skagit region; and

WHEREAS, the BNSF rail line runs throughout the City of Mount Vernon and has eight at-grade railroad crossings located within the City (two of which cross heavily traveled state routes), one just east of College Way and Riverside Drive, the busiest intersection in the County, and another at Kincaid Street which is at the entrance to Mount Vernon's historic downtown and the location of the County Courthouse, Jail and City Hall. The rail line runs through both commercial and residential districts and is directly parallel with the I-5 corridor; and

WHEREAS, The City of Mount Vernon supports projects that provide economic and job benefits locally and regionally and recognizes the importance of rail transportation to support industry, such as the oil refineries located within Skagit County; and

WHEREAS, the Skagit River is also a significant risk within the City, running through the downtown area, and within close proximity of the railroad. The Skagit River is the largest watershed in the Puget Sound basin and possesses the most abundant and diverse populations of salmon, steelhead trout, and bull trout in the region. It is the third largest river on the west coast of the continental United States; and

WHEREAS, given Mount Vernon's physical and geographic characteristics, Mayor and Council are concerned with public safety, environmental impacts and the economic disruption from a possible derailment and spill of crude oil from trains running through the City of Mount Vernon and surrounding area; and

WHEREAS, the Federal Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a major safety alert on January 2, 2014, declaring that oil obtained from the Bakken Shale is more explosive. As illustrated by the 2013 derailment of an oil-carrying train in Quebec, which killed 47 people, destroyed more than thirty buildings, and required evacuation of 1,000

people, and by derailments in North Dakota, New Brunswick, and Washington, derailments, spills and fires can have catastrophic impacts on communities their residents, and the environment; now, therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOUNT VERNON, WASHINGTON AS FOLLOWS:

Section 1: The City of Mount Vernon strongly urges the Washington State Legislature to approve legislation requiring disclosure of volumes, 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 Mount Vernon strongly urges the U.S. Congress and U.S. Department of Transportation to strengthen federal tank car design and operation laws and 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. We believe that all crude oils transported through Mount Vernon should only be transported in the 1232-rated tank cars unless more stringent design standards are recommended by PHMSA.

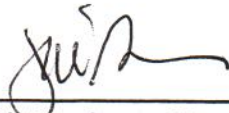
Section 3: The City of Mount Vernon supports measures to minimize the volatile nature of the product before it leaves the demarcation point at the source. If additives can be infused into the product and refined out during the refining process, perhaps to be recycled on future loads, this should be done before the product moves.

Section 4: The City of Mount Vernon strongly urges the Washington State Legislature to adopt legislation requiring the shipper and industry involved in the purchase, transportation and refining of the petroleum product, to provide all necessary equipment, training, and mitigation needs to first response agencies through which their product travels. The current satellite location of cached equipment and materials is not satisfactory.

Section 5: The City of Mount Vernon requests the Washington State Legislature and U.S. Department of Transportation to adopt laws restricting the speeds in which trains carrying petroleum product through communities, travel at a maximum speed of 15mph in order to minimize the potential for a derailment to turn into a large-scale event.

Dated this 10th day of December 2014

Signed in authentication this 29th day of December 2014




Jill Boudreau, Mayor

Attest:



Alicia D. Huschka, Finance Director

Approved as to form:



Kevin Rogerson, City Attorney