

# Senate Bill 1277

## Coal Shipment- Health and Safety

Senator Loni Hancock (D-9)

February 19, 2016

### ISSUE

Coal dust is a source of particulate matter that is dangerous to breathe and is also responsible for most occupational lung disease due to airborne particulate.

Coal transport spreads the damages caused by coal dust and contributes to the likelihood that residents in adjacent communities will suffer from illnesses linked to pollution -- cancer, heart disease, asthma and other ailments. Coal puts residents and workers at risk, and defeats efforts to ensure a clean and healthy environment.

West Oakland is already heavily impacted by pollution. Residents are 2.5 times more likely to get cancer due to breathing air which contains three times the amount of diesel particulate matter than air in other parts of the Bay Area. In addition, West Oakland residents are two times as likely to go to the emergency room with asthma as people in other parts of Alameda County.

The concern for the air quality of the residents of West Oakland is real. However, the transportation of coal is not just a local issue - it is an issue of statewide concern. Contributing California bond funds to a project that would develop a coal export facility does not align with California's environmental goals.

This bill would protect residents and workers in West Oakland by declaring that the transportation, loading and unloading of coal through West Oakland would present a clear and present danger to the health and safety of Oakland residents and workers. It also prohibits the shipment of coal through the Port of Oakland.

### CURRENT LAW

Existing law regulates the operation of ports and harbors. The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trades Corridors

Improvement Fund (TCIF) and provided for allocation by the California Transportation Commission (CTC) bond funds for infrastructure improvements, including rail corridors, to improve air quality by reducing emissions related to goods movement.

### BACKGROUND

In 2006, California voters approved Proposition 1B, which allocated almost \$20 billion in bonds to advance infrastructure projects, mobility, safety, and air quality improvements throughout the state. Proposition 1B placed a condition on the allocation of funds by emphasizing that projects receiving funds must address the state's most urgent needs and reduce pollutant emissions.

\$2 billion of the Prop 1B funds were dedicated for TCIF projects. The CTC was tasked with disbursing the funds with an emphasis placed on projects that improve trade corridor mobility while reducing emissions of diesel particulate and other pollutant emissions.

The City of Oakland was awarded \$176 million from the TCIF funds for site preparation and infrastructure redevelopment of the former Oakland Army Base.

The initial redevelopment project proposal provided to the CTC, did not include the potential for the transportation and export of coal, nor was the initial EIR done with the use of a coal export facility examined.

Recently, however, the proposal was revised and includes plans to transport up to 9 million tons of coal to West Oakland each year. Coal would come on railroad lines from Utah and be transferred to cargo ships for export to China and other countries.

West Oakland, the location of the development project, is designated by the CalEnviroScreen as being a disadvantaged community due to its high asthma rates, cancer risks, and pollution levels.

This proposal to transport approximately 9 million tons of coal is not in accordance with Proposition 1B and contradicts California's efforts in reducing catastrophic climate change.

Governor Brown, Senate President Pro Tem de León and other state leaders have worked for many years to position California as a world leader in climate change initiatives. Exporting coal through the City of Oakland would undermine all the climate change and environmental policies adopted by our state.

---

## **THIS BILL**

**SB 1277** would:

- Prohibit the shipment of coal to, or through, a certain port facility located in the former Oakland Army Base that has been funded in part by state funds.
- Declare that the transportation of coal through West Oakland is a clear and present danger to the health and safety of Oakland residents as well as to the workers that would handle the coal.

---

## **SUPPORT**

City of Emeryville  
Friends Committee on Legislation of California  
San Francisco Baykeeper  
Sierra Club California

---

## **CONTACT**

Isabel Cortes, Senator Loni Hancock  
[isabel.cortes@sen.ca.gov](mailto:isabel.cortes@sen.ca.gov)  
(510) 286-1333