

Senate Bill 1278

Environmental Impact Report --Coal shipment

Senator Loni Hancock (D-9)

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ISSUE

State law requires an environmental impact report, (EIR) for any project that has the potential to impact the environment to determine the potential impact that may arise with the development of a project.

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.

West Oakland residents are already heavily impacted by goods movement. Importing coal to the Bay Area and exporting it to other countries is harmful for local residents and for the world. Coal transport will only contribute to the likelihood that West Oakland residents be linked to pollution. Coal is not a clean source of energy and putting residents at risk will reduce the opportunity to provide a clean and healthy environment.

This bill would require any public agency that has authority in approving any portion of a project relating to the shipment of coal through Oakland to prepare an EIR.

CURRENT LAW

The California Environmental Quality Act (CEQA) requires a lead agency to prepare and certify the completion of an EIR on a project that may have a significant effect on the environment.

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.

Two billion dollars of the Prop 1B funds were dedicated for Trade Corridor Improvement Funds (TCIF) projects. The California Transportation Commission (CTC) was tasked with distributing 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.

The current proposal was added to include 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 1278 requires every public agency with discretionary approval of any portion of a project relating to the shipment of coal through Oakland to prepare or cause to prepare an EIR.

SUPPORT

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

CONTACT

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