

RESOLUTION NO. 2015-24

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
FREMONT IN OPPOSITION TO THE PROPOSED PHILLIPS
66 SANTA MARIA REFINERY RAIL SPUR EXTENSION
PROJECT IN SAN LUIS OBISPO COUNTY**

WHEREAS, a crude-by-rail project, the Phillips 66 Santa Maria Refinery rail spur extension, is currently before San Luis Obispo County for approval, and trains delivering crude for this project would follow the Amtrak Capitol Corridor route through the East Bay, including Fremont; and

WHEREAS, there has been a dramatic rise in transport of crude by rail, accompanied by a similar rise in spectacular accidents from several per year prior to 2010 to 155 in 2013 and 141 oil spills in 2014; and

WHEREAS, given the record of crude-oil rail accidents in recent years, an event such as Lac Mégantic, Canada, causing explosions that destroyed dozens of buildings, killed 47 people, and caused over \$1 billion in damages, could have catastrophic effects if it occurred in any populated area; and

WHEREAS, the National Transportation Safety Board and the Pipeline and Hazardous Materials Safety Administration acknowledged the failure of shippers to appropriately classify the contents of crude oil to reflect the hazardous and highly flammable nature of the substances being transported by rail, and the failure of tank cars adhering to CPC-1232 standards offering little protection in a derailment, even at low speeds, have demonstrated the devastating consequences of a crude by rail oil accident resulting in the loss of life, property and environmental damage; and

WHEREAS, the toxic air contaminants (TAC) from rail operations would exceed both the San Luis Obispo County Air Pollution Control District's thresholds for 30-year cancer risk beyond the railroad right-of-way, and increase the exposure of residents along the entire route to TAC; and

WHEREAS, trains delivering crude oil, coal, and petroleum coke traveling through the Bay Area will follow routes adjacent to the San Francisco Bay Estuary and its tributaries, posing a serious threat to this ecosystem which is considered a biodiversity hotspot, sustaining significant aquatic and estuarine species and habitat, and is a treasured icon for millions of Bay Area residents; and

NOW, THEREFORE, BE IT RESOLVED that the Fremont City Council opposes the proposed Phillips 66 Santa Maria Refinery Rail Spur Extension project and requests that the County Board of Supervisors of San Luis Obispo deny certification of the proposed environmental impact report and deny the proposed project; and direct the Mayor to send a letter to the County Board of Supervisors of San Luis Obispo to express the City's concerns.

ADOPTED May 12, 2015, by the City Council of the City of Fremont by the following vote:

AYES: Mayor Harrison; Vice Mayor Chan; Councilmembers Bacon and Jones

NOES: None

ABSENT: Councilmember Chan

ABSTAIN: None



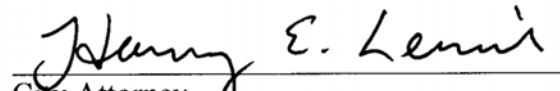
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney