

IMPACT STATEMENT

Legislation title: Oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways (Resolution)

Contact name: Michael Armstrong, Bureau of Planning and Sustainability

Contact phone: 503-260-2570

Presenter name: Jackie Dingfelder, Susan Anderson, Michael Armstrong

Purpose of proposed legislation and background information:

This Resolution establishes a broad policy position on fossil fuel infrastructure and directs bureaus to identify appropriate arenas to advance this policy.

With the advent of fracking and tar sands processing, the fossil fuel industry is seeking to site infrastructure to transport and store large volumes of fossil fuels from the Western U.S. and Canada. About 20 large fossil fuel infrastructure projects have been proposed in the Pacific Northwest in the last several years, including at least one, the Pembina propane facility, in Portland.

The production and transportation of large quantities of fossil fuels has resulted in unprecedented questions about impacts on safety, cultural resources of Northwest tribes, human and environmental health, and livability, such as traffic congestion and noise. Some impacts are local, others are in the Gorge and elsewhere in the Northwest, others are at the point of extraction—often in Alberta and North Dakota—and still others are global, such as climate change. Fossil fuel projects also raise questions about the economic impacts, including jobs associated with the construction phase, operations over time, tax revenues, and indirect impacts on other commerce through vehicle, rail, barge, or ship traffic.

When the proposed propane terminal came before the Planning and Sustainability Commission (PSC) in spring 2015, the PSC found limited guidance in City policy about how to evaluate the proposal. As part of its discussions, the PSC recommended that City Council establish a policy specifically addressing fossil fuels to provide this guidance—both for policymakers and for potential project developers—should other projects come forward.

As a result, the *2015 Climate Action Plan*, adopted by City Council, in June 2015, included an action calling for the City to establish a “fossil fuel export policy that considers lifecycle emissions, safety, economics, neighborhood livability and environmental impacts” (page 69, action 3G). The proposed resolution would carry out this action.

Financial and budgetary impacts:

This resolution does not formally commit the City to specific expenditures. It does direct staff to review existing code and regulations, however. It also has the potential to impact whether fossil fuel infrastructure is built in Portland, with associated impacts on property tax revenue and business license fees.

Community impacts and community involvement:

The proposed policy statement is informed by the Planning and Sustainability Commission’s extensive deliberations and hearings in spring 2015 about the proposed propane facility. This included testimony from 100 individuals, businesses, and organizations.

In addition, in October 2015 the Bureau of Planning and Sustainability invited tribal representatives, businesses, labor unions, the Port of Portland, neighborhood representatives, and environmental organizations to provide perspective and identify considerations as the fossil fuel policy options were developed. BPS convened these representatives twice, with members of the public observing. Agendas, meeting materials, and notes were circulated to all parties who expressed an interest.

Budgetary Impact Worksheet

Does this action change appropriations?

- YES: Please complete the information below.
- NO: Skip this section

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

AMENDMENTS

November 12, 2015

THURSDAY, 2:00 PM, NOVEMBER 12, 2015

THOSE PRESENT WERE: Mayor Hales, Presiding; Commissioners Fish, Fritz, Novick and Saltzman, 5.

1179 TIME CERTAIN: 2:00 PM – Oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways (Previous Agenda 1157; Resolution introduced by Mayor Hales and Commissioner Fritz) 3 hours requested

Fish November 4, 2015 amendments were withdrawn. Motion to accept Fish substitute amendment package a [see attached]: Moved by Fish and seconded by Fritz. (Y-5)

Novick November 4, 2015 amendments 4 and 5 were withdrawn.

Motion to accept Novick November 4, 2015 amendments 1 and 2, and new Novick amendment 6: Moved by Novick and seconded by Fish. (Y-5)

Motion to add directive "NOW, THEREFORE, BE IT FURTHER RESOLVED, notwithstanding anything in this resolution, the Council will exercise its duty as a quasi-judicial land use decision making body in an impartial manner consistent with City Code and Oregon law": Moved by Saltzman and seconded by Fritz. (Y-5)

Motion to accept friendly amendment to add "and communities of color" to directive paragraph 8: Moved by Fish and seconded by Fritz. (Motion passed. No vote taken)

(Y-5)

37168
AS AMENDED

November 4, 2015
1157 amendments

Novick and Fish motions seconded but not voted on; carried over to November 12, 2015 at 2:00 pm.

Additions in underline; deletions in strikethrough.

Commissioner Novick amendments:

1. [Novick amendment 1] **Motion to amend the eighth WHEREAS clause as follows: WHEREAS, extraction of fossil fuels through fracking and tar sands processing, which has become widespread throughout the Western United States and Canada, has especially damaging impacts to human and environmental health and fracking increases the potential for earthquakes; and:** Moved by Novick and seconded by Hales.

 2. [Novick amendment 3] **Motion to amend the fourteenth WHEREAS clause as follows: WHEREAS, economic opportunities presented by expanding fossil fuel infrastructure are modest, with few jobs and little value added when compared to the related environmental costs; and:** Moved by Novick and seconded by Hales.

 3. [Novick amendment 4; withdrawn 11/12] **Motion to amend the first BE IT RESOLVED clause as follows: NOW, THEREFORE, BE IT RESOLVED, that the City Council will actively oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways, except for those infrastructure investments that improve the integrity of the current fossil fuel supply in Portland; and:** Moved by Novick and seconded by Hales.

 4. [Novick amendment 5; withdrawn 11/12] **Amend the fourth BE IT RESOLVED clause as follows: BE IT FURTHER RESOLVED, that this resolution is not intended to restrict the provision of service directly to end users, or to restrict improvements in the safety or efficiency of existing infrastructure, or to restrict the provision of service directly to end users including, but not limited to, improvements and new infrastructure needed to prevent fugitive gas emissions, improve seismic resilience, develop emergency backup capacity, or that allow companies or organizations to ultimately move towards alternative fuel sources without increasing emissions; and:** Moved by Novick and seconded by Fish.
-

Commissioner Fish Amendments 11/4/15:

5. [Fish amendment 2; withdrawn 11/12] **Motion to insert as a new directive following the directive ending with "...set forth in this Resolution":**

BE IT FURTHER RESOLVED, that prior to any further Council action, the mayor shall schedule (1) a work session to review any proposed code changes and (2) an executive session to review the legal considerations of any proposed code changes; and: Moved by Fish and seconded by Hales.

6. [Fish amendment 3; withdrawn 11/12] **Motion to insert as a new directive following the proposed new directive ending with "...any proposed code changes":**

BE IT FURTHER RESOLVED, that the Bureau of Planning & Sustainability shall undertake an analysis of the economic impacts of any proposed Code Changes, with a particular focus on potential impacts to local blue-collar jobs; and: Moved by Fish and seconded by Novick.

7. [Fish amendment 4; withdrawn 11/12] **Motion to insert as a new directive following the proposed new directive ending with "...local blue collar jobs":**

BE IT FURTHER RESOLVED, that the City and applicable bureaus shall explore opportunities to invest in Portland's 'human infrastructure' by supporting programs to retrain our workforce as the city transitions to a clean energy economy; and: Moved by Fish and seconded by Hales.

8. [Fish amendment 5; withdrawn 11/12] **Motion to add to the penultimate directive:**

BE IT FURTHER RESOLVED, that the City shall consult with its Tribal Government Partners, the State of Oregon, and local governments, and other key stakeholders including labor, business, environment, and neighborhoods in advancing this policy; and: Moved by Fish and seconded by Novick.

November 4¹², 2015

11/12/15

City Council item #1179

Package a
p1 of 4

Fish Amendment 2

Insert as a new directive following the directive ending with
“...set forth in this Resolution”:

BE IT FURTHER RESOLVED, that prior to any further Council
action, the mayor shall schedule (1) a work session to review
any proposed code changes and (2) an executive session to
review the legal considerations of any proposed code changes;
and

November ¹²4, 2015

City Council item #1179

11/12/15

Package a
P 2 of 4

Fish Amendment 3

Insert as a new directive following the Fish Amendment 2 proposed new directive ending with "...any proposed code changes":

BE IT FURTHER RESOLVED, that the Bureau of Planning & Sustainability shall undertake an analysis of the economic impacts of any proposed Code changes to advance the policies set forth in this resolution, with a particular focus on potential impacts to local blue-collar jobs; and

¹²
November 4, 2015

City Council item #1179

11/12/15
Package a
p 3 of 4

Fish Amendment 4

Insert as a new directive following the Fish Amendment 3
proposed new directive ending with "...local blue collar jobs":

BE IT FURTHER RESOLVED, that the City and applicable bureaus
shall seek and identify opportunities to invest in Portland's
'human infrastructure' by supporting programs to retrain our
workforce as the city transitions to a clean energy economy;
and

11/12/15

November ¹²4, 2015

City Council item #1179

Package a
p 4 of 4

Fish Amendment 5

Add to the penultimate directive:

BE IT FURTHER RESOLVED, that the City shall consult with its Tribal Government Partners, the State of Oregon, ~~and~~ local governments, and other key stakeholders including labor, business, environment, ~~and neighborhoods~~ and communities of color in advancing this policy; and

November 12, 2015
City Council Item #1179

Additions in underline; deletions in strikethrough.

Novick Amendment 6, page 3

Delete the fourth BE IT RESOLVED clause:

~~BE IT FURTHER RESOLVED, that this Resolution is not intended to restrict improvements in the safety or efficiency of existing infrastructure, or to restrict the provision of service directly to end users; and~~

Insert a modified version of the fourth BE IT RESOLVED clause after the first BE IT RESOLVED clause:

NOW, THEREFORE, BE IT RESOLVED, that the City Council will actively oppose expansion of infrastructure for which the primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways; and

BE IT FURTHER RESOLVED, that this Resolution ~~is not intended to~~ does not restrict:

1. improvements in the safety, or efficiency, seismic resilience, or operations of existing infrastructure; ~~or to restrict~~
2. the provision of service directly to end users;
3. development of emergency backup capacity;
4. infrastructure that enables recovery or re-processing of used petroleum products; or
5. infrastructure that will accelerate the transition to non-fossil fuel energy sources; and

11/12/15

37168

Saltzman Amendment II

NOW, THEREFORE, BE IT FURTHER RESOLVED, notwithstanding anything in this resolution, the Council will exercise its duty as a quasi-judicial land use decision making body in an impartial manner consistent with City Code and Oregon law.

November 4, 2015

City Council Item #1157

Additions in underline; deletions in strikethrough.

Novick Amendment 1, Page 1

Amend the eighth WHEREAS clause as follows:

WHEREAS, extraction of fossil fuels through fracking and tar sands processing, which has become widespread throughout the Western United States and Canada, has ~~especially~~ damaging impacts to human and environmental health and fracking increases the potential for earthquakes; and

CH 2nd

November 4, 2015

City Council Item #1157

Additions in underline; deletions in strikethrough.

Novick Amendment 2, Page 2

Amend the eleventh WHEREAS clause as follows:

WHEREAS, ~~the risks posed by~~ the transportation of fossil fuels through the Columbia Gorge, ~~are~~ is inconsistent with the Gorge's designation as a National Scenic Area; and

- Novick
did not put
forth -

November 4, 2015

City Council Item #1157

Additions in underline; deletions in strikethrough.

Novick Amendment 3, Page 2

Amend the fourteenth WHEREAS clause as follows:

WHEREAS, economic opportunities presented by expanding fossil fuel infrastructure are modest, with few jobs and little value added when compared to the related environmental costs; and

CH 2nd

November 4, 2015

City Council Item #1157

Additions in underline; deletions in strikethrough.

Novick Amendment 4, Page 3

Amend the first BE IT RESOLVED clause as follows:

NOW, THEREFORE, BE IT RESOLVED, that the City Council will actively oppose expansion of infrastructure whose primary purpose is transporting or storing fossil fuels in or through Portland or adjacent waterways, except for those infrastructure investments that improve the integrity of the current fossil fuel supply in Portland; and

CH 2nd

Withdrawn
11/12/15

November 4, 2015

City Council Item #1157

Additions in underline; deletions in strikethrough.

Novick Amendment 5, Page 3

Amend the fourth BE IT RESOLVED clause as follows:

IT FURTHER RESOLVED, that this resolution is not intended to restrict the provision of service directly to end users, or to restrict improvements in the safety or efficiency of existing infrastructure, ~~or to restrict the provision of service directly to end users~~ including improvements and new infrastructure needed to prevent fugitive gas emissions, improve seismic resilience, develop emergency backup capacity, or that allow companies or organizations to ultimately move towards alternative fuel sources without increasing emissions; and

- NF - 2nd

*but not limited to
(Fritz addition)*

*Withdrawn
11/12/15*

November 4, 2015

City Council Item #1157

Additions in underline; deletions in strikethrough.

Novick Amendment 5, Page 3

Amend the fourth BE IT RESOLVED clause as follows:

IT FURTHER RESOLVED, that this resolution is not intended to restrict improvements in the safety or efficiency of existing infrastructure, including improvements and new infrastructure needed to prevent fugitive gas emissions, improve seismic resilience, develop emergency backup capacity, or that allow companies or organizations to ultimately move towards alternative fuel sources without increasing emissions ~~or to restrict the provision of service directly to end users~~; and

optional version, not put forward.

November 4, 2015

City Council item #1157

Withdrawn 11/12/15

Fish Amendment 2

Insert as a new directive following the directive ending with "...set forth in this Resolution":

BE IT FURTHER RESOLVED, that prior to any further Council action, the mayor shall schedule (1) a work session to review any proposed code changes and (2) an executive session to review the legal considerations of any proposed code changes; and

CH 2nd

November 4, 2015

City Council item #1157

Withdrawn 11/12/15

Fish Amendment 3

Insert as a new directive following the Fish Amendment 2 proposed new directive ending with "...any proposed code changes":

BE IT FURTHER RESOLVED, that the Bureau of Planning & Sustainability shall undertake an analysis of the economic impacts of any proposed Code changes, with a particular focus on potential impacts to local blue-collar jobs; and

SN 2nd

November 4, 2015

City Council item #1157

Withdrawn 11/12/15

Fish Amendment 4

Insert as a new directive following the Fish Amendment 3 proposed new directive ending with "...local blue collar jobs":

BE IT FURTHER RESOLVED, that the City and applicable bureaus shall explore opportunities to invest in Portland's 'human infrastructure' by supporting programs to retrain our workforce as the city transitions to a clean energy economy; and

CH-2nd

November 4, 2015

City Council item #1157

Withdrawn 11/12/15

Fish Amendment 5

Add to the penultimate directive:

BE IT FURTHER RESOLVED, that the City shall consult with its Tribal Government Partners, the State of Oregon, ~~and local governments~~, and other key stakeholders including labor, business, environment, and neighborhoods in advancing this policy; and

SN - 2nd