

AMENDED IN ASSEMBLY APRIL 30, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

Assembly Joint Resolution

No. 35

Introduced by Assembly Member Williams

March 26, 2012

Assembly Joint Resolution No. 35—Relative to rail transport of coal.

LEGISLATIVE COUNSEL'S DIGEST

AJR 35, as amended, Williams. Rail transport: coal.

This measure urges the President of the United States and the 112th Congress to enact legislation to restrict the waterborne export transshipment of coal for electricity generation to any nation that fails to adopt rules and regulations on the emissions of greenhouse gases and airborne hazardous air pollutants that are at least as restrictive as those adopted by the United States. The measure would urge the Governor of California to inform the Governors of the States of Oregon and Washington of the significant health risks to the people of the Pacific Coast states if large coal export terminals and rail car coal transport expansions are licensed and permitted to operate on or near the coast of the States of Oregon and Washington.

Fiscal committee: yes.

- 1 WHEREAS, California law requires electricity providers to
- 2 procure not less than 33 percent of retail sales of electricity from
- 3 renewable energy resources by December 31, 2020; and
- 4 WHEREAS, California has emerged as a global leader in the
- 5 transition from fossil fuel dependence to a clean energy economy;
- 6 and

1 WHEREAS, California law limits long-term investments in
2 baseload generation by utilities to powerplants that meet strict
3 greenhouse gas emissions standards. According to the State Energy
4 Resources Conservation and Development Commission, currently
5 no existing coal plant has demonstrated that it complies with the
6 greenhouse gas emissions limit on long-term investments in
7 baseload generation; and

8 WHEREAS, The United States Environmental Protection
9 Agency in December 2011 issued regulations requiring coal-fired
10 powerplants to significantly reduce emissions of mercury, arsenic,
11 and other toxic pollutants within four years; and

12 WHEREAS, Hazardous emissions from coal powerplants
13 threaten health locally and at great distances; and

14 WHEREAS, Coal exports from United States ports to Asia have
15 risen by almost 240 percent from 3.8 million tons in 2009 to over
16 13 million tons in 2010; and

17 WHEREAS, The environmental consequences of massive coal
18 exports to Asia are severe, including the burning of millions of
19 tons of coal into the atmosphere; *and* increased mountaintop
20 removal projects; ~~and the extrusion of coal dust from open rail~~
21 ~~cars, contaminating adjoining communities and waterways with~~
22 ~~toxic and carcinogenic substances; and~~

23 WHEREAS, Burning coal for electricity generation worldwide
24 is the main cause of global warming pollution and the planetary
25 climate crisis; and

26 WHEREAS, Coal burning has contributed to significant human
27 health risks in all age groups through the emissions of ozone, sulfur
28 dioxide (SO₂), particulate matter, nitrogen oxides (NO_x), mercury,
29 and carbon dioxide (CO₂); now, therefore, be it

30 *Resolved by the Assembly and the Senate of the State of*
31 *California, jointly*, That the Legislature urges the President of the
32 United States and the 112th Congress to enact legislation to restrict
33 the waterborne export transshipment of coal for electricity
34 generation to any nation that fails to adopt rules and regulations
35 on the emissions of greenhouse gases or airborne hazardous air
36 pollutants that are at least as restrictive as those adopted by the
37 United States; and be it further

38 *Resolved*, That the Legislature urges the Governor of California
39 to inform the Governors of the States of Oregon and Washington
40 of the significant health risks to the people of the Pacific Coast

1 states if large coal export terminals, and rail car coal transport
2 expansions, are licensed and permitted to operate on or near the
3 coast of the States of Oregon and Washington; and be it further
4 *Resolved*, That the Chief Clerk of the Assembly transmit copies
5 of this resolution to the President and Vice President of the United
6 States, the President pro Tempore of the United States Senate, the
7 Speaker of the House of Representatives, to each Senator and
8 Representative from California in the Congress of the United
9 States, and to the author for appropriate distribution.

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