

VOTERS' GUIDE FOR NOVEMBER 7, 2017 GENERAL ELECTION

PROPOSITION NO. 2 CITY OF SPOKANE

AN ORDINANCE REGARDING PROHIBITION OF OIL AND COAL SHIPMENT BY RAIL.

Shall the Spokane Municipal Code be amended to make it a class 1 civil infraction for any person or entity to allow a rail car that it owns to ship uncontained coal and some types of oil by rail through the downtown Spokane core, or within 2,000 feet of a school, hospital, or the Spokane River.

_____ YES

_____ NO

EXPLANATORY STATEMENT FOR PROPOSITION NO. 2

Rail transportation of coal and oil is generally regulated by state and federal, which grants discretion to local regulations in certain circumstances. There is currently no City of Spokane law regulating or prohibiting the rail transport of coal or crude oil within the City. Proposition No. 2 would amend the Spokane Municipal Code to make it a class 1 civil infraction for any person or entity to allow a rail car that it owns to ship uncontained coal and some types of oil by rail through the downtown Spokane core, or within 2,000 feet of a school, hospital, or the Spokane River.

ARGUMENT ADVOCATING VOTERS' APPROVAL OF MEASURE:

Prop 2 will *Protect Our Community*. The Safer Spokane Initiative will reduce the chance of a disastrous oil spill/fire/explosion by requiring oil companies to reduce the flammability of Bakken crude oil *prior* to shipment, instead of after it reaches the West Coast, and the coal companies to cover their cars. Coal dust destabilizes railway beds. It's vital that Citizens understand that the 40+ million gallons of oil passing through Spokane each week is far more flammable than gasoline. The high butane and propane content make it literally **explosive**.

Prop 2 is endorsed by our *Spokane Firefighters Association*. They know better than anyone that the technology does not exist to put out a Bakken crude oil fire, as demonstrated last year in Mosier, OR, where firefighters had to simply watch it burn itself out. **Prop 2 supports and protects our firefighters.**

Prop 2 supports Spokane's economy. An oil train fire downtown would devastate our economy. The cost of reducing the oil's flammability is small. Any legal challenges can

be handled in-house at no additional cost. Prop 2 will preserve Spokane jobs, not reduce them.

Prop 2 doesn't impact railway operations. It does **NOT** "ban railroads from shipping fossil fuels." It affects only the oil and coal shippers who have zero employees and no economic impact in Spokane. We carry the disaster risk with no economic benefit.

Prop 2 is legal. It fulfills the "intent of Congress". Congress worded the National Railway Safety Act to empower local communities to provide "Gap Filler" safety laws until federal rules are written. Once that is done, Prop 2 would expire. Limits on oil flammability are in place in other states, including Texas.

ARGUMENT PREPARED BY:

1. *Jim Lee*
2. *Chair, Todd Eklof*
3. *Jacob Benson*

ARGUMENT ADVOCATING VOTERS' REJECTION OF MEASURE:

Voters should VOTE NO on PROPOSITION 2 and keep the city focused on priority projects like pothole repairs and public safety. Prop 2 is driven by a narrow political agenda that has nothing to do with safety and would lead to thousands more semi-trucks on our roads every day.

Proposition 2 is Illegal and Won't Survive Legal Challenge

The city hearing examiner and the Council's policy adviser have reviewed this proposal and found it to be illegal. Some environmental groups aren't even supporting this measure because they know it doesn't stand a chance in court.

Proposition 2 Does Nothing to Improve Safety

There are no safety provisions in Prop 2. The alternative would be moving coal and oil across our already crowded roads and highways risking more accidents. Freight rail is the safest means of transporting goods and commodities over land. Just one train takes the equivalent of 280 trucks off the highway, reducing greenhouse gas emissions by 75 percent, saving four times the fuel and reducing emissions and highway traffic congestion.

Proposition 2 is a Waste of Tax Dollars

Many agree, Proposition 2 is illegal and will inevitably end up in court. That means your tax dollars will be used to defend court challenges, diverting city resources away from more important civic priorities: better public safety, improved roads and pothole repairs.

Vote No on Proposition 2

Proposition 2 does nothing to increase public safety, improve transportation, or create new jobs. Instead, it does the opposite. It would cost us local jobs, set taxpayers up to fund expensive – and avoidable — lawsuits, taking away from priority city services, and it would truly jeopardize our economy. Vote NO on Proposition 2.

ARGUMENT PREPARED BY:

- 1. Chair, Todd Mielke**
- 2. Ozzie Knezovich**
- 3. Steve Warren**

REBUTTAL STATEMENT ADVOCATING VOTERS' APPROVAL OF MEASURE:

Prop 2 is strictly about public safety and receives strong support from Spokane Firefighters and Citizens who take time to understand it. Local safety rules are authorized under federal law and have been upheld by federal courts.

Spokane receives NO economic benefit from crude oil shipments, yet bears the full risk. That's simply **unjust**.

It's far cheaper and safer for the oil companies to condition the oil before loading on trains than to use trucks.

REBUTTAL STATEMENT ADVOCATING VOTERS' REJECTION OF MEASURE

Proposition 2 is illegal, unconstitutional and will not survive a legal challenge according to both the city council policy adviser and the city attorney. Legal battles will cost our city — and taxpayers — money better spent on priority services like fixing potholes and investing in public safety. Proposition 2 puts Spokane's economy and numerous jobs at risk in a variety of industries, including rail, trade, agriculture, and manufacturing.

Protect Spokane's Economy — Vote No on Prop 2.