All,
As you may know, Senator Loni Hancock introduced four coal shipment and export bills. The first two applies to Oakland and the last two applies statewide. However, SB 1277 won’t stop OBOT from being turned into a coal terminal for the reasons stated below. The City Council must act to ban coal. Hopefully the City Council acts to ban coal by the end of summer and SB 1278 won’t be necessary. Below are short descriptions of the bills and notes of my discussions with Hancock’s staff.

**SB 1277**
This bill would prohibit the shipment of coal to, or through OBOT which was funded in part by the proceeds of Proposition 1B [TCIF Trade Corridors Improvement Fund]. Its effective date is Jan 2017.

Note: Oakland Global received $242,000 in TCIF funds and 80% have been spent on the horizontal build out. The remaining 20% will be spent before end of 2016. Unfortunately, when the bill becomes effective on Jan 2017, because there will be no TCIF funds remaining, this bill will not have any effect on OBOT. The driving force behind this bill is to assist the city of Oakland in passing an ordinance banning coal by setting forth declarations that the transportation of coal through West Oakland would present a clear and present danger to the health and safety of Oakland residents and workers that would handle coal.

**SB 1278**
This bill provides that every public agency with discretionary approval of any portion of a project relating to the shipment of coal through the Port of Oakland shall prepare or cause to prepare an environmental impact report.

Note: Hopefully, by end of summer City of Oakland would have passed ordinance banning coal. If not, this bill which becomes effective in Jan 2017 will require an EIR for any proposed coal shipments.

**SB 1279**
This bill provides that the California Transportation Commission shall not program or allocate any public funds, including proceeds from the sale of general obligation bonds, under its jurisdiction for any project at a port facility that is located in, or adjacent to, one or more disadvantaged communities … and that exports or proposes to export coal from the state.

Note: This bill applies to all port facilities throughout the state, not just in Oakland. And it is not limited to allocation of TCIF funds but to all state funds.

**SB 1280**
This bill provides that for port facilities that receive state funds from TCIF, the lead agency shall not adopt a negative declaration or a mitigated negative declaration, or certify an environmental impact report, unless the lead agency does either of the following:

(1) Prohibits coal shipment through the port facility or
(2) Requires the full and complete mitigation of the emissions of greenhouse gases resulting from combustion of coal shipped through the port facility, including from coal burnt in Asia.

Note: Even if OBOT doesn’t receive any more TCIF funds, this bill applies to it effective Jan 2017.