



Igor Tregub, Councilmember District 4

Rashi Kesarwani, Councilmember District 1

Terry Taplin, Councilmember District 2

CONSENT CALENDAR

SEPTEMBER 15, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmembers Igor Tregub (Author), Councilmember Rashi Kesarwani (Co-sponsor), Councilmember Terry Taplin (Co-sponsor).

Subject: Resolution in opposition to the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40

RECOMMENDATION

Adopt a resolution opposing the handling, storage, and transport of coal and petroleum coke in the San Francisco Bay Region, urging stringent regulation of such facilities by the Bay Area Air District, and in support of Assembly Bill (AB) 40.

BACKGROUND

The community's opposition to the transport and handling of coal through the East Bay is longstanding and well-documented. On November 17, 2015, the Berkeley City Council unanimously adopted Resolution No. 67,280–N.S. opposing coal shipment through a proposed multi-commodity terminal in West Oakland. Regional opposition was formalized again in 2016 via a joint letter from the mayors of Berkeley and ten other East Bay cities, and through separate resolutions passed by the councils of Berkeley, Emeryville, El Cerrito, Oakland, and Richmond.¹

¹ Zoe Chafe Ph.D., "Analysis of Health Impacts and Safety Risks and Other Issues/Concerns Related to the Transport, Handling, Transloading, and Storage of Coal and/or Petroleum Coke (Petcoke) in Oakland and at the Proposed Oakland Bulk and Oversized Terminal," June 2016, p. 100
<https://nocoalinoakland.info/wp-content/uploads/2026/05/Zoe-Chafe-Analysis-of-health-Impacts-and-Safety-Risks-etc-oak059408-6-22-2016.pdf>

The current controversy arises from a June 4, 2026, announcement by President Donald J. Trump of a \$75 million Defense Production Act grant to assist private developers in constructing the Oakland Bulk and Oversized Terminal (OBOT), a “massive”² rail-to-ship coal-export facility at the former Oakland Army Base in West Oakland. Proponents envision the terminal receiving coal by rail, storing it on site, and transferring it to ships for export, with operations potentially starting as early as 2028. The facility would operate under a 66-year lease with the City of Oakland.

A primary rail route for delivering coal to OBOT would be the Union Pacific line that runs directly through West Berkeley. The terminal’s initial capacity would be 9 to 10 million tons of coal per year,³ which would require multiple mile-long “unit” trains to pass daily in each direction through numerous East Bay communities, including Berkeley.

CURRENT SITUATION AND ITS EFFECTS

Public Health Exposure

Emissions of coal dust, a well-established by-product of coal handling, storage, and transport, significantly increase ambient levels of fine particulate matter (PM 2.5)⁴ and coarse particulate matter (PM 10).⁵ According to the U.S. Environmental Protection Agency, particle pollution is linked to premature deaths, nonfatal heart attacks, irregular heartbeats, aggravated asthma, decreased lung function, and respiratory symptoms such as coughing, respiratory irritation, and difficulty breathing. Inhaling fine coal dust is directly associated with increased rates of asthma, chronic bronchitis, emphysema, and reduced lung capacity. Dust from coal and petroleum coke (petcoke) also carries toxic heavy metals, including arsenic, lead and chromium, which carry their own serious health risks.⁶

Coal trains would transit only 50 to 100 feet from Aquatic Park and the Fourth Street shopping district, as well as Harrison House Shelter, a transitional housing facility catering to families with young children⁷, and about a quarter-mile from Rosa Parks Elementary School, Aquatic Park School, and the Urban Adamah outdoor education center. Similar exposure would affect other communities along the rail corridor.

² <https://nocoalinoakland.info/gamechanger-ab40/>

³ U.S. Department of Energy, “Energy Department to Use Defense Production Act Funding to Expand Coal Capacity at 13 Plants and Build Export Infrastructure,” June 2026, <https://www.energy.gov/articles/energy-department-use-defense-production-act-funding-expand-coal-capacity-13-plants-and>

⁴ U.S. Environmental Protection Agency, “Health and Environmental Effects of Particulate Matter,” May 2026 <https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm>

⁵ U.S. Environmental Protection Agency, “Health Effects of Petroleum Coke,” January 2017, https://19january2017snapshot.epa.gov/petroleum-coke-chicago/health-effects-petroleum-coke_.html

⁶ Michael Hendryx, Keith J. Zullig and Juhua Luo “Impacts of coal use on health,” Annual Review of Public Health, 41(1), 397–415, January 2020, <https://doi.org/10.1146/annurev-publhealth-040119-094104>

⁷ <https://www.self-sufficiency.org/ursulashermanvillage>

Regulatory and Review Gaps

No agency has conducted a targeted environmental review of the health and environmental impacts of coal and petcoke handling and storage at the proposed OBOT terminal. The last environmental review of the site occurred in 2012, before developers acknowledged that coal would be a primary commodity. The Bay Area Air Quality Management District (Air District), which will act as a Responsible Agency under CEQA when considering permits for OBOT, has stated it intends to strengthen its regulatory controls on fugitive coal and petcoke dust, but no new rules have yet been adopted.

Proponents of the project assert that the terminal will operate with “unparalleled environmental responsibility” and that fugitive dust will be mitigated to such a degree that local air quality will improve. These claims remain untested and unverified as of the publication of this report.

Assembly Bill (AB) 40 (Bonta), currently on the California Senate floor, would require that new projects for the handling, storage, or export of more than 5,000,000 tons per year of coal be reviewed in an environmental impact report (EIR) under the CEQA and that certain conditions, including changing the type of coal or increasing the quantity of coal handled, stored, or exported, triggers a subsequent EIR, among other provisions.⁸

ENVIRONMENTAL SUSTAINABILITY

Local and Regional Water Quality

The rail corridor runs immediately alongside the San Francisco Bay, its estuary system, and key tributaries. Fugitive dust containing heavy metals and other contaminants from uncovered coal trains presents a direct, ongoing threat of toxic deposition into these public trust waters, undermining decades of regional investment in water-quality improvement and habitat restoration.

Climate and Greenhouse-Gas Considerations

Facilitating the export of up to 10 million tons of coal per year would enable substantial greenhouse-gas emissions when that coal is burned overseas. This directly conflicts with Berkeley’s climate mitigation commitments. Promoting fossil-fuel infrastructure with a planned 66-year lifespan locks in carbon-intensive energy pathways long into the future, at a time when rapid decarbonization is urgently needed.

⁸ https://leginfo.legislature.ca.gov/faces/billHistoryClient.xhtml?bill_id=202520260AB40

Regulatory Framework and Precedent

The Air District's upcoming rulemaking on fugitive coal and petcoke dust represents a critical opportunity to set protective, science-based standards that prioritize community health over fossil-fuel export interests. Berkeley's support for stringent, enforceable regulations would reinforce the principle that projects with significant public-health and environmental impacts must undergo a complete, up to date environmental review under CEQA before permits are issued.

FINANCIAL IMPLICATIONS

Limited staff time is required to communicate the city's position to designated recipients.

CONTACT

Councilmember Tregub, 510-981-7140, itregub@berkeleyca.gov

Olga Bolotina, Chief of Staff, Council District 4, obolotina@berkeleyca.gov

Amy Rodas, Legislative Aide, Council District 4, amrodas@berkeleyca.gov

ATTACHMENTS

1. Resolution

RESOLUTION NO. ##,###-N.S.

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BERKELEY IN
OPPOSITION TO HANDLING, STORAGE, AND TRANSPORT OF COAL AND
PETROLEUM COKE IN THE SAN FRANCISCO BAY REGION, URGING STRINGENT
REGULATION OF SUCH FACILITIES BY THE BAY AREA AIR DISTRICT, AND IN
SUPPORT OF ASSEMBLY BILL (AB) 40**

WHEREAS, on June 4, 2026, President Donald J. Trump announced a \$75 million Defense Production Act grant to aid private developers in construction of the Oakland Bulk and Oversized Terminal (OBOT), a massive rail-to-ship coal export facility in West Oakland that could start shipping coal as soon as 2028; and

WHEREAS, proponents have proposed the approval of the OBOT facility at a location on the former Oakland Army Base. The terminal would receive shipments of coal on rail lines, store the coal, and then transfer the coal onto ships for transport. Coal would be transported along a Class 1 rail line, and the most direct and most likely route is the Union Pacific rail line running through West Berkeley; and

WHEREAS, OBOT would operate for decades under a 66-year lease. Decisions made now will have local, regional, and global impacts for generations to come; and

WHEREAS, the U.S. Department of Energy states that the initial capacity of the proposed terminal will be 9 to 10 million tons of coal per year, passing daily through much of California's East Bay, including Albany, Berkeley, Crockett, El Cerrito, Emeryville, Martinez, Pinole, Richmond, Rodeo, and San Pablo; and

WHEREAS, coal trains traveling through West Berkeley would increase the risk of coal dust escaping into neighborhoods where thousands of people live, work, shop, and recreate each day, passing only 50 to 100 feet away from Aquatic Park and the Fourth Street shopping district, as well as Harrison House Shelter, a transitional housing facility catering to families with young children, and approximately a quarter mile from Rosa Parks Elementary School, Aquatic Park School, and Urban Adamah (an outdoor education center); and

WHEREAS, the residents of Berkeley stand in solidarity with the residents of Oakland in their opposition to the handling, transport and storage of coal and petroleum coke (petcoke), given the well-documented adverse health effects from these activities; and

WHEREAS, the Bay Area Air District (the Air District) has indicated that it will consider additional controls on sources of fugitive coal and petcoke dust as part of its commitment to strengthen regulatory controls on fugitive dust; and

WHEREAS, no agency has yet undertaken a review that examined the environmental impacts associated with the handling and storage of coal and petcoke at the proposed OBOT terminal, and the most recent environmental review in 2012, before the OBOT developers acknowledged that coal would be transported through the site; and

WHEREAS, the Air District is a Responsible Agency under the California Environmental Quality Act (CEQA) that will rely on existing environmental impact reviews in making a permitting decision with respect to OBOT; and

WHEREAS, on November 17, 2015, the Berkeley City Council unanimously adopted Resolution No. 67,280–N.S. opposing the shipment of coal through the proposed multi-commodity terminal in West Oakland; and

WHEREAS, the communities of the Bay Area have been historically united in opposition to the transport of coal through the East Bay and the storage and handling of coal in West Oakland and, in 2016, expressed their opposition in a letter from the mayors of Albany, Berkeley, El Cerrito, Emeryville, Dublin, Fremont, Hayward, Livermore, Richmond, San Leandro, and Union City and in resolutions passed by the city councils of Berkeley, Emeryville, El Cerrito, Oakland, and Richmond.

NOW, THEREFORE, BE IT RESOLVED that the City of Berkeley opposes the transport of coal and petcoke through the city and through nearby cities. The City also opposes the handling and storage of coal at the proposed OBOT facility in Oakland.

BE IT FURTHER RESOLVED that the City urges the Air District to adopt measures that would strengthen regulation of coal and petcoke as components of fugitive dust.

BE IT FURTHER RESOLVED that the City urges the Air District to ensure that any air permit it issues to the OBOT facility fully protect Oakland and other Bay Area workers and residents from exposure to dangerous coal and petcoke emissions.

BE IT FURTHER RESOLVED that the City urges the Air District, in evaluating any application for an air permit for the OBOT terminal, to first perform a comprehensive review of all potentially significant environmental impacts of the projected coal handling described by President Trump, as part of a full, up-to-date Environmental Impact Report under the CEQA.

BE IT FURTHER RESOLVED that the City supports Assembly Bill (AB) 40 (Bonta), which would require that new projects for the handling, storage, or export of more than 5,000,000 tons per year of coal be reviewed in an environmental impact report (EIR) under the CEQA and that certain conditions, including changing the type of coal or

increasing the quantity of coal handled, stored, or exported, trigger a subsequent EIR, among other provisions.

BE IT FURTHER RESOLVED that the City will transmit copies of this Resolution to Oakland Mayor Barbare Lee and the Oakland City Council, the Bay Area Air District Executive Officer and Board of Directors, California Governor Gavin Newsom, California State Senator Jesse Arreguín, California State Assemblymembers Mia Bonta and Buffy Wicks, and the California Environmental Protection Agency to ensure that our community's opposition is officially recorded and recognized in all pending permit evaluations and legal proceedings.