



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Gioia, District I Supervisor  
Date: May 21, 2019

Subject: ADOPT Resolution Opposing the BNSF Railway Company's plans to reactivate rail use through Miller/Knox Regional Shoreline Park in Richmond

**RECOMMENDATION(S):**

ADOPT Resolution No. 2019/178 opposing the BNSF Railway Company's plans to reactivate rail use through Miller/Knox Regional Shoreline Park in Richmond

**FISCAL IMPACT:**

None

**BACKGROUND:**

The BNSF Railway Company ("BNSF") is the largest freight railroad network in North America and one of eight North American Class I railroads with 44,000 employees, 32,500 miles of track in 28 states; and more than 8,000 locomotives. BNSF is owned by Berkshire Hathaway, Inc., which is owned by Warren Buffett. BNSF is a legacy business in the City of Richmond and Contra Costa County. They arrived as Atchison, Topeka and Santa Fe Railroad in the late 1890's and served as the cornerstone of the development of the City of Richmond. BNSF, in a letter to the East Bay Regional Park District ("Park District"), dated October 9, 2018, has indicated that regarding extending use of the rail line through Miller/Knox Regional Shoreline Park, including Ferry Point, that "...it has notified the Park District of its expanding business

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **05/21/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 21, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Jami Napier, Deputy

Contact: Sonia Bustamante,  
510.231.8686

cc:



## BACKGROUND: (CONT'D)

at Richmond Terminal, necessitating the reactivation of its rail use within the easement in the near future”. The rail use easement was valid for rail operations only “as long as Seller serves Petromark and Ford Motor Company or any other shipper” at the City of Richmond’s former Terminal One. BNSF is actively working to subvert local control by trying to retake an expired easement from the Park District and the community.

BNSF, in their October 9, 2018 letter to the Park District, is threatening to legally challenge the long-desired public access to the shoreline of Miller/Knox Regional Shoreline Park between Keller Beach and Ferry Point. BNSF is opposing access to the shoreline of one of the City of Richmond’s most popular community parks – Miller/Knox Regional Shoreline Park, including Ferry Point. Miller/Knox Regional Shoreline Park, including Ferry Point, serves thousands of Richmond and West Contra Costa County’s residents, who hold family BBQ’s and recreational activities every day, particularly on the weekends. A majority of park users are Latino and African American families who are able to enjoy the park’s Bay access close to where they live. BNSF’s efforts to run diesel trains through Miller/Knox and Ferry Point will have serious impacts on the community and the environment, including:

- Creating a significant safety hazard for the community, especially children at the park
- Allowing trains to cut off visual and physical access to the shoreline and Bay
- Bisecting a heavily used community and regional park.
- Allowing storage and movement of railroad cars carrying hazardous substances.
- Increasing harmful diesel emissions in the community and the Park, leading to increased health risk in a community, which is already disproportionately impacted by local emissions.
- Increasing asthma rates in a city that already has one of the highest asthma rates in the Bay Area.
- Increasing blockage of the West Richmond Avenue railroad grade crossing;

The impact of BNSF’s operations on the health of the Richmond community is already a concern, according to a Health Risk Assessment conducted by the California Air Resources Board ([https://www.arb.ca.gov/railyard/hra/bnsf\\_richmond\\_hra.pdf](https://www.arb.ca.gov/railyard/hra/bnsf_richmond_hra.pdf)).

## CLERK'S ADDENDUM

**Public speakers: Alex Know, Joe L. Fisher, Brian Holt, Dale Roberts, Bruce Beysert, Brandon Evans, Buzz Baylis, Peter Thelin (map and photo handout attached)**

## ATTACHMENTS

Resolution 2019/178