

## January 2021 - Policy Points for an ordinance regarding new gas stations in the City of Santa Rosa

### Compiled by:

- Coalition Opposing New Gas Stations
- Friends of the Climate Action Plan
- 350 Bay Area

### Concept:

The concept for this ordinance is that it is not a moratorium, prohibition, or ban. The concept is that the ordinance imposes special requirements on applicants, and institutes certain restrictions on any new gas station.

#### 1. Alignment with Existing City Policy on Climate Action

Point: New gas stations are not consistent with the city's policies on climate action.

Ordinance Element: Any new vehicle fueling infrastructure permitted in Santa Rosa must be consistent with the City's climate policies.

Background: Santa Rosa has adopted several policies related to addressing the climate crisis. Gas stations fly in the face of existing [Santa Rosa policies](#) on climate change. In particular, the [Climate Emergency Resolution](#) adopted in January 2020.

#### 2. Santa Rosa already has an overabundance of gas stations

Point: At any location in Santa Rosa more than ten gas stations operate within a five mile radius.

Ordinance Element: Applications for new gas stations will not be accepted or processed for project sites where that project site is within five miles of an operating gas station.

Background: In 2020 there are currently two proposals for new gas stations. In each case, over ten gas stations are in operation within a five-mile radius. Upon further review, it was found that there is no location in Santa Rosa where there are fewer than ten within a five-mile radius.

#### 3. Public Health Hazard

Point: New gas stations pose significant, immediate and long term health hazards.

Ordinance Element: Permit applications will not be accepted or processed for prospective gas station projects where the project site boundary is 1,000 feet or less from a single or multi family residence, school, day care center, senior housing facility, hospital, rehab center, or other use where people may be present for extended periods of time.

Background: Proximity to gas stations is hazardous to human health. [The EPA recommends](#) that schools should be more than 1,000 feet away from a gas station; this should also apply to other sensitive uses e.g. senior living facilities, hospitals, places where air quality may be a particular issue. Air quality near gas stations is a concern:

- [Gas stations vent more toxic fumes than previously thought](#)
- This [Scientific American article](#) outlines the human health effects of living near a gas station.

#### **4. Environmental Impacts (Air and water quality, soils)**

Point: Gas stations pose several significant environmental impacts.

Ordinance Element: Applicants must include a full Environmental Impact Report (EIR) prior to any new gas station receiving permits to operate.

Background: Gas stations pose many environmental impacts:

- Potential fuel storage tank leaks, and the risk of spillage, are important environmental concerns;
- Spills happen when storage tanks are filled, and when individual gas tanks are filled;
- These spills and leaks from storage tanks contaminate surface and groundwater; “No matter whether storage tanks are buried or above grade, they will spread fossil-fuel based pollution into soils, groundwater, and nearby streams and wetlands” (Jane Nielson, geologist, Sonoma County Water Coalition);
- One gallon of oil can pollute 1 million gallons of water. One pin-prick size hole in an underground gas tank can leak 400 gallons of fuel a year.
- Some additional resources:
  - There are already many leaking underground fuel storage tanks throughout the county: <http://sonomacounty.ca.gov/Health/Environmental-Health/Contaminated-Sites/LOP-Notices/>
  - And in Santa Rosa specifically: <https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=santa+rosa>
  - Info about gas stations from the National Library of Medicine: <https://toxtown.nlm.nih.gov/sources-of-exposure/gas-station>
  - Info from Johns Hopkins School of Public Health: <https://www.jhsph.edu/news/news-releases/2014/small-spills-at-gas-stations-could-cause-significant-public-health-risks-over-time.html>
  - US EPA info about leaking underground fuel storage tanks: <https://www.epa.gov/ust/learn-about-underground-storage-tanks-usts#why>

#### **5. Environmental Impacts (Wildlife habitat/sensitive species)**

Point: Gas stations impact wildlife and habitat due to the presence and spread of materials that are highly toxic to all living organisms.

Ordinance Element: Applications for gas stations on greenfield sites will not be accepted or processed. New gas stations must be sited on previously disturbed land in the built environment. They must not be built in or adjacent to riparian areas, wetlands, or sensitive species habitat, or where polluted run-off could impact these.

Background: Many species of plants, insects, amphibians, birds and mammals are vulnerable to the impacts of oil pollution. Even small spills and leaks can have a significant impact, and [researchers estimate](#) that 1,500 liters of gasoline are spilled at a typical gas station each decade.

Some additional resources:

- Info about impacts on wildlife from US Fish & Wildlife Service: <https://www.fws.gov/home/dhoilspill/pdfs/DHJICFWSOilImpactsWildlifeFactSheet.pdf>

- Info on impacts on freshwater habitats from US EPA:  
<https://archive.epa.gov/emergencies/content/learning/web/html/freshwat.html>

## **6. Waste of City resources and staff time**

Point: Processing applications for new gas stations is a poor use of city resources and staff time, and will only become more burdensome over time.

Ordinance Element: Applicants for new gas stations shall be required to pay into a newly established stakeholder impact fund (amount TBD).

Background: Processing applications for new gas stations is a poor use of City resources and staff time. City staff should not have to spend time and money permitting unnecessary and unwanted new gas stations or dealing with the public opposition to every individual request for a new gas station permit.

- A case in point regarding the expected increase in opposition to new gas stations is the rise in 2019 of The Coalition Opposing New Gas Stations (CONGAS). CONGAS has over 1,000 petition signers, 100 listserv subscribers, and about fifteen Sonoma County-based organizations, each representing many more individuals, who have joined together in the grassroots group, with a mission to “stop the construction of new gasoline stations in Sonoma County and its nine cities.”
- The City of Petaluma is in a long and protracted lawsuit with its own citizens as a result of Safeway’s proposal to build a new gas station in a residential area close to an elementary school, child care center and playing fields where children play.  
<https://www.nogashere.org/>

## **7. There is no demonstrated need**

Point: New gas stations are not needed in Santa Rosa.

Ordinance Element: Applicants must submit along with any application for a new gas station a *statement of need*. The statement of need must include: Evidence that there is 1. Some kind of demonstrable need for a new gas station; 2. Support in the local community for a new gas station.

Background: There are about 140 gas stations operating in Sonoma County. New gas stations are not necessary. An indicator of the abundance of gas stations is that the two most recent applications in Santa Rosa each have more than ten operational gas stations within a five-mile radius. In addition:

- Volume sales of gasoline and diesel are flat in Sonoma County (2010 to 2018), according to the California Energy Commission;
- Despite a drop of 17 stations in the county from the peak number of stations, sales per station in Sonoma County have remained flat, implying that new stations will compete for existing shares of sales: a zero sum situation that will harm existing station operators;
- Recent events have triggered what will likely be a long term economic downturn, which will reduce demand for gasoline and diesel;
- EV adoption will also reduce demand for gasoline;
- Anecdotally, there are few instances of long lines or wait times in Santa Rosa with the infrequent exception of very low cost stations; no call for new stations.

## **8. Support for Electric Vehicles**

Point: Electric Vehicle (EV) adoption and expansion is consistent with Santa Rosa’s climate action policies.

Ordinance Element: Applicants for new gas stations will be required to pay into a fund an amount sufficient to pay for a number of charging ports that is equal to or greater than the number of gasoline and diesel dispensers of the proposed gas station; such charging ports may or may not be located at the proposed project site, but may be located in areas where EV charging is more appropriate and accessible.

Background: Emissions from the transportation sector are the largest single GHG emissions source in Santa Rosa. Practical, affordable EVs are now available and new models are being introduced every year. Sales of EVs are rising rapidly; as EVs are adopted, demand for gas falls. Currently there are ~700,000 EVs in California and ~10,000 in Sonoma County. With the rapid rise of practical and affordable EVs, and many new models becoming available on a regular basis, the need for charging infrastructure will inevitably grow as the need for gasoline stations diminishes. The City should encourage and support private sector investments based on clear trends that indicate that any new gasoline or diesel capacity added in 2020 is likely to be abandoned as unprofitable in a few short years.

- A key point to consider in terms of the State’s policy goals regarding EVs: In January 2018, Governor Brown issued Executive Order B-48-18 calling for 5 million zero-emission vehicles by 2030 and the installation of 250,000 electric vehicle (EV) chargers in the State. Currently the national EV fleet is over 1.2 million, with about 700,000 EVs in California. Governor Newsom has since taking office affirmed this goal.
- 2019 update to Beyond Combustion: <https://cleanpowerexchange.org/wp-content/uploads/2017/08/EV-CCP-white-paper-August-2017.pdf>

Other resources:

- Consumer Reports on availability of EVs: <https://www.consumerreports.org/hybrids-evs/new-long-range-affordable-electric-cars-coming-soon/>
- The sale of electric cars is rising rapidly – North Bay Business Journal: <https://www.northbaybusinessjournal.com/opinion/9228305-181/charging-ahead-at-the-workplace>
- Think Progress: [Electric cars may already be making gas cars as obsolete as ‘flip phones’, experts say.](#)

## **9. Support for non-powered transportation and public transportation**

Point: The City’s priority should be in alignment with climate policy, on developing safe and connected infrastructure and amenities for pedestrians and bicyclists and safe, clean, efficient, affordable, frequent, intermodally-connected and accessible public transportation.

Ordinance Element: A statement regarding this priority could be placed in the “whereas” section of the ordinance.