



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS, TRIBAL AND  
PUBLIC AFFAIRS

April 5, 2012

Mr. Steve Gagnon, Project Manager  
U.S. Army Corps of Engineers  
PO Box 2946  
Portland, Oregon 97208-2946

Re: Comments on Public Notice for Permit Application under Section 10 of the Rivers and Harbors Act for a Coal Transloading Facility, Port of Morrow, Oregon.  
U.S. Army Corps of Engineers No: NWP-2012-56  
EPA Region 10 Project Number: 12-0013-COE.

Dear Mr. Gagnon:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced March 6, 2012 Public Notice for Permit Application. We are submitting comments in accordance with our responsibilities under Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

We commend the Corps for a generally informative Public Notice and appreciate your clear disclosure of the project's purpose, to "Ship coal mined in Wyoming and Montana over-seas to Asia." We note that the Public Notice is soliciting comments to evaluate the impacts of the proposed activity and that comments will be used in the preparation of NEPA documents.

To assist your preparations for conducting an adequate NEPA analysis, we are sharing our perspective regarding potential environmental impacts. Our comments are structured in terms of the context and intensity components laid out in the Council on Environmental Quality's Regulations for Implementing the Procedural Provisions of the NEPA, 40 CFR Part 1508.27, as this structure is helpful in determining the significance of potential impacts.

**Potential for significant impacts to public health:** Transporting and transloading up to 8.8 million tons of coal with eleven trains, twelve loaded barge tows, and two Panamax ships per week has the potential to significantly impact human health and the environment. Two of our primary preliminary concerns relate to the potential for adverse effects from project-related coal dust and diesel pollution. Coal dust is a human health concern because it can cause pneumoconiosis, bronchitis and emphysema.<sup>1</sup> Coal dust is an environmental concern because it may settle on water, soil, or vegetation and impair biological processes such as photosynthesis. In addition, coal dust has been shown to cause tumors in experimental animals.<sup>2</sup> We are similarly concerned about diesel emissions because they can cause lung damage, aggravate existing respiratory disease such as asthma and are thought to be a human

<sup>1</sup> <http://www.osha.gov/SLTC/healthguidelines/coal-dust-less5percentsio2/recognition.html>

<sup>2</sup> *Ibid.*

carcinogen. Diesel emissions have a high potential to impact people who are sensitive to the health effects of fine particles (e.g. children, the elderly, and those with existing heart or lung disease, asthma or other respiratory problems).<sup>3</sup>

We agree that all factors listed in the Public Notice<sup>4</sup> need to be considered as the process moves forward. Other factors, such as local air quality and haze may also require your consideration. We support and encourage your pursuit of a robust process to capture, understand and respond to concerns of the public, interest groups, and agencies.

**Controversy:** We are aware that there is a high level of interest and concern among communities, agencies, interest groups, and industries regarding proposals to ship coal mined in Wyoming and Montana to Asia. It is reasonable to expect that decision processes related to these proposals will be controversial.

**Uncertainty and unique setting:** The large quantity and high friability of Wyoming and Montana-mined coal contributes to the intensity and uncertainty of potential impacts from coal transport and transloading activities on the Columbia River - a federally designated National Scenic Area and one of our Nation's great waterbodies.

**Effects on listed species, critical habitat and aquatic resources:** According to the Public Notice, the project may affect an endangered or threatened species or its critical habitat. We would bring to your attention to the fact that impacts from project-related activities may affect critical habitat in the Port Westward area of the project corridor. A preliminary list of Endangered Species Act aquatic species with designated critical habitat likely to occur within the Port Westward area of the project corridor includes: lower Columbia River Chinook salmon ESU, upper Willamette River Chinook salmon ESU, Snake River fall run Chinook salmon ESU, Columbia River chum salmon ESU, middle Columbia River steelhead DPS, and, lower Columbia River steelhead DPS.

**Effects on cultural resources:** The project area may yield resources eligible for inclusion in the national Register of Historic Places, and project activities may affect cultural resources important to several tribes.

**Contribution to cumulatively significant impacts:** This project is one of at least six proposals to export coal from Oregon and Washington,<sup>5</sup> and one of at least three which will require permits from the Corps.<sup>6</sup> All of these projects – and others like them – would have several similar impacts. Consider, for example, the cumulative impacts to human health and the environment from increases in greenhouse gas emissions, rail traffic, mining activity on public lands, and the transport of ozone, particulate matter, and mercury from Asia to the United States. To address these and other cumulative impacts, we recommend

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<sup>3</sup> <http://www.epa.gov/otaq/toxics.htm#health>

<sup>4</sup> "...conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and, the needs and welfare of the people."

<sup>5</sup> <http://ecotrope.opb.org/2012/04/desperate-to-export-a-coal-industry-close-up/>

<sup>6</sup> Morrow Pacific Project (the subject of this Public Notice); Millennium Bulk Terminals – Longview in Longview, Washington; and, the Gateway Pacific Terminal in Bellingham, Washington

that the Corps conduct a thorough and broadly-scoped cumulative impacts analysis of exporting large quantities of Wyoming and Montana-mined coal through the west coast of the United States to Asia. This cumulative impacts analysis could be used in the environmental analyses of other proposed coal export projects of similar scope.

Finally, we encourage the Corps to integrate environmental review and consultation requirements into a single NEPA process. For example, integrating the NEPA process with those for permitting under Section 404 of the Clean Water Act and consultation under Section 106 of the National Historic Preservation Act would result in streamlined and consistent agency decision-making, enhanced public disclosure, and better predictability for the applicant.

We appreciate this opportunity to comment. If you have any questions or concerns I can be reached by email at [kelly.kate@epa.gov](mailto:kelly.kate@epa.gov), or by telephone at (206) 553-1271.

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Kelly', is written over the typed name and title.

Kate Kelly, Director  
Office of Ecosystems, Tribal and Public Affairs

**Congress of the United States**  
**Washington, DC 20515**

May 9, 2012

Brigadier General John R. McMahon  
Commander  
Northwest Division U.S. Army Corps of Engineers  
P.O. Box 2870  
Portland, OR 97208-2870

Mr. Steve Gagnon, Project Manager  
U.S. Army Corps of Engineers  
P.O. Box 2946  
Portland, OR 97208-2946

Re: Request for Comprehensive Environmental Impact Statement on the Cumulative  
Impacts of New Coal Terminals in Washington and Oregon

Dear General McMahon and Mr. Gagnon:

We write to you to urge the U.S. Army Corps of Engineers (Corps) to conduct a cumulative environmental impact statement (EIS) with respect to the considerable number of permit applications before the Corps for new export terminals in the Northwest.

Currently, four export terminal projects located in Washington and Oregon have permit applications pending before the Corps. It is our understanding that the primary purpose of these terminals is to ship coal that was mined in Wyoming and Montana and transported through Washington and Oregon.

Collectively, these projects are estimated to increase the United States coal capacity by 157 million tons per year. Today, the United States exports approximately 80 to 100 million tons of coal annually from *all* ports nationwide. If approved, and operated at capacity, these new projects would more than double America's coal exports – all of which would travel through Washington and Oregon via rail and public waterways.

This significant increase in coal being transported throughout the region will have a serious impact on the region and surrounding communities. Indeed, the United States Environmental Protection Agency (EPA), in its April 5<sup>th</sup> letter to the Corps, lists a number of potential impacts including the effects on public health, transportation, cultural resources, endangered species, and aquatic resources. Furthermore, the EPA has recommended that the Corps conduct a “thorough and broadly-scoped cumulative impacts analysis of exporting large quantities of Wyoming and Montana-mined coal through the west coast of the United States to Asia. This cumulative impacts analysis could be used in the environmental analysis of other proposed coal export projects of similar scope.”

To be clear, this request is not intended to supplant the existing environmental work that the Corps must prepare for each permit application. Rather, we are requesting that the Corps complete an additional cumulative process assessing the impacts that all of these proposed export terminals will have on the region.

Thank you for your consideration of our request. If you have any questions, or wish to discuss this matter further, please contact the Alan Lee in Congressman McDermott's office at (202) 225-3106. We look forward to your response.

Sincerely,



JIM MCDERMOTT  
Member of Congress



ADAM SMITH  
Member of Congress

# United States Senate

WASHINGTON, DC 20510-4704

COMMITTEES:  
APPROPRIATIONS  
BUDGET  
HEALTH, EDUCATION, LABOR,  
AND PENSIONS  
RULES AND ADMINISTRATION  
VETERANS' AFFAIRS

June 13, 2012

Brigadier General John R. McMahon  
Commander  
Northwest Division U.S. Army Corps of Engineers  
P.O. Box 2870  
Portland, OR 97208-2870

Mr. Steve Gagnon, Project Manager  
U.S. Army Corps of Engineers  
P.O. Box 2946  
Portland, OR 97208-2946

Dear General McMahon and Mr. Gagnon:

I write regarding permit applications for new export terminals in the Pacific Northwest and to urge you to undertake a thorough cumulative impact analysis of these projects.

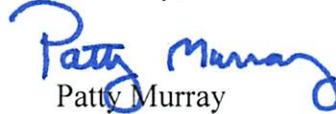
As you know, four companies currently have permit applications pending before the Army Corps of Engineers (Corps) for new export terminals which will primarily serve to export coal from the Powder River Basin to locations overseas such as Asia. If approved, these export facilities would more than double our current coal exporting capacity.

While each of the applications are separate and distinct, they all share common elements that, when considered cumulatively, stand to have significant environmental and public health impacts. These potential environmental and public health impacts are of considerable importance, particularly when considering the multitude of proposals. The National Environmental Policy Act (NEPA) is instructive in a situation such as this, calling on federal agencies to consider impacts from past, present and reasonably foreseeable future actions.

In addition to possible environmental and public health impacts to neighboring communities, concerns have been raised about effects on cultural resources, rail and waterway transportation systems, endangered species, aquatic resources, and impacts of transporting coal mined in Wyoming and Montana and sent through the West Coast for export, which has not been specifically studied by the federal government.

I commend the Corps' efforts to date to inform the public and provide clear information on the purposes of the proposed export terminals. As the Corps continues with its environmental review process on each proposed permit application, I strongly encourage you to also perform a thorough cumulative impact analysis consistent with the law. I appreciate your consideration, and look forward to hearing from you on this important issue.

Sincerely,

A handwritten signature in blue ink that reads "Patty Murray". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Patty Murray  
United States Senator



## Merkley Calls for Programmatic Environmental Impact Statement on Coal Projects in Oregon

July 18, 2012

**Washington, D.C.** - Oregon's Senator Jeff Merkley today sent a letter calling for the U.S. Army Corps of Engineers and the Bureau of Land Management to conduct a comprehensive, expedited programmatic Environmental Impact Statement (EIS) for the proposed coal export facilities in Oregon and Washington.

"The proposed export projects are a major undertaking but there has been significant uncertainty about the proposed facilities and communities are divided about the benefits and consequences of exporting coal," wrote Merkley. "For that reason, I believe it is imperative that we do all we can to ensure there is full public disclosure of information about, and analysis of, the proposed facilities."

Merkley also urged that the EIS be expedited so as not to leave the projects in limbo. "The programmatic EIS should be conducted on the fastest timeline possible, preferably within a year, so as to not unnecessarily delay the decision-making process," he wrote.

The full text of the letter is below.

July 18, 2012

The Honorable John McHugh  
Secretary of the Army  
1400 Defense Pentagon  
Washington, D.C. 20301-1400

The Honorable Ken Salazar  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

Dear Secretary McHugh and Secretary Salazar,

I have been talking with Oregonians in town hall meetings across the state, and have heard a great deal of input about the proposed coal export facilities in Oregon and Washington. These comments reflect a broad spectrum of opinions and some deep differences of opinion within and among communities that would be affected. Like many of the Oregonians I have heard from, I am supportive of efforts to increase exports of American products, especially through Oregon's ports. I recognize and appreciate that these projects would create much-needed jobs and economic development for local communities. Yet I also recognize and appreciate that many Oregonians have serious concerns relating to local and global impacts of these projects.

I am, therefore, writing to request that the Army Corps and the Bureau of Land Management conduct a comprehensive, expedited programmatic Environmental Impact Statement (EIS) for the proposed coal export facilities in Oregon and Washington.

The proposed export projects are a major undertaking but there has been significant uncertainty about the proposed facilities and communities are divided about the benefits and consequences of exporting coal. For that reason, I believe it is imperative that we do all we can to ensure there is full public disclosure of information about, and analysis of, the proposed facilities. A programmatic EIS would help put more information before the public and enable more comprehensive and informed public discourse. At the same time, the programmatic EIS should be conducted on the fastest timeline possible, preferably within a year, so as to not unnecessarily delay the decision-making process.

Some local communities see significant economic development opportunities and jobs in the potential coal export facilities. The potential benefits include the construction of coal transport infrastructure, jobs on trains and barges and at ports, and improvements to our region's rail and shipping infrastructure. In addition, it is

7/18 [Merkley Calls for Programmatic Environmental Impact Statement on Coal Projects in Oregon »](#)

7/16 [Merkley to Introduce Bill to Extend Lapsed Disaster Relief Programs Needed for Response to Wildfires »](#)

7/16 [Merkley, Colleagues to Hold "Midnight Vigil" on DISCLOSE Act »](#)

7/15 [Merkley Statement on Eastern Oregon Wildfires »](#)

[More Press »](#)

likely that additional jobs for manufacturing and operating barges would be created in Oregon. Permanent, family-wage jobs would be created through preliminary labor agreements between unions and the companies proposing the exports. At a time when we need to be doing everything possible to promote economic development and get Oregonians back to work, the proposals could have benefits for our state.

Some local communities have also expressed deep concerns about the impact of the proposed facilities. These include the impact of coal dust on public health or on local businesses, and the effects of increased rail congestion. Some residents have described their worry that small towns could essentially be divided in half by very lengthy coal trains for long periods of time.

Many people are concerned about larger-scale impacts. Conservation organizations have expressed concern that the proposed projects would offer developing Asian economies a significant new source of coal that they would otherwise not be able to access. They assert that this access, and the resulting effect on coal prices and demand, could change the fundamental economics of coal in Asia, increasing dependence on coal and slowing growth in the use of cleaner energy sources. Some are also concerned that further dependence on coal in Asia will lead the amount exported from the U.S. to increase significantly in the future. These developments could have a significant impact on climate change.

A programmatic EIS, or any type of EIS the Army Corps conducts, must be comprehensive in nature, and consider both local and global issues raised by the public. Relatively localized issues to be studied should include potential impacts on public health from coal dust and diesel pollution; effects on water quality; effects on listed species such as Chinook Salmon and steelhead in the Columbia and Willamette rivers; effects on other critical habitat and aquatic resources; effects on cultural resources and historic sites; and the effects of mining activity on public lands. In addition, the EIS should assess the impacts of increased vessel traffic on the Columbia River, including effects on navigational and maritime safety concerns; and the impacts of increased rail traffic, including noise and traffic delays for events such as emergency vehicles at rail crossings.

Global impacts of coal exports to be studied must include effects on climate change (including cumulative additions to global greenhouse gas emissions), global energy markets, energy security, and the clean energy economy. The changing climate is already altering our environment, and will have particularly significant negative impacts on our state, including sea level rise, ocean acidification, and an increase in the frequency and intensity of extreme weather events like storms, floods, and summer droughts.

These issues are complex and have major implications. They raise questions about whether global environmental and energy policy should be decided based on project-by-project applications or whether other policy forums should be engaged. A programmatic EIS would be one step toward ensuring more comprehensive analysis and informed decision-making. We should not make public policy decisions that could constitute significant moves toward a more coal-dependent future without gathering and publicly disclosing the best possible information and engaging in the appropriate analysis. I support an expedited programmatic EIS for that reason: it would enable a full and thorough examination of the issues to best inform public policy decisions for Oregon and for the nation.

Sincerely,

Jeffrey A. Merkley  
United States Senator

Cc:

The Honorable Nancy Sutley  
Chair, Council on Environmental Quality  
Executive Office of the President  
Washington, DC 20500

Major General Merdith W.B. (Bo) Temple  
Headquarters, U.S. Army Corps of Engineers  
441 G Street NW  
Washington, DC

Mr. Robert Abbey, Director  
Bureau of Land Management  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

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STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000  
711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

May 7, 2012

Mr. Steve Gagnon  
U.S. Army Corps of Engineers  
PO Box 2946  
Portland, OR 97208-2946

**RE: Public Notice of Permit Application for Coyote Island Terminals LLC;  
US COE Number NWP-2012-56**

Dear Mr. Gagnon:

Thank you for the opportunity to comment on the above referenced permit application. The Washington State Department of Ecology (Ecology) believes that the project that Coyote Island Terminals seeks to permit could have the potential for significant adverse environmental impacts. Ecology is especially concerned about cumulative impacts because the present proposal is one of several proposed projects aimed at expanding coal export capacity within a defined geographic region (i.e., the states of Washington and Oregon). For that reason, and as more fully described in the enclosed comments, Ecology requests that the Corps prepare an Environmental Impact Statement (EIS) prior to making any decisions on the permit application.

Thank you for providing us the opportunity to comment and for your attention to the important issues raised by the present proposal. If you have any follow-up questions, please feel free to contact Brenden McFarland in our Shorelands & Environmental Assistance Program at 360) 407-6976 / brenden.mcfarland@ecy.wa.gov.

Sincerely,

Ted Sturdevant  
Director

Enclosure



March 30, 2012

U.S. Army Corps of Engineers  
Mr. Steve Gagnon; [steven.k.gagnon@usace.army.mil](mailto:steven.k.gagnon@usace.army.mil)  
PO Box 2946  
Portland, OR 97208-2946

RE: Comments on Permit Application NWP-2012-56

Dear Mr. Gagnon:

Thank you for the opportunity to provide comment on permit application NWP-2012-56, a proposed project to install a new transloading facility for coal at the Port of Morrow, Oregon, along the Columbia River. The Department of Natural Resources (DNR) is steward of state-owned aquatic lands on behalf of the people of Washington. DNR manages aquatic lands for current and future citizens of the state to sustain long-term ecosystem and economic vitality, and to ensure access to the aquatic lands and the benefits derived from them.

As discussed below, DNR strongly recommends that an environmental impact statement (EIS) be prepared to analyze the proposed project. As part of this analysis, the EIS should identify any potential impacts to Washington state-owned aquatic lands as a result of the proposed project and its connected actions, including construction and long-term operation of the transloading facility, existence of the completed facility, all new activities on the Columbia River, and rail transport of coal through the State of Washington. The EIS also should address the adequacy of the proposed compensatory mitigation measures, as well as the proposed best management practices (BMPs) to contain coal dust throughout the coal transportation process.

Per the public notice, the proposed project would involve construction of a new transloading facility for bringing coal in from Montana and Wyoming by rail and transferring it to barges on the Columbia River at the Port of Morrow, Oregon. This facility would include nine dolphins, walkways, a fixed dock, and a conveyor system for loading coal along with enclosed warehouses in the uplands for coal storage. Approximately 140 permanent piles ranging from 14 to 24 inches in diameter and 110 temporary 16-inch diameter piles would be installed to complete the project. Over 15,000 square feet of new overwater structure would be constructed.

Upon completion of the project, coal would then be shipped down the Columbia to Port Westward and loaded onto ocean-going vessels to be shipped to Asia. Approximately 3.85 million tons of coal would be shipped through the facility each year, which translates to approximately 5 trains to Port of Morrow, 5.5 loaded barge tows from Port of Morrow to Port

Westward, and 1 ship to Asia per week. Once at maximum capacity, the facility would handle 8.8 million tons of coal, which translates to 11 trains, 12 loaded barge tows, and 3 ships to Asia per week.

While the proposed project would be located on the Oregon side of the Columbia River, the facility operations involving coal transfer have the potential to nonetheless harm the long-term ecological and economic vitality of Washington state-owned aquatic lands. For instance, shoreline stabilization measures and overwater structures of the new facility could contribute to the destruction or outright elimination of habitat upon which numerous Columbia River species depend. In addition, any coal dust or debris, runoff, or other pollution that results from the facility, operations, barge tows, ocean-going vessels, and trains could degrade water quality and contribute to contamination of more than 200 river miles of Washington state-owned aquatic lands. This contamination would be toxic to aquatic life including submerged aquatic vegetation, shellfish, and other aquatic natural resources for which DNR is responsible. Further, any discharged pollution could contain bacteria and pathogens that would threaten public health and impair recreational opportunities for the citizens of Washington.

Given the aforementioned potential impacts to Washington state-owned aquatic lands, DNR strongly recommends that an EIS be prepared that analyzes any potential impacts of the project, as well as the adequacy of the BMPs and mitigation measures proposed by the applicant. Further, DNR suggests that these impacts be analyzed cumulatively within the context of other similar coal transport projects that have been proposed recently in Washington and Oregon.

Washington DNR appreciates the opportunity to comment on the permit application and looks forward to further contributing to this process in the months ahead. If you have any questions, please contact Mr. Chris Lyons, policy analyst, at [chris.lyons@dnr.wa.gov](mailto:chris.lyons@dnr.wa.gov) or 360-902-1090.

Sincerely,



Kristin Swenddal  
Aquatic Resources Division Manager

cc: Chris Lyons, Aquatics Policy Analyst



NORTHWEST STRAITS  
marine conservation initiative

July 11, 2012

The Honorable Ken Salazar  
Secretary of the Interior  
U.S. Department of the Interior  
Washington, DC 20240

The Honorable John McHugh  
Secretary of the Army  
1400 Defense Pentagon  
Washington, DC 20301-1400

Major General Merdith W.B. Temple  
Headquarters  
U.S. Army Corps of Engineers  
441 G Street NW  
Washington, DC 20314-1000

Mr. Michael Pool, Acting Director  
Bureau of Land Management  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, DC 20240

Re: Request for Programmatic Environmental Impact Statement on Gateway Pacific Terminal

To: The Honorable Ken Salazar, The Honorable John McHugh, Major General Temple, and  
Mr. Michael Pool:

On behalf of the Northwest Straits Commission, I am writing to request the preparation of a Programmatic Environmental Impact Statement (PEIS) for the proposed Gateway Pacific Terminal in Whatcom County, Washington. Our non-partisan organization encompasses a multitude of interests, cultural perspectives, and expertise around marine resources and ecosystems. We have serious concerns about the proposed facility at Cherry Point, and potential impacts of increased coal transport from Washington state to Asia.

The Northwest Straits Commission serves as the board of directors for the Northwest Straits Marine Conservation Initiative (Northwest Straits Initiative), a federally authorized program that includes seven county-based Marine Resources Committees in northern Puget Sound. Restoring and protecting nearshore marine ecosystems are core functions of the organization. In addition to carrying out research, monitoring, and restoration projects, the Northwest Straits Initiative provides a public forum for discussion around a variety of pressing issues such as oil spill prevention and preparedness, nearshore habitat loss, and ocean acidification.

The protection and restoration of Puget Sound is subject of national attention and concern, and we agree that a regional and cumulative analysis of Gateway Pacific Terminal impacts is preferable to a site-by-site evaluation. A PEIS provides the means to assess impacts from the potentially significant increase in shipping traffic, and transport of coal and coal by-products along the shoreline by rail. Many wildlife species at risk are migratory, and with complex life histories (e.g. orca, salmon, and various marine birds and waterfowl). The health of these creatures is dependent upon healthy ecosystems throughout their geographic range and life cycles.

County Marine  
Resource Committees

Clallam  
Island  
Jefferson  
San Juan  
Skagit  
Snohomish  
Whatcom

In Cooperation with  
Participating Tribal  
Co-Managers

Northwest Straits Commission  
10441 Bayview-Edison Road  
Mount Vernon, WA 98273

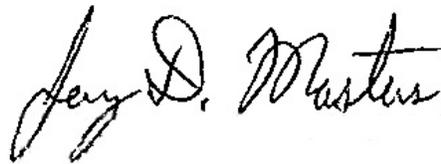
phone: 360.428.1084  
fax: 360.428.1491  
e-mail: [commission@nwstraits.org](mailto:commission@nwstraits.org)  
web: [www.nwstraits.org](http://www.nwstraits.org)

Additionally, an increase in both shipping traffic and the risk of a major oil spill in this region could negatively impact our local and state economies, affecting commercial and sport fishing, shellfish, whale watching, recreational boating and other businesses. Increased rail traffic may also impact water-dependent businesses, access to shorelines, and even emergency response in local communities.

We believe that a regional analysis through a PEIS should include, and not necessarily be limited to, the assessment of impacts to water quality, air quality, habitats, wildlife species, and potential loss of tourism. In addition, a comprehensive assessment should specifically include the potential affect of increased noise from shipping traffic on endangered Southern resident orca populations.

I appreciate this opportunity to comment, and your thoughtful consideration of our request.

Sincerely,

A handwritten signature in black ink that reads "Jerry D. Masters". The signature is written in a cursive style with a large initial "J" and "M".

Jerry Masters, Chair, Northwest Straits Commission

cc:

Clallam County Commission  
Island County Commission  
Jefferson County Commission  
San Juan County Council  
Skagit County Commission  
Snohomish County Council  
Whatcom County Council

Jamestown S'Klallam Tribe  
Lower Elwha Klallam Tribe  
Lummi Nation  
Makah Tribe  
Nooksack Indian Tribe  
Port Gamble S'Klallam Tribe  
Samish Indian Nation  
Stillaguamish Tribe  
Swinomish Tribal Community  
Tulalip Tribes  
Upper Skagit Indian Tribe

Dennis McLerren, Administrator, Environmental Protection Agency - Region 10  
Ted Sturdevant, Director, Washington State Department of Ecology

Northwest Straits Commission  
10441 Bayview-Edison Road  
Mount Vernon, WA 98273

phone: 360.428.1084  
fax: 360.428.1491  
e-mail: [commission@nwstraits.org](mailto:commission@nwstraits.org)  
web: [www.nwstraits.org](http://www.nwstraits.org)

State of  
Washington  
House of  
Representatives



March 15, 2012

Tyler R. Schroeder  
Whatcom Planning and Development Services  
5280 Northwest Drive  
Bellingham, Washington 98226

Randel Perry  
U.S. Army Corps of Engineers  
Seattle District Regulatory Branch – Northwest Field Office  
1440 10th Street, Suite 102  
Bellingham, Washington 98225-7028

Alice Kelly  
Department of Ecology – Northwest Regional Office  
3190 160th Ave SE  
Bellevue, Washington 98008

RE: Cherry Point EIS Process and Statewide Public Hearings

Dear Mr. Schroeder, Mr. Perry and Ms. Kelly:

The proposed Cherry Point export terminal in Bellingham, WA raises concerns about potential environmental impacts to residents in the 3<sup>rd</sup> Legislative District since Spokane would be the entry point for all coal coming into Washington from Montana and Wyoming. I respectfully ask for a hearing to be held in Spokane so that people can have their voices heard in this very important decision that affects them.

The risks of the impacts of increased coal train traffic should be subjected to a thorough environmental review. The number of coal trains passing through Spokane is projected to

State of  
Washington  
House of  
Representatives



increase more than ten-fold, from a handful of coal trains per day to between 50-70 per day in both directions if all proposed export terminals are built and operating at full capacity.

Diesel exhaust and coal dust lost along the route from the Powder River Basin to proposed ports contain toxic heavy metals, such as lead, selenium, and mercury, which have been linked to a variety of health problems, including birth defects, lung disease, cancer, and increased asthma in children.

Spokane Clean Air Agency's 2010 study identified lung cancer risks in Spokane as strongly connected to residents' proximity to the BNSF railyard where diesel engines generate large amounts of small particulate pollution which is the most health-threatening major air pollutant in the Northwest. Air quality could be impacted negatively, especially in the downtown Spokane area. Also, potential delays at railroad crossings throughout Spokane County could significantly compromise emergency response and general commerce.

A public hearing in Spokane would allow issues and concerns to be discussed thoroughly and publicly. I look forward to your reply to this request.

Respectfully Yours,

A handwritten signature in cursive script that reads "Andy Billig".

Andy Billig  
State Representative – 3<sup>rd</sup> Legislative District



STATE OF WASHINGTON  
TRANSPORTATION COMMISSION

*PO Box 47308, Olympia WA 98504-7308 • 2404 Chandler Ct SW Suite 270, Olympia WA 98502  
(360) 705-7070 • Fax (360) 705-6802 • [transc@wstc.wa.gov](mailto:transc@wstc.wa.gov) • <http://www.wstc.wa.gov>*

June 25, 2012

Matthew K. Rose  
Chairman and Chief Executive Officer  
Burlington Northern Santa Fe, LLC  
2650 Lou Menk Drive  
Fort Worth, TX 76131-2830

Dear Matt:

The Washington State Transportation Commission has been asked to write to the US Army Corps of Engineers requesting that their environmental review of coal export facilities include the potential transportation impacts of substantially increased coal exports. We have considered that request and instead believe it is more appropriate to address our concerns directly to you.

Let us be clear: the Washington State Transportation Commission is not opposed to coal trains and we do not consider the question of coal export policy to be within our purview. Our primary concern is BNSF's capacity to accommodate any type of unit train without disruption to mobility and increased congestion affecting the economy and operation of the state transportation system.

This Commission recognized the existence of congestion and bottlenecks in the state rail system in our 2006 Rail Study. If significant shipments of commodities from the Rockies are added without BNSF making improvements to its rail network, the economic and environmental impacts would echo throughout the state. Disruption of existing and long-standing freight movement, whether agricultural products moving west or containers headed east, cannot and should not occur.

Another major concern is the effects of long trains where rail lines cross critical arterial streets and roads, resulting in significant reductions in system mobility, and economic and environmental impacts. An occasional disruption by a unit train, as takes place today with current train traffic, is inconvenient but manageable; multiple additional unit trains moving through communities at a greater frequency than today also may trigger the need for greater mitigation.

Matthew K. Rose  
June 25, 2012  
Page 2

Finally, another area of potential loss of mobility that concerns us is where rail lines affect operations of the Washington State Ferries, a critical part of our state transportation system. Multiple additional unit trains have the potential to impede the loading and unloading of ferries at Edmonds and Mukilteo.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Richard Ford". The signature is written in a cursive, slightly slanted style.

Richard Ford, Chairman  
Washington State Transportation Commission

cc: Major General Merdith W.B. (Bo) Temple, Headquarters, U.S. Army Corps of Engineers  
Governor Christine O. Gregoire  
Bob Watters, Senior Vice-President, SSA Marine  
✓ Ross Macfarlane, Climate Solutions  
Paula Hammond, Secretary, WSDOT



## Washington State Legislature

November 3, 2011

Ted Sturdevant  
Director, Washington State Department of Ecology  
PO Box 47600  
Olympia, WA 98504

Pete Kremen  
Whatcom County Executive  
311 Grand Avenue, Suite 108  
Bellingham, WA 98225

**Re: Gateway Pacific Terminal site at Cherry Point**

Dear Sirs,

We are writing to ask that the agencies directing the State Environmental Policy Act (SEPA) review determine that directly associated impacts, such as those from associated transportation, be considered a part of the "proposal" within the required State Environmental Protection Act analysis.

Many in our respective communities throughout Washington State have contacted us regarding the proposal to significantly increase rail traffic with shipments of coal to a new terminal at the Gateway Pacific Terminal site at Cherry Point.

Many have expressed a concern for public safety and impacts to our quality of life posed by additional rail runs through our communities each day. Others have cited worries about the impact these runs will have on local businesses. Still others have questioned why we would choose to promote the use of coal as a fuel source anywhere, whether here at home or across the ocean. Lastly, we have heard from many regarding the impact to public health from increased particulate matter as a result of the use of diesel fuel on rail runs. Recently, more than 100 physicians in Whatcom County have united to oppose this project based upon this possibility. We share these concerns.

As this project gains speed, our constituents continue to look to us for answers about the consequences – ecological, fiscal and physical – that the increased rail traffic and transportation of coal may have in their local communities.

This fall the Department of Ecology and Whatcom County must determine the scope of the environmental, health and safety review of this project beyond the terminal footprint itself. The review should consider the full impact to local communities of statewide transportation of up to 54 million tons of coal.

We must be fully aware of potential economic tradeoffs associated with this increased level of transportation. Small and large businesses along rail lines in communities from Spokane, to central Washington to Bellingham could be negatively impacted by significantly increased numbers of rail runs transecting their communities.

It is important that the formal evaluation of the project include the associated impacts to the communities and not just impacts at the actual site.

We have much hope that the agencies will keep the well-being of our local communities at the forefront of their concerns. When it comes to a project of this magnitude we owe it to our communities to determine how progress will affect them.

Sincerely,

Senator Kevin Ranker

Senator Dan Swecker

Senator Jeanne Kohl-Welles

Senator Ed Murray

Senator Karen Fraser

Senator Sharon Nelson

Senator Nick Harper

Senator Paul Shin

Senator Debbie Regala

Senator Adam Kline

Senator Steve Conway

Senator Maralyn Chase

Senator Karen Keiser



## CITY OF BAINBRIDGE ISLAND

### PROCLAMATION

**A PROCLAMATION** by the Mayor of the City of Bainbridge Island, Washington, opposing the transportation of coal across Washington State to export for overseas consumption.

**WHEREAS**, mounting evidence demonstrates the overwhelming negative impacts of coal mining and combustion on public health; and

**WHEREAS**, Washington State already recognizes the severe economic, public health, and environmental impacts of climate change on this state (Executive Order No. 0905); and

**WHEREAS**, Washington State and other states are taking steps toward reducing American dependence on coal-fired power; and

**WHEREAS**, Washington State is currently experiencing an onslaught of proposals to export coal mined in the United States to foreign countries. These coal export proposals call for shipping tens of millions of tons of coal by rail across Washington State to private and public ports on the Columbia River and Puget Sound; and

**WHEREAS**, transporting coal in open rail cars will contaminate cities, towns, farmland, forestland, and rivers across Washington State with coal dust; and

**WHEREAS**, coal export terminals in other parts of the nation and world are associated with significant air and water pollution; and

**WHEREAS**, Washington has been a national leader in creating clean-energy jobs and innovating, developing, demonstrating, and marketing clean energy technologies and practices that promote sustainable global economic development, and coal export promotes the most destructive and unsustainable energy development practices;

**NOW, THEREFORE**, I, Kirsten Hytopoulos, Mayor of the City of Bainbridge Island, on behalf of the City Council, do hereby oppose coal export terminals in Washington State. The City supports economic growth that does not jeopardize Washington State's commitment to fight the serious impacts of climate change. The City urges the Governor and the Legislature to work on a comprehensive policy opposing coal export terminals in Washington State. The Mayor is directed to transmit copies of this proclamation to the Governor of Washington, the State Lands Commissioner and to each Senator and Representative from Kitsap County in the State of Washington Legislature. The Mayor is directed to transmit copies of this proclamation to each Senator and Representative from Washington State in the Congress of the United States.

**DATED** this 12<sup>th</sup> day of October 2011.

  
Kirsten Hytopoulos, Mayor



**RESOLUTION NO. 2012-22**

**A RESOLUTION REQUESTING THAT CERTAIN POTENTIAL ON AND OFF-SITE IMPACTS ASSOCIATED WITH THE GATEWAY PACIFIC TERMINAL BE ANALYZED AS PART OF THE SEPA AND NEPA PROCESSES**

**WHEREAS**, Pacific International Terminals, Ltd. has proposed the Gateway Pacific Terminal (GPT) at Cherry Point for the shipment of up to 54 million metric tons of various dry bulk commodities including coal to foreign locations; and

**WHEREAS**, these bulk commodities will arrive at the GPT via trains that are proposed to travel through the City of Bellingham; and

**WHEREAS**, the length, number and frequency of these freight trains are likely to increase over time as the GPT phases construction towards full build-out, which may require construction of additional off-site rail infrastructure improvements within the City of Bellingham; and

**WHEREAS**, these bulk commodities will then leave the GPT via ship in approximately 9 bulk carriers per week for an estimated total of 487 per year, and the projected shipping route is through the San Juan Islands to GPT and then north along the coast of Vancouver Island, the coast of Alaska and through the Aleutian Islands, generally following the migratory route of wild salmon; and

**WHEREAS**, risk of spills and ship collisions increase with an additional 487 single-hulled bulk carriers per year and a diesel or bunker fuel spill will be catastrophic to Puget Sound and Bellingham Bay and harmful to industry, tourism, fisheries and our quality of life; and

**WHEREAS**, the increase in freight trains and/or additional infrastructure improvements within the City of Bellingham and the increase in shipping due to the GPT project is likely to compromise the City's ability to continue to achieve its Legacies and Strategic Commitments (the "Legacies") which were adopted by the Bellingham City Council on July 13, 2009 to set forth City goals and strategic commitments to support those goals; and

**WHEREAS**, the City of Bellingham aligns all of its actions with the Legacies including: protection of Bellingham Bay, land use planning, capital facilities planning for trail and park systems, multi-modal circulation and utility system upgrades, as well as providing reliable emergency services; and

**WHEREAS**, the City of Bellingham has a variety of boards and commissions that also contribute to achieving the Legacies, such as the Parks and Recreation Advisory Board, Greenway Advisory Committee, Tourism Commission, Transportation Commission and the Waterfront Advisory Group; and

**WHEREAS**, the City of Bellingham anticipates that the GPT and its associated freight train traffic, the potential for off-site infrastructure improvements within the City, and the shipping impacts to Puget Sound, will have direct negative impacts to the Legacies; and

**WHEREAS**, the GPT and associated increased freight trains, potential construction of a new rail siding, and increase in ocean shipping may undermine the City of Bellingham's "Healthy Environment" Legacy by negatively impacting the ecologic functions of Bellingham Bay, by contributing to climate change and air quality degradation through increased coal dust and diesel engine particulate emissions, by increasing consumption of natural resources through the export of coal, by harming runs of wild salmon that originate in or travel through our waters, and by increasing ocean acidification resulting in a decline in production by local shellfish producers; and

**WHEREAS**, the GPT and associated increased freight trains, increased train noise, potential siding, and increased shipping impacts may undermine the City's "Vibrant Sustainable Economy" Legacy by creating conditions that discourage public and private investment; decrease values of properties located along the rail line or located waterward of it; cut off the newly developing Waterfront District by creating significant problems with noise, traffic blockage, air pollution and safety, thereby putting at risk millions of public dollars, thousands of potential jobs and additions to the productive tax base; deter a thriving tourist economy by negatively affecting the image and reality of Bellingham as a "green" destination; pollute Bellingham Bay; harm commercial and sport fishing industries; and disable the interdependence of environmental, economic and social interests; and

**WHEREAS**, the GPT and associated freight trains, potential siding, and potential increase in vessel traffic in Bellingham Bay may undermine the City's "Sense of Place" Legacy by severely limiting access to open space to such iconic places as Taylor Dock, Boulevard Park and the soon to be developed Cornwall Beach Park and by disrupting access to our public waters for sailing regattas and other recreational uses; and

**WHEREAS**, the GPT and associated freight trains, potential siding, and resulting blocked crossings may undermine the City's "Safe & Prepared Community" Legacy by preventing rapid response to emergencies and crime; and

**WHEREAS**, the GPT and associated increased freight trains, potential siding, and increased vessel traffic may undermine the City's "Mobility & Connectivity Options" Legacy by closing off at-grade crossings, blocking access to multi-modal trails and other infrastructure, disrupting non-bulk commodity vessels in Bellingham Bay, and disabling the well-connected mobility options, such as passenger train service the City of Bellingham strives to maintain and to increase; and

**WHEREAS**, the GPT and associated increased freight trains and potential siding may undermine the City's "Quality, Responsive City Services" Legacy by reducing the efficiency and effectiveness of the City Fire and Police Departments; and

**WHEREAS**, the GPT and associated increased freight trains and potential siding may undermine the City's "Equity and Social Justice" Legacy by decreasing opportunities for living wage employment as economic investment may decrease due to the GPT project impacts to the environment and access to amenities.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLINGHAM THAT:**

1. The City of Bellingham supports the Washington State Department of Ecology May 7, 2012 request that the U.S. Army Corps of Engineers conduct a Cumulative Impact Analysis under NEPA, of all currently proposed Coal export facilities and/or dry-bulk commodity terminals within Washington and Oregon.
2. In addition to the Cumulative Impact Analysis specified above, the City of Bellingham requests a project specific EIS to evaluate the full range of potential cumulative and unique impacts of the GPT project, on the City of Bellingham including off-site infrastructure improvements that may be required now or in the foreseeable future.
3. If offsite infrastructure improvements are required within Bellingham city limits, the City of Bellingham requests that they shall not be included as mitigation, but rather as a part of the GPT project.
4. If a rail siding is required within Bellingham city limits, the City of Bellingham requests that it shall not block or disrupt access to our parks or our waterfront.
5. The City of Bellingham requests that costs for the required mitigation for potential negative impacts as specified above shall not be borne by Bellingham residents.
6. The City of Bellingham requests that a comprehensive Health Impact Assessment be conducted by a separate and qualified third party contractor in order to analyze potential impacts to the health and welfare of the citizens of Bellingham including impacts from diesel emissions from trains and ships, coal dust, noise and the potential for increased rail/car and rail/pedestrian accidents.
7. The City of Bellingham requests an analysis of the transportation impacts to at-grade rail/street crossings including the delays to traffic and emergency vehicle response time and impacts to passenger rail traffic at full build out.
8. The City of Bellingham requests an analysis of the economic impacts to public and private entities resulting from any potential spill on land or water during transport, storage, or handling, including any spill due to a ship collision.

9. The City of Bellingham requests that probable anchorages be included in any vessel traffic analyses prepared for GPT, with an assessment of the likelihood of vessels anchoring in Bellingham Bay.

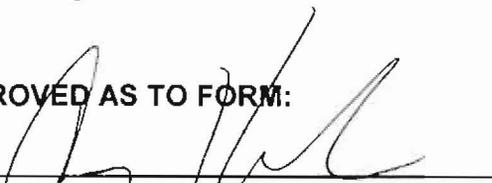
**PASSED** by the Council this 23<sup>rd</sup> day of July, 2012.

  
\_\_\_\_\_  
Council President

**APPROVED** by me this 27<sup>th</sup> day of July, 2012.

  
\_\_\_\_\_  
Mayor

**ATTEST:**   
\_\_\_\_\_  
Finance Director

**APPROVED AS TO FORM:**  
  
\_\_\_\_\_  
Office of the City Attorney

A Resolution of the City of Bellingham, Washington

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Resolution No. .... 2012-22  
Agenda Bill No. .... AB 19618  
Final Passage ..... 7/23/2012  
  
Published (if applicable)

CC Legal Secretary  
Executive Assistant to City Council  
Other:



**MAYOR'S OFFICE**  
Dan Pike, Mayor  
City Hall, 210 Lottie Street  
Bellingham, WA 98225  
Telephone (360) 778-8100  
Fax (360) 778-8101

June 14, 2011

The Honorable Christine Gregoire  
Governor of Washington  
P.O. Box 40002  
Olympia, WA 98504-0002

**Re: Request for State Lead Agency Role in Environmental Review  
Gateway Pacific Terminal, Cherry Point, WA**

Dear Governor Gregoire:

Due to the excellent working relationship between our offices, you are aware of the interests of the City of Bellingham in its efforts to become a sustainable City, grounded in solid growth management planning, excellent economic opportunities and good environmental practices. My administration has spent considerable time studying the specific probable adverse economic and environmental impacts and the potential benefits of the coal and commodities export facility, proposed for Cherry Point, on our City and the State. After meeting with the applicant's representatives (SSA Marine and BNSF), we determined the applicant is not providing complete information on project impacts and necessary mitigation. I am writing you to make two requests that I hope you will consider carefully.

First, I am requesting that you direct State agency directors to assert lead agency status for review of the proposal under the State Environmental Policy Act, RCW ch. 43.21C (SEPA). I am also requesting that you make the City of Bellingham a member and participant on your ongoing "iMAP" team reviewing the proposal under the leadership of your Office of Regulatory Assistance (ORA). Thank you for your consideration of the following.

**1. The City and State Have Substantial Interests Affected by the Proposal.**

Although we understand that environmental review is yet to be done, our team is concerned that the construction and operation of the proposed Gateway Pacific Terminal will bring more than moderate economic and environmental impacts to the citizens of Bellingham, the Salish Sea region, and the State. As you may be aware, the applicant's environmental information acknowledges a build-out export volume of approximately 50 million tons per year, and 9 additional coal trains *per day*, which translates into 18 trains round trip, each up to a mile and a half long.

We know from the applicant's own project description, from the comment letters of your State agencies through the ORA process, and from the operations of similar coal export

facilities in Canada and other parts of the U.S., this facility has the potential to adversely affect the following City, regional, and State interests in the following ways:

- Jobs and economic investments at ports, manufacturing facilities, and waterfront enterprises which depend on regular access and service deliveries across rail crossings;
- Levels of service on City and State roads, including substantial increased delays at rail crossings and associated access points to State highways, due to the 18 additional trains per day;
- Water quality and habitat in the Salish Sea through stormwater runoff, including degradation of habitat within the Cherry Point Aquatic Reserve;
- Air quality and attendant health impacts due to fugitive coal dust from trains and stockpiles, and increased diesel exhaust from the four engines expected for each coal train (72 engines running the entire length of the rail line per day) as well as from the exhausts of the over 200 cape-class ships per year expected to load at the Cherry Point Gateway Pacific Terminal; and
- The maintenance and operation of City streets and State highways, which becomes more expensive due to coal dust residue escaping from trains.

These impacts and interests are not unique to the City of Bellingham or Whatcom County. The impacts on the Aquatic Reserve, the waters of the Salish Sea, and clean air, affect the interests of all State citizens and Indian Tribes. Many of the impacts on air quality and rail-line delays will be experienced by other communities along the entire rail line within Washington State, from Spokane, through the Columbia River system and up through Puget Sound.

Of particular note are the City's interests in the planned redevelopments for the Georgia Pacific waterfront in downtown Bellingham, and the Fairhaven waterfront, in south Bellingham. We request you refer to the adopted plans for those future investments. The above list of impacts to the City and the region obviously is not exhaustive and will need to be further detailed during EIS scoping.

## **2. The Need for the State to Play the Lead Agency Role.**

As I indicated above, the impacts of this proposal are far-reaching and are not unique to Whatcom County. During the iMAP discussions, the County is discussed as the anticipated lead for SEPA review. However, the County does not have substantive SEPA authority to regulate the impacts of the proposal beyond the County's boundaries. Early indications are that the County sought to narrow the impact analysis with the applicant to the immediate environs of the Cherry Point facility. Since receiving the Bellingham City Council's letter dated May 24, 2011, County Executive Pete Kremen has issued a

statement on the County's website indicating the scope of review might also include review of rail line impacts to the City of Bellingham, including its waterfront.

Although I am quite appreciative of Executive Kremen's apparent willingness to extend the reach of the scope of review to include impacts to the City, I am concerned that the SEPA environmental impact statement (EIS) will need to include more analysis of impacts beyond Whatcom County's borders and include other impacts that Whatcom County does not have the resources to review. I believe it is critical that the State step in to assert lead agency status on SEPA.

A. The Analysis Needs to Cover Other Jurisdictions Affected by the Rail Line.

Under the current direction, it does not appear SEPA review would include analysis and mitigation of impacts to Burlington, Mt. Vernon, Stanwood, Marysville, Everett, Mukilteo, Edmonds, Seattle, Tukwila, Kent, Auburn or cities to the south and east like Olympia, Vancouver, Pasco or Spokane. Assuming coal trains return east over Stevens Pass, impacts could also affect the cities of Snohomish, Monroe, Leavenworth, Wenatchee and further east. Presumably, any one of these cities or all could seek co-lead agency status for purposes of SEPA review, and perhaps they should. The City is not waiving the opportunity to do so in requesting the State step forward.

In addition, as you know, the Cherry Point Aquatic Reserve Area is the Usual and Accustomed Fishing Grounds of four Federally Recognized Indian Tribes — the Nooksack, the Lummi, the Swinomish, and the Tulalip Tribes. Although Whatcom County has a relationship with its local tribes, it seems that the State might be better positioned to facilitate SEPA review with Indian Tribes outside Whatcom County interested in this critically important resource.

B. The State's Interests Should Be Adequately Represented in this SEPA Analysis.

The interests of the State, administered by the Department of Transportation, Department of Ecology, Department of Natural Resources, the State Department of Fish and Wildlife and others, are beyond the scope of Whatcom County's authority and interests when it comes to imposing substantive mitigation. It appears the County does not have the resources, nor understandably, the expertise to conduct the comprehensive and cumulative impacts analysis necessary under SEPA along the entire rail line corridor within the State, including impacts related to greenhouse gas emissions, health impacts from particulate emissions, effects on road maintenance, or traffic delays.

C. Only the State Is Equipped to Conduct a Full Analysis of Site Alternatives.

Whatcom County also does not appear to have the resources to conduct a full analysis of alternative sites in the State, as my team believes will be required and should be conducted for this proposal's environmental impact Statement. When the State takes on a major new industrial port such as this one, I question whether it makes sense to site it here in Whatcom County, as opposed to a port such as Longview, where trains would not have to

go all the way up and down the Puget Sound corridor and ships do not have to disturb a sensitive herring fishery. Absent more complete information from the applicant on impacts and necessary mitigation at Cherry Point, this is an analysis the State will be much better equipped to analyze fully and objectively.

D. The Shoreline Management Act Impacts Require Objective Review.

From all indications, it appears that Whatcom County is inclined to process this development as a mere “revision” of a twenty year old permit utilizing 1992 shoreline permit standards. My team is concerned the SEPA review will not include the **best available science** required by the County’s more modern Shoreline Management Master Program, adopted by the Department of Ecology in 2008. This could not only adversely affect our coastal waters, but the livelihoods of our fishermen utilizing Bellingham’s piers and markets, as well as our local Tribes who utilize City markets.

I request that you direct your Department heads and encourage the Department of Natural Resources to assert lead agency status, to ensure this proposal gets full and transparent review of all significant impacts. The City is concerned about and encourages your consideration of public perceptions about State government and its efforts to protect its citizens during this siting process.

3. Time is of the Essence in Making This Decision.

I do not need to impress upon you the urgency of making this decision in the next few weeks. Already, the iMAP team process has spent seven months considering issues related to SEPA review and lead agency status for the JARPA application. I understand the U.S. Army Corps of Engineers (Corps) and Whatcom County have already exchanged draft documents for the Request for Proposals from EIS consultants.

The time to assert State lead agency status is now, before the Corps or the County issues any scoping notice on the EIS. If any member of my team or I can be of assistance in expediting your review of this important decision, please contact me at your earliest convenience.

4. Request for iMAP Membership.

Because the issue of EIS scoping is already under discussion within the Office of Regulatory Assistance by the iMAP team, I am writing to formally request City representation on the iMAP team. To date, the team includes some affected State agencies and municipalities, but not others. It also includes membership of representatives for Burlington Northern Santa Fe, a third party to the JARPA application who I understand has not submitted permits for review by the iMAP team. Given the direct impacts of the proposal on the City of Bellingham and our possible interest in co-lead agency status, it would seem appropriate for the City to become a full participant in the process. My team would welcome discussions with Faith Lumsden, ORA Director, about the logistics of that participation at her earliest convenience.

**5. Conclusion.**

I appreciate the good working relationship between the City and State agencies on a wide range of issues over the years. We are committed to working cooperatively with your administration during the review of cumulative impacts of the Gateway Pacific Terminal proposal.

The Gateway proposal involves transportation, air quality and water quality impacts stretching throughout the State, as an additional 18 trains per day round trip traverse our Statewide rail system, each train extending a mile and a half long. The resources and interests of Whatcom County are necessarily limited and do not appear to rise to the level needed for full Statewide SEPA review of these impacts or a full analysis of alternative sites that may have fewer impacts and greater benefits.

The State has both the authority and the experience to play a leadership role in the public process analyzing alternatives and the regional impacts of large industrial proposals like the Gateway Pacific Terminal. We urge you to bring that leadership to this table, demonstrating that government has the interests of its citizens foremost in mind in protecting the quality of our environment, our existing local economies, and our plans for future economic investments, even during difficult times. Your regional perspective is vital at this pivotal point in the process for review of the Cherry Point coal export facility.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Pike".

Dan Pike, Mayor  
City of Bellingham

cc: The Honorable Peter Goldmark, Washington State Lands Commissioner  
The Honorable Pete Kremen, Whatcom County Executive  
Patrick Swan, Chief of Public Affairs, US Army Corps of Engineers, NW Region  
Bellingham City Councilmembers



July 14, 2011

The Honorable Christine Gregoire  
Governor of Washington  
P.O. Box 40002  
Olympia, WA 98504-0002

**SUBJECT:** Request for Expanded Environmental Review for Gateway Pacific  
Terminal, Cherry Point, WA

Dear Governor Gregoire:

Our community has recently been made aware of a proposal having been made by Pacific International Terminals, Inc. to develop an export facility at Cherry Point in Whatcom County, Washington. From the Project Information Document published by the project applicant,<sup>1</sup> we further understand that the facility is intended to be utilized in the export and import of dry bulk commodities. Of significant importance to the City of Burlington, the project will be served by the BNSF Railway Company through its Custer Spur Industrial Rail Line, which connects to BNSF Railway's main line at Custer, Washington. The Custer Spur provides the Terminal's access to the nationwide rail network, which traverses through the City of Burlington.

The Project Information Document reveals that initially, 7,000-foot-long trains (1.3 miles) are expected to serve the proposed facility, and that longer trains up to 8,500 feet (1.6 miles) will serve the Terminal ultimately. By 2026, the applicant expects some 9 loaded trains to arrive at the terminal each day (and 9 additional trains leaving each day.)<sup>2</sup> As the Federal Railroad Administration has stated,

At twenty miles an hour, a train one mile in length would take 3 minutes to clear a crossing. If the crossing has gates (as is the case with all crossings on BNSF's main line in Burlington), those gates would go down before the train arrived and would not rise until the train had passed, perhaps adding another minute or two. With growing rail traffic handled over fewer rail lines, blockages due to passing trains are becoming more frequent in certain areas.<sup>3</sup>

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<sup>1</sup> Available at [https://secureaccess.wa.gov/ofm/iprmt24/site/alias\\_1357/22894/review\\_documents.aspx](https://secureaccess.wa.gov/ofm/iprmt24/site/alias_1357/22894/review_documents.aspx) (last viewed July 13, 2011.)

<sup>2</sup> Id.

<sup>3</sup> Impact of Blocked Highway/Rail Grade Crossings on Emergency Response Services, Federal Railroad Administration (August, 2006) Page 8.

The possibility that train crossings will impede traffic is of particular concern to Burlington where BNSF's main line bisects the City, effectively hindering access to a large portion of the City and surrounding areas by emergency responders from the City's lone police station. As well, access to the region's critical access hospital will also be curtailed during the times that crossings are blocked by trains. This is especially significant given the fact that as a small community, the amount of emergency apparatus is quite limited. The Federal Railroad Administration has also recognized that blocked crossings are a particularly serious problem for emergency responders:

An ambulance racing to a heart attack victim or an automobile accident may be delayed only a few minutes by a passing train, but even a few minutes is a very long time in an emergency. A fire engine forced to take another route because of a stopped train may arrive at a fire too late to prevent significant damage or even deaths or injuries. Delayed police response can lessen the chance to apprehend a criminal or prevent a more serious crime.<sup>4</sup>

I should point out that, unlike many other states, Washington has no applicable statute that precludes the blockage of train crossings for extended periods of time.<sup>5</sup> Clearly, the impacts of this proposal must be well understood.

We understand that an environmental review has yet to be done, and we anticipate looking to that review for a complete understanding of how this proposal will impact our community. At the same time we think it appropriate for that review, which will include the preparation of an Environmental Impact Statement under both SEPA and NEPA to be prepared under the auspices of the State, with local government sharing co-lead status with the State Department of Ecology and working in concert with the Federal Army Corps of Engineers. Although the Governor's Office of Regulatory Assistance has already provided assistance with this project, we believe that the Department of Ecology has the unique expertise to assess the project's environmental impacts.

Thank you in advance for your attention to this important matter.

Sincerely,

Edward J. Brunz, Mayor

EJB/sa

cc: City Council  
Ted Sturdevant, Director, Washington State Department of Ecology  
Paula Hammond, Secretary, Washington State Department of Transportation  
Pete Kremen, Whatcom County Executive  
Mayor Dan Pike, City of Bellingham

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<sup>4</sup> Id, Page 5

<sup>5</sup> See, <http://www.fra.dot.gov/downloads/safety/frachp03.pdf>. Oregon's statute is Or. Rev. Stat. § 824.822; Idaho's is found at Idaho Code § 49-1425

RESOLUTION NO. 1235

A RESOLUTION expressing concern about potential adverse impacts from the presence of increasing numbers of coal trains passing through the City of Camas, and requesting the appropriate authority to require an environmental impact statement that identifies the impacts to the City of Camas.

WHEREAS, there would be a significant increase in the number of coal trains passing through the City of Camas, and

WHEREAS, the expanded number of coal trains would result in an increase in train travel noise and frequency of horn blowing, and

WHEREAS, the Burlington Northern Santa Fe track bisects the communities of Camas and Washougal in an easterly/westerly direction, and

WHEREAS, Washougal has five at-grade crossings, and only one overhead crossing, and

WHEREAS, the City of Camas provides emergency medical services to the City of Washougal, and

WHEREAS, the City Council is concerned that the substantial increase in coal train traffic will result in closure of at-grade crossings with greater frequency and for longer times, thus resulting in traffic congestion that can potentially impact emergency service response times, and

WHEREAS, the Council is concerned about the impact on our community's health, environment, safety and businesses from coal dust and other particulates which may be blown or fall from open coal cars,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAMAS AS FOLLOWS:

I

We urge the appropriate authorities to require an environmental impact statement that identifies and measures the impacts on our community from the significant increase in coal train traffic.

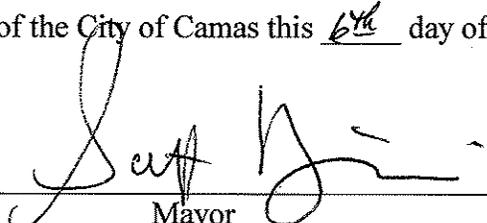
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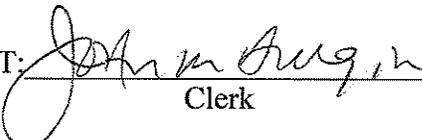
We request that the impact statements include impacts to traffic from increased closure of at-grade crossings, impacts to the City of Camas's ability to render emergency services due to inability to cross the train tracks, and health and safety impacts related to coal dust and other particulates being blown from open coal cars.

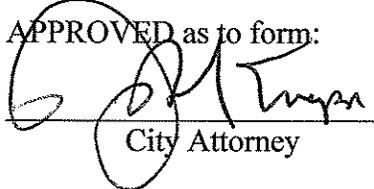
III

We urge the appropriate authorities to hold at least one of the environment impact statement scoping hearings at a location in Clark County.

ADOPTED at a regular meeting of the Council of the City of Camas this 6<sup>th</sup> day of March, 2012.

SIGNED:   
Mayor

ATTEST:   
Clerk

APPROVED as to form:  
  
City Attorney



proud past, promising future

CLARK COUNTY  
WASHINGTON

June 21, 2012

Sally Toteff

Director

Southwest Regional Office, Washington State Department of Ecology

PO Box 47775

Olympia, WA 98504-7775

Mike Wojtowicz

Director

Cowlitz County Building and Planning Department

207 4th Avenue North

Kelso, WA 98626

**Re: Clark County as a party of record for the proposed Millennium coal terminal in Cowlitz County**

Dear Designated SEPA Official:

Clark County requests to be made a party of record on the Millennium coal terminal project being proposed in Longview. At completion, this project could move 44 million tons of coal per year over rail lines running through communities in Clark County. Extra planning will be needed to accommodate up to 16 trains, each a mile long, per day. That could amount to a total of 5,840 additional trains through our county each year.

Clark County supports projects that create jobs and provide a healthy economy locally and regionally. The county understands that many permanent and potentially thousands of temporary construction jobs are at stake with the coal terminal proposal. However, the Board of County Commissioners cannot ignore the potentially significant, adverse impacts on our citizens.

We have concerns about how added rail traffic could harm the quality of life in Clark County, especially for those living and owning businesses near the rail lines. Impacts could include: emergency response delays; increased traffic congestion; air and noise pollution due to idling trains; air pollution created by coal dust; blocked pedestrian and bicycle access to the waterfront; destabilizing steep slopes adjacent to the tracks; and changes to established quiet zones.

The county is currently working with the necessary agencies to create a new quiet zone, and we are concerned about how increased rail traffic would affect those efforts and several other quiet zones in progress or already established.

The consideration of such interests is recognized by the State Environmental Policy Act (SEPA). As a jurisdiction along the Burlington Northern Sante Fe Railway corridor, we want to ensure the terminal project receives adequate scoping, investigation and mitigation in order to avoid injury to our community.

The county is encouraged by the fact that Cowlitz County and the Washington State Department of Ecology will be co-lead agencies for the project.

Once the proposal is properly defined by the applicant, scoping the direct, indirect and cumulative impacts is required. As co-lead agencies, please ensure that this review is not artificially limited by jurisdictional boundaries, but rather encompasses the full range of impacts created by the project.

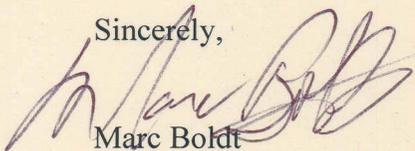
Considering potential impacts in Clark County is crucial because the cost associated with improving rail crossings could be very high in areas beyond the immediate project impact area. News reports state that "major traffic revisions" in Cowlitz County are pivotal for this project's success. Pending revisions have been described by local traffic officials as the "biggest thing the county has ever done in transportation." Early cost estimates for the upgrades top \$200 million, and no funding plan is in place. Clark County cannot help but be concerned about potential downstream costs associated with improving rail crossings because of the significant increase in rail traffic.

The county respectfully requests that an environmental review carefully consider the regional impacts of this proposal, including direct, indirect and cumulative effects in Clark County. As part of the analysis, the county thinks full consideration of alternatives and mitigation measures is in order.

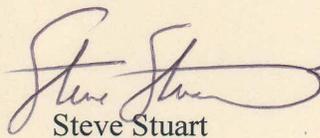
As a party with a known interest in this proposal, we respectfully requests all required SEPA notifications be sent to: Axel Swanson, Senior Policy Analyst, P.O. Box 5000 Vancouver, WA 98666-5000.

Clark County looks forward to being a constructive partner and providing any comment needed throughout the process. If you have questions, please don't hesitate to contact Mr. Swanson at (360) 397-2232 or [axel.swanson@clark.wa.gov](mailto:axel.swanson@clark.wa.gov).

Sincerely,



Marc Boldt  
Chair



Steve Stuart



Tom Mielke

**Dallesport-Murdock Community Council**  
**P.O. Box 8**  
**Dallesport, WA 98617**

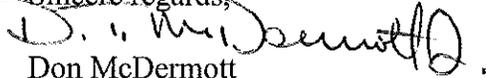
*Chairman: Don McDermott      Vice-Chairman: Jack Cherry*  
*Secretary: Anthony Rizzi      Treasurer: L. Renee Briggs*  
*Elaine Kincheloe   Jack Kincheloe   Art Mengert   Chris Murray   Susan Martin*

November 21, 2011

Dear Editor,

The enclosed letter has been approved by The Dallesport\_Murdock Community Council.  
Please publish this letter in your letters to the editor section.  
Any questions or comments can be made to me or to the Council in general.  
My contact information is enclosed in the email.

Sincere regards,



Don McDermott  
Chairman

**Dallesport-Murdock Community Council**  
**P.O. Box 8**  
**Dallesport, WA 98617**

*Chairman: Don McDermott      Vice-Chairman: Jack Cherry*  
*Secretary: Anthony Rizzi      Treasurer: L. Renee Briggs*  
*Elaine Kincheloe   Jack Kincheloe   Art Mengert   Chris Murray   Susan Martin*

The Dallesport Community Council voted to write letters of concern and complaint to local newspapers and elected officials concerning the proposed shipping of up to 20 additional trains every day of up to 125 cars uncovered and loaded with coal from the Powder River Basin in Wyoming thru the Gorge.

A short while ago, BNSF said that each coal car loses 500 to 2000 lbs in transit. This was their own study. They were not happy about this. The US Department of Transportation classifies coal dust as a "pernicious ballast foulant." So they advised their shippers that they were recommending tighter emission standards for safety reasons. They were most concerned that the coal dust blow off is contaminating their rail beds and it undermines the ballast by sifting into the base rock. This has caused derailments in some areas. The BNSF then advised shippers that they were responsible for securing their loads. We know exactly what this meant. It meant cover the loads. However there is now even greater conflict of interest between the miners and the BNSF. Ownership has changed and the new owners are invested in coal mining. Coal mining companies are planning to ship 60 million tons of coal to the cash rich Asian market though the old Alcoa facility on the Columbia in Longview. BLM Coal Lease Fair Market Value for Powder River Basin Coal is 75 cents per ton. We are concerned that there is little real incentive to contain the load. For evidence, the occasional coal train that has gone by lately has been uncovered. So you lose a couple tons, no big deal. Right?

We want our elected officials to represent our opposition to increased health and safety threats to our communities. The threat to adjacent farms and agriculture is also of great concern. Can we really expect employers with living wage jobs to want to locate in an area that would be objectionable to their employees due to health and safety issues?

Why would Insitu want to build a campus in Bingen or Dallesport with this potential level of pollution, and unlivable proximity to this activity?

Next year is an election year and we expect action on this issue.

Respectfully,



Don McDermott  
Chairman

## RESOLUTION NO. 1263

### A RESOLUTION STATING EDMONDS' OPPOSITION TO TRANSPORTING COAL ACROSS WASHINGTON STATE AND ON THE BURLINGTON NORTHERN SANTA FE RAILWAY ALONG PUGET SOUND TO EXPORT FOR OVERSEAS CONSUMPTION

---

WHEREAS, Edmonds has committed itself to being a leader in protecting the environment, air quality, and Puget Sound, and

WHEREAS, mounting evidence demonstrates the overwhelming negative impacts of coal mining and combustion on public health, and

WHEREAS, Washington State already recognizes the severe economic, public health, and environmental impacts of climate change on this state (Executive Order No. 0905), and

WHEREAS, Washington State and other states are taking steps toward reducing American dependence on coal-fired power, including the recent passage of TransAlta Energy Transition Bill, which will retire the two remaining coal-fired power plants in Washington State by 2025, and

WHEREAS, coal is commonly transported via opentop rail cars contaminating cities, towns, farmland, forestland, streams, and rivers across Washington State with coal dust and chunks of coal, and

WHEREAS, coal contains toxic heavy metals - including mercury, arsenic, and lead - and exposure to these toxic heavy metals in high concentrations is linked to cancer and birth defects, and

WHEREAS, increased rail traffic will lead to an increase in diesel emissions in communities along rail lines, and

WHEREAS, coal export terminals in other parts of the nation and world are associated with significant air and water pollution, and

WHEREAS, coal shipments through Edmonds are expected to add as many as 18 trains per day, and

WHEREAS, an additional 18 trains per day will inhibit the travel of emergency vehicles to our Senior Center, underwater dive park and waterfront residences and businesses, and

WHEREAS, an additional 18 trains per day will endanger pedestrians, and inhibit access to our waterfront for fishing, diving, and other recreational uses, and

WHEREAS, an additional 18 trains per day will cause increased delays in ferry loading and unloading having detrimental effects on traffic congestion and air quality due to idling cars, and

WHEREAS, increased noise from large freight trains have been shown to have a negative impact on health, and

WHEREAS, increased freight train traffic will have a negative effect on property values, and

WHEREAS, Edmonds and the region are not equipped to respond to the environmental devastation a coal train derailment would have on Puget Sound or the Edmonds Marsh, and

WHEREAS, Washington has been a national leader in creating clean-energy jobs and innovating, developing, demonstrating, and marketing clean energy technologies and practices that promote sustainable global economic development, and coal export promotes the most destructive and unsustainable energy development practices.

NOW THEREFORE BE IT RESOLVED, that the City of Edmonds opposes coal export terminals in Washington State, and

BE IT FURTHER RESOLVED, that the City of Edmonds supports economic growth that does not jeopardize Washington State's commitment to fight the serious impacts of climate change, and

BE IT FURTHER RESOLVED, that the City of Edmonds urges the Governor and the Legislature to work on a comprehensive policy opposing coal export terminals in Washington State, and

BE IT FURTHER RESOLVED, that the City of Edmonds intends to address any impacts to public health and/or property caused by the transport of coal through Edmonds by actively enforcing local public health, safety, building, electrical, and fire codes, and

BE IT FURTHER RESOLVED, that the City of Edmonds intends to address any impacts to surface and/or groundwater caused by the transport of coal through Edmonds by actively enforcing applicable federal environmental statutes delegated to Edmonds, and

BE IT FURTHER RESOLVED, that the City of Edmonds will request that the railroad mitigate any public safety hazards created by the transport of coal through Edmonds such as access by emergency vehicles to the senior center and waterfront, and

BE IT FURTHER RESOLVED, that the City of Edmonds will request from the railroad, and make public, any plans for new or expanded rail facilities or significant rail traffic volume increases within Edmonds, and

BE IT FURTHER RESOLVED, that the City of Edmonds will request that the railroad provide representatives to meet periodically with local citizen groups and local government officials from Edmonds to seek mutually acceptable ways to address local concerns, and

BE IT FURTHER RESOLVED, that the City of Edmonds will request that the railroad submit an emergency environmental clean-up plan in case of a derailment into Puget Sound or the Edmonds Marsh, and

BE IT FURTHER RESOLVED, that the City of Edmonds will request that the railroad perform environmental monitoring of noise, air, groundwater, and surface water quality on an ongoing basis and that the results will be shared with local and state agencies, and

BE IT FURTHER RESOLVED, that the City of Edmonds will request that the railroad carefully monitor the loading of coal at the coal mines as part of the contract(s) with the coal companies to assure best loading practices in order to reduce the amount of coal and coal dust coming out of the rail cars, and

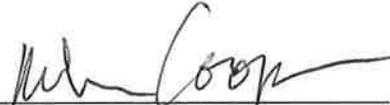
BE IT FURTHER RESOLVED, that the City of Edmonds will request that the railroad write up road improvement plans for grading, widening, or otherwise providing crossings at intersections that would be impacted by rail traffic increases and require the railroad to pay for these upgrades, and

BE IT FURTHER RESOLVED, that the Edmonds City Clerk transmit copies of this resolution to the Governor of Washington, the State Lands Commissioner and to each Senator and Representative from the 1st, 21st and 32nd Legislative Districts in the State of Washington Legislature, and

BE IT FURTHER RESOLVED, that the Edmonds City Clerk be directed to transmit copies of this resolution to each Senator and Representative from Washington State in the Congress of the United States.

This Resolution shall take effect immediately upon its adoption.

Adopted this 22<sup>nd</sup> day of November, 2011.

  
\_\_\_\_\_  
MAYOR, MIKE COOPER

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
CITY CLERK, SANDRA S. CHASE

FILED WITH THE CITY CLERK: 11-18-2011  
PASSED BY THE CITY COUNCIL: 11-22-2011  
RESOLUTION NO. 1263



## EDMONDS CITY COUNCIL

EDMONDS CITY HALL • FIRST FLOOR  
121 5TH AVENUE NORTH • EDMONDS, WA 98020 • PHONE: (425) 771-0248 • FAX (425) 771-0254

June 15, 2012

Joe Ritzman  
Vice President, Business Development  
SSA Marine  
1131 SW Klickitat Way  
Seattle, Washington 98134

Dear Mr. Ritzman,

It was nice to meet you at the SeaShore Transportation Forum on Friday, June 1, 2012. As you know, I am a member of the Edmonds City Council. We have gone on record having significant concerns regarding the proposed PTI coal export facility in Cherry Point, Washington. We look forward to working with you, the Burlington Northern Santa Fe Railroad, the EIS consultant CH2MHill, and the lead agencies to ensure that you understand the specific concerns of Edmonds and the potential mitigation measures that would be needed to address impacts on our community.

We greatly appreciated your comments at the meeting regarding SSA's view on the scope of the upcoming EIS. In particular, we appreciated your statement that the EIS would address all significant impacts in all communities that would be affected by the project. We believe that is the best approach in the interest of all parties. It was good to hear you say that the EIS review would include all grade crossings where train traffic and other impacts will see major increases due to the project. We appreciate your recognition of the importance of evaluating and addressing the concerns that Edmonds and other similarly situated communities will have regarding the impacts from the proposed project.

Sincerely,

Joan Bloom  
Edmonds City Council  
Position #5

c: Dave Earling, Mayor  
City of Edmonds

Ross MacFarlane  
Climate Solutions



## King County

### Dow Constantine

King County Executive  
401 Fifth Avenue, Suite 800  
Seattle, WA 98104-1818

**206-263-9600** Fax 206-296-0194

TTY Relay: 711

[www.kingcounty.gov](http://www.kingcounty.gov)

January 31, 2012

Ted Sturdevant  
Director, Washington State Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504

The Honorable Jack Louws  
Whatcom County Executive  
311 Grand Avenue, Suite 108  
Bellingham, WA 98225

Dear Director Sturdevant and Executive Louws:

I have been closely following the proposal by Pacific International Terminals, Inc., a subsidiary of SSA Marine, to develop a marine terminal at Cherry Point in Whatcom County. The "Gateway Pacific Terminal" would provide storage and handling for the export and import of up to 54 million metric tons per year of commodities, primarily coal from the Powder River Basin of Wyoming and Montana.

I'm concerned about the significant impacts of this proposal on air, water, energy and natural resources, environmental health, land and shoreline use, public services, and transportation in communities along the rail corridor. In addition, the proposal has broader implications for increased climate pollution. These are elements of the natural and built environment required to be considered during environmental review under the State Environmental Policy Act (SEPA). I am writing to provide input onto the scope of the SEPA review for this project, and requesting that your SEPA review include the following areas of analysis:

#### *Health, Equity, and Social Justice Impacts*

As highlighted in August 2011 by a group of 160 Whatcom County physicians, there are potentially significant public health impacts associated with the project. These include respiratory health impacts of diesel particulate matter associated with increased train traffic, coal dust, and health effects associated with mercury and other heavy metal pollution from open-pit coal trains, noise exposure along the train route, and increased

frequency of long trains at rail crossings, with potential to delay emergency medical response times and increase vehicle-train accidents. The analysis should consider the impacts on communities along the rail corridor, areas that are often disproportionately populated by ethnically diverse and low income communities already experiencing disparities in health outcomes and exposure to environmental pollution.

### *Environmental Impacts*

The SEPA review process should identify and analyze the impacts of construction and long-term operations on sensitive herring populations and eel grass beds within the designated Aquatic Reserve adjacent to the proposed terminal, as well the impacts of coal dust emissions and associated mercury and heavy metal pollutions on water quality, habitat, and listed species along the rail corridor route.

When considering environmental impacts, it is also critical to consider the indirect, cumulative impacts of the project, no matter where the impacts occur. The project and terminal would directly support a huge quantity of coal burning in China. Burning the upper estimate of coal associated with this proposal (48 million tons) would result in more than 100 million metric tons of carbon dioxide equivalent greenhouse gas emissions annually, roughly equivalent to all emissions produced in Washington State. Indirect emissions resulting from this proposal would erase the significant progress and commitment Washington State and many of its communities have made to address the climate change challenge.

### *Economic impacts*

Research by the Sightline Institute has highlighted existing train congestion challenges in Washington, especially at several chronically congested choke points throughout the state. Adding up to eighteen mile-and-a-half long trains per day, without addressing rail capacity and mobility issues, could result in significant impacts to both current and future freight and passenger train traffic. In King County, key industries like aerospace and international trade rely on the rail corridor to move parts and finished products. For example, Boeing uses the rail line to transport fuselages for its expanding 737 production line. Increased use of this corridor by long-haul coal trains could conflict with existing future rail-dependent economic development, like the plans for 737 MAX production.

In conducting SEPA, I urge your agencies to work with the Puget Sound Regional Council, Puget Sound Clean Air Agency, the Port of Seattle, enterpriseSeattle, the aerospace industry, Sound Transit, and cities and counties along the rail corridor to thoroughly document baseline conditions and future plans related to freight and passenger rail capacity along the corridor. Having a clear assessment of current conditions, including freight and passenger rail mobility “choke points”, will be essential

to supporting an accurate assessment of impacts from the proposed coal terminal and associated rail traffic.

*Traffic*

In addition to freight and passenger train mobility impacts, addition of eighteen, mile-and-a-half long coal trains has the potential to create significant delays at at-grade crossings, inhibit the travel of emergency vehicles, endanger pedestrians, and cause increased delays in ferry loading and unloading. Traffic delays will have direct economic impacts that also need to be considered in communities along the rail corridor. The EIS should analyze the economic and safety impacts of increased train traffic on other vehicle traffic (cars, trucks, ferries, passenger rail, and transit), and estimate the cost of mitigating these impacts.

Washington's environmental, labor, political and business interests came together in 2011 to phase out the only remaining coal-fired power plant in the state, the Centralia plant owned by the TransAlta corporation. Exporting finite, domestic natural resources for short-term financial gain, while harming our environment and precluding more value-added economic development, would be a giant step backward. Instead, we need to chart a path forward for sustainable economic development, healthy communities, environmental protection, and clean energy. I will continue to follow this issue closely and our staff would be happy to share information on traffic, transit, economic development, health and environment in King County. If you have any questions, please contact Megan Smith, Environmental Policy Advisor, at 206-263-9605, or [megan.smith@kingcounty.gov](mailto:megan.smith@kingcounty.gov).

Sincerely,



Dow Constantine  
King County Executive

cc: King County Councilmembers  
    ATTN: Cindy Domingo, Acting Chief of Staff  
        Anne Noris, Clerk of the Council  
        Jason King, Director of Government Relations, Communications and  
            External Affairs  
Mayor Pete Lewis, City of Auburn  
Mayor Suzette Cooke, City of Kent  
Mayor Denis Law, City of Renton  
Mayor Mike McGinn, City of Seattle

Mayor Keith McGlashan, City of Shoreline  
Mayor Jim Haggerton, City of Tukwila  
Peter Goldmark, Washington State Commissioner of Public Lands  
Dennis McLerran, Regional Administrator, U.S. Environmental Protection Agency  
Tay Yoshitani, CEO, Port of Seattle  
Joni Earl, Chief Executive Officer, Sound Transit  
Bob Drewell, Executive Director, Puget Sound Regional Council  
Craig Kentworthy, Executive Director, Puget Sound Clean Air Agency  
Christie True, Director, Department of Natural Resources and Parks  
Ngozi Oleru, Director of Environmental Health, Department of Public Health  
Carrie Cihak, Director of Policy and Strategic Initiatives, King County Executive's  
Office (KCEO)  
Megan Smith, Environmental Policy Advisor, KCEO



P.O. Box 128  
Longview, WA 98632-7080  
www.mylongview.com

August 16, 2011

Senator Joe Zarelli  
State of Washington  
Legislative Building  
Olympia, WA 98504

Dear Senator Zarelli,

As the elected representatives of the citizens of Longview, we have an obligation to focus on economic as well as quality of life issues for our community. To that end, we are asking for your assistance. Ten years after Reynolds Aluminum has vacated the 400-acre industrial site, now owned by Alcoa, we are still faced with a seriously contaminated site which remains unattractive to clean and sustainable industries. Historically, this industrial site produced hundreds of jobs for our community, but for the past several years it has been leased to Chinook Ventures, a business that has further contaminated the site and produced very few jobs. The failure to move forward with site cleanup continues to hinder development of this prime industrial property and the much-needed jobs it can provide.

In 2006, Ecology identified the former Reynolds Aluminum site in Longview as a "high priority" cleanup site based in part on its potential to produce jobs once cleanup was complete. Nearly six years later, cleanup has been at a standstill. The site remains seriously contaminated with high levels of cyanide and fluoride in groundwater and soil. The site is also heavily contaminated with byproducts of petroleum products—PAHs—and sulfates, and may be contaminated with mercury and PCBs. The contamination is so bad, that when a fire started on the site recently a reverse 911 call had to go out to tell our citizens to stay inside. This is unacceptable.

While we appreciate Ecology's recent statements affirming its new focus on cleaning up the site we urge you to ensure that this clean up is a high priority for the Department of Ecology. The City of Longview recommends that Ecology demonstrate its renewed commitment by entering a new binding contract with Alcoa, the company that is legally responsible for cleanup as soon as possible. The plan must include enforceable deadlines which proceed with all due haste. Until clean up is verified and complete, it is inappropriate to consider any new projects for this site. The Chinook Ventures lease arrangement has proven that a tenant inexperienced in cleanup should not be relied upon to satisfy the legal obligations of Alcoa. We request that plans for this site be very carefully evaluated and that only those entities with expertise in industrial clean up participate in the clean up process.

The City of Longview is making and has made significant investments in the area adjacent to the former Reynolds site. They include a new ground water supply system for Longview and the industrial park, the Mint Farm. As the elected representatives of the City of Longview we must do everything we can to protect those investments and the people of our community.

A proper and thorough cleanup will provide tremendous potential for the City of Longview and Cowlitz County. We are ready for this to happen and we need it to happen. Cleaning up the former Reynolds Aluminum is a priority for the City of Longview. If cleaned up, we are confident that this prime industrial property has tremendous potential to attract job-producing industries that will contribute to the health and well being of our community for the long-run.

These are critical times in our state and community. By ensuring that Alcoa complies with their agreed upon contract, you can play a pivotal role in helping to ensure long-term economic opportunity for our community. We appreciate any assistance that you can provide in insuring that this project does not fall off the priority list for ecology, as it clearly did in 2006.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kurt Anagnostou', written in a cursive style.

Kurt Anagnostou  
Mayor

KAA/tal

**CITY OF MARYSVILLE**  
**Marysville, Washington**  
**RESOLUTION NO. 2325**

**A RESOLUTION OF THE CITY OF MARYVILLE OPPOSING THE IMPACT OF INCREASED RAIL TRAFFIC IN MARYSVILLE RESULTING FROM THE PROPOSED RAIL TERMINAL PROJECT IN WHATCOM COUNTY AND REQUESTING THE PRINCIPAL AGENCIES REVIEWING THE ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR SAID PROJECT, INCLUDING WHATCOM COUNTY, WASHINGTON DEPARTMENT OF ECOLOGY, AND THE UNITED STATES CORPS OF ENGINEERS, INCLUDE IMPACTS ALONG THE TRAIN ROUTE FOR FREIGHT MOVING TO THE PROPOSED TERMINAL IN THE SCOPING DOCUMENT FOR THE EIS.**

WHEREAS, the Burlington Northern Santa Fe (BNSF) main north/south track runs through and bisects the City of Marysville, and

WHEREAS, Marysville is the second largest city in Snohomish County and has eleven public at grade crossings and nine private crossings and does not have any grade-separated crossings for major access; and

WHEREAS, there is a proposed rail terminal project in Whatcom County (the Gateway Pacific Terminal Project, or GPT); and

WHEREAS, the proposed GPT project will significantly increase freight traffic on the BNSF track through Marysville; and

WHEREAS, recent studies conducted by Gibson Traffic Consultants in the western Washington cities of Burlington, Marysville, Mt Vernon, and Stanwood identify potentially severe vehicular traffic consequences due to the proposed increase in rail traffic intensity associated with GPT; and

WHEREAS, adverse effects to Marysville and other cities include increased risk of accidents, impacts to the City's level of service, decreased ability to provide effective emergency response times, and possible interference with local truck freight delivery systems affecting the local economy; and

WHEREAS, GPT has identified that full build out of the coal export facility would result in eighteen additional train trips through Marysville per day; and

WHEREAS, due to train speed restrictions plus approach warning times, for trains through Marysville downtown means the rail crossing barriers for each train at each controlled crossing are down for approximately 6-8 minutes for the larger (over one mile long) freight trains; and

WHEREAS, eighteen trains per day would equate to approximately one additional coal train every 1.3 hours, all day long, in addition to existing train traffic; and

WHEREAS, with the increase in the number of coal trains, the nightmare scenario for the city is having multiple I-5 entrances blocked at the same time, i.e. SR-528, 88<sup>th</sup> and 116<sup>th</sup>. The recent capacity improvement on 116<sup>th</sup> St completed by the city would essentially be negated by the increased coal train activity; and

WHEREAS, public safety could be threatened if response times for police and fire are increased due to critical access blockages caused by more frequent and longer trains; and

WHEREAS, under existing conditions and without the additional train traffic proposed by the GPT Project the presence of a long freight train during the peak hours causes serious backups from I-5 ramps onto the mainline. The Puget Sound Regional Council (PSRC), the City of Marysville and the Tulalip Tribes have identified capacity improvement needs at both the SR 528, 88<sup>th</sup> Street and 116<sup>th</sup> Street interchanges due to existing congestion at these ramps. WSDOT over the last few years has already maximized the queuing capacity when trains block access from I-5 to the City. Adding eighteen trains per day to existing levels will exacerbate this problem by a significant factor. Any environmental review of rail line impacts should study this current condition and likely increased impact, including costs to mitigate the effects; and

WHEREAS, Marysville has been made aware of potential impacts from coal dust and other particulates that may be blown from open rail cars but has no way to evaluate such potential impacts; and

WHEREAS, Whatcom County, Washington Department of Ecology and the United States Corp of Engineers have entered into a MOU to jointly promulgate the required EIS and are currently scoping the EIS for the GPT project; and

WHEREAS, said agencies should include the impacts of this increased rail traffic and the impacts referenced in this Resolution in the scope of the EIS and public hearings at the various stages of the EIS process should be conducted in Snohomish County; and

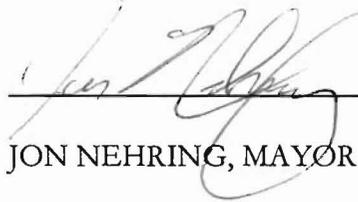
WHEREAS, the City of Marysville wishes to become a Party of Record regarding the GPT project;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARYSVILLE, WASHINGTON AS FOLLOWS:

1. The City of Marysville hereby opposes the impact of increased rail traffic in Marysville resulting from the proposed GPT rail terminal project in Whatcom County and urges Whatcom County, State Department of Ecology, and United States Corp of Engineers to include impacts to Marysville, including but not limited to increased traffic congestion and delays to residents and commerce and potential impacts from coal dust and other particulates that may be blown from open rail cars in the scoping of the EIS for the GPT project.
2. That the City of Marysville requests that the railroad provide representatives to meet periodically with local citizen groups and local government officials from Marysville to seek mutually acceptable ways to address local concerns;
3. That the City of Marysville requests that the railroad identify road improvement plans for grading, widening, or otherwise providing crossings at intersections that would be impacted by rail traffic increases and require the railroad to mitigate its impacts by funding the design and construction of these upgrades;
4. That the City of Marysville be made a Party of Record for the GPT project.
5. That the Chief Administrative Officer is hereby directed to transmit this Resolution to the following persons and Agencies: (See Attached Exhibit A)

PASSED by the City Council and APPROVED by the Mayor this 14<sup>th</sup> day of May 2012.

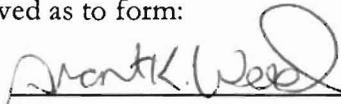
CITY OF MARYSVILLE

By:   
JON NEHRING, MAYOR

Attest:

By:   
CITY CLERK

Approved as to form:

By:   
GRANT K. WEED, CITY ATTORNEY

September 29, 2011

Tyler R. Schroeder  
Whatcom County Planning Supervisor/Designated SEPA Official  
Planning and Development Services  
Whatcom County  
5280 Northwest Drive  
Bellingham, WA 98226-9097

Re: Proposed Gateway Pacific Terminal Project

Dear Mr. Schroeder:

The City of Mount Vernon has been keenly following the Gateway Pacific Terminal (GPT) Project being proposed by Pacific International Terminals, Inc., through SSA Marine, to develop a multi-user import and export marina terminal for bulk, break-bulk, and other marine cargoes. The project will include new rail loop tracks, covered and open terminal storage areas, and a pier and trestle connection to the terminal storage area.

The City of Mount Vernon supports projects that provide economic and job benefits locally and regionally. The City understands from a recent presentation at a Mount Vernon City Council meeting that the proposed project benefits the Northwest Region which the City supports.

The City also is interested in whether probable significant adverse impacts located within the City will result. Such impacts could include but are not limited to increased rail traffic, impacts to vehicle traffic flow and impacts to public safety services within Mount Vernon. More specifically, how increases in rail traffic could effect levels of service on local, city and state roads within the City and whether adverse impacts to the ability for emergency services to be deployed and provided in a timely manner could result. The City of Mount Vernon has spent a great deal of effort and capital on the revitalization of our historic downtown. An increase in the number of train delays by the BNSF rail line at critical crossings could result in isolating downtown and other areas from the rest of the City where the hospital, police services and other emergency services are located.

Protecting such interests is within the zone of interests protected by the State Environmental Policy Act (SEPA). As a jurisdiction along the BNSF corridor with five rail crossings within City limits (two of which cross heavily traveled state routes) it is foreseeable that without adequate scoping, investigation, or mitigation, an injury in fact may result.

The City is encouraged by the fact that Whatcom County has been in discussion with the Washington State Department of Ecology to be a co-lead agency for the project and that Washington State Department of Ecology has agreed to do so in their letter dated July 15, 2011.

Once the proposal is properly defined, an initial step in the preparation of a Draft Environmental Impact Statement (DEIS) is scoping the direct, indirect, and cumulative impacts. As you know, lead agency(s) cannot limit consideration to those aspects within its jurisdiction, such as local and state boundaries.

The City respectfully requests that any environmental review carefully consider in its scope the regional impacts of this proposal beyond Whatcom County including impacts to the City of Mount Vernon. As part of the analysis, the City believes full consideration of alternatives as well as mitigation measures designed to alleviate the conflicts between rail traffic and our system of roadways may be in order.

As a party with a known interest in this proposal, Mount Vernon respectfully requests that all SEPA notifications be sent to the following when SEPA notification is required under your rules:

Jana Hanson  
Community and Economic Development Director/SEPA Official for the City  
PO Box 809  
910 Cleveland Avenue  
Mount Vernon, WA 98273

The City looks forward to beginning constructive participation and providing further input in this matter. If you have any questions, please do not hesitate to contact Jana Hanson, the City's Community and Economic Development Director at 360-336-6214.

Sincerely,



Bud Norris, Mayor



Joe Lindquist, City Councilman – Ward 1



Scott McMullen, City Councilman – Ward 2



Bob Fiedler, City Councilman – Ward 3



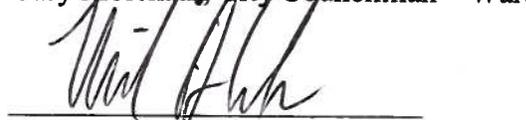
Dale Ragan  
City Councilman – At Large



Ken Quam, City Councilman – Ward 1

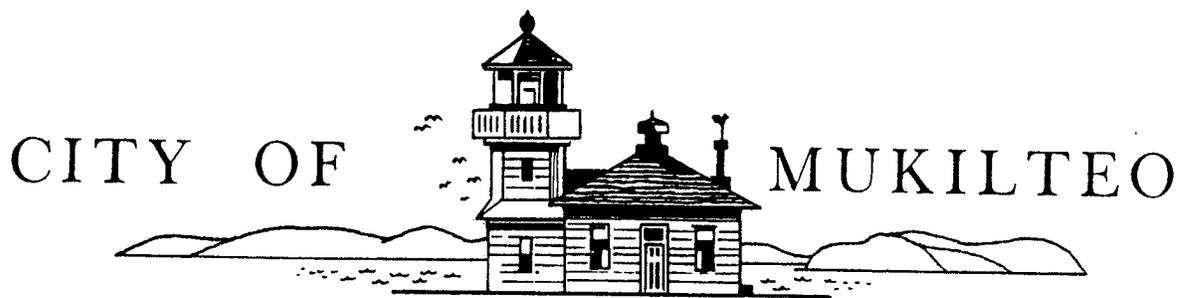


Gary Molenaar, City Councilman – Ward 2



Mike Urban, City Councilman – Ward 3

cc: Ted Sturdevant, Director of the Washington State Department of Ecology



11930 CYRUS WAY • MUKILTEO, WASHINGTON 98275

April 16, 2012

Tyler R. Schroeder  
Whatcom County Planning Supervisor/Designated SEPA Official  
Planning and Development Services  
Whatcom County  
5280 Northwest Drive  
Bellingham, WA 98226-9097

**Re: Proposed Gateway Pacific Terminal Project**

Dear Mr. Schroeder:

The City of Mukilteo would like to request to be made a party of record on the Gateway Pacific Terminal (GPT) Project being proposed by Pacific International Terminals, Inc., through SSA Marine, to develop a multi-user import and export marina terminal for bulk, break-bulk and other marine cargoes. This project is proposed to include new rail loop tracks, covered and open terminal storage areas, and a pier and trestle connection to the terminal storage area. Expected rail traffic from the project is expected to lead to at least 20 additional trains per day travelling through the region, each of which is likely to be one mile in length.

The City of Mukilteo supports projects that provide economic and job benefits locally and regionally. The City understands that the proposed project provides job benefits to the Northwest Region, which the City supports.

The City is also interested in whether probable significant adverse impacts located within the City will result. Such impacts could include but are not limited to increased rail traffic, air quality impacts, impacts due to train idling, impacts to pedestrian and bicycle access to the waterfront, and impacts to slopes adjacent to the railroad tracks in the City.

More specifically, the City has concerns about how increases in rail traffic could impact air quality along our six miles of shoreline, at the downtown waterfront area planned for future development, and at the newly redeveloped and highly used Mukilteo Lighthouse Park, including during the summer Farmers' Market, Mukilteo Lighthouse Festival and throughout the year when it is used by residents and visitors. There are also concerns about impeded access to the waterfront areas, including Lighthouse Park, the tank farm areas and Washington State Ferry terminals. Train idling along the city's shoreline is also of great concern.

There has been more attention in the last few years to the many slides that happen along the steep slopes of our waterfront. These slides impact rail traffic, and particularly impact the function of the Sound Transit commuter trains. The City has concerns that the heavy, frequent trains related to this project might have on our slopes and the Sound Transit system.

The City is also concerned about potential impacts to the quiet zone installation at the Mt. Baker crossing, as well as impacts to the Boeing rail spur and Rail Barge Transfer Facility.

Protecting such interests are covered by the State Environmental Policy Act (SEPA). As a jurisdiction along the BNSF corridor, it is foreseeable that without adequate scoping, investigation or mitigation, an injury in fact may result.

The City is encouraged by the fact that Whatcom County has been in discussion with the Washington State Department of Ecology to be a co-lead agency for the project and that Washington State Department of Ecology has agreed to do so by their letter dated July 15, 2011.

Once the proposal is properly defined, an initial step in the preparation of a Draft Environmental Impact Statement (DEIS) is scoping the direct, indirect, and cumulative impacts. As you know, lead agency(s) cannot limit consideration to those aspects within its jurisdiction, such as local and state boundaries.

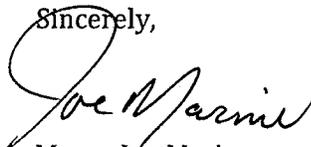
The City respectfully requests that any environmental review carefully consider in its scope the regional impacts of this proposal beyond Whatcom County, including direct, indirect and cumulative impacts to the City of Mukilteo. As part of the analysis, the City believes full consideration of alternatives as well as mitigation measures designed to alleviate the air quality impacts, slope stability impacts and waterfront access impacts may be in order.

As a party with a known interest in this proposal, Mukilteo respectfully requests that all SEPA notifications be sent to the following when SEPA notification is required under your rules:

Heather McCartney  
Community Development Director/SEPA Official for the City  
11930 Cyrus Way  
Mukilteo, WA 98275

The City looks forward to beginning constructive participation and providing further input in this matter. If you have any questions, please do not hesitate to contact Heather McCartney, the City's Community Development Director at 425-263-8040; hmccartney@ci.mukilteo.wa.us

Sincerely,

  
Mayor Joe Marine



Council President Richard Emery

c: Mukilteo City Council  
Correspondence Files  
Project File



# City of Olympia | Capital of Washington State

P.O. Box 1967, Olympia, WA 98507-1967

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May 30, 2012

Major General Meredith W.B. (Bo) Temple  
Headquarters  
U.S. Army Corps of Engineers  
441 G Street NW  
Washington, D.C. 20314-1000

Dear Major General Temple:

I am writing to request that a federal agency prepare a programmatic and comprehensive environmental impact statement (EIS) to examine the unprecedented number of coal export proposals pending in the Pacific Northwest. The City of Olympia stands to be both directly and indirectly affected by these proposals. It is imperative that the federal government take seriously its responsibility to make informed decisions and that there be a comprehensive look at the energy, environmental, and public health impacts of these proposals before the nation commits itself to this path. The Army Core of Engineers is poised to make decisions regarding these proposals. Doing so prior to assessing the impacts is unconscionable.

The current proposals for coal export facilities in Oregon and Washington could result in an additional 157 million tons of coal exports – more than doubling current U.S. export capacity. Just one of the proposed six regional facilities, Gateway Pacific at Cherry Point, will have a build-out export volume of approximately 50 million tons per year, and 9 additional coal trains per day, which translates into 18 trains round trip, each up to a mile and a half long. This volume is mind boggling in terms of potential impacts to water quality and habitat in the Puget Sound through stormwater runoff; air quality and attendant health impacts due to fugitive coal dust from trains and stockpiles, and increased diesel exhaust from the four engines expected for each coal train (72 engines running the entire length of the rail line per day). In addition to health and environmental concerns, this magnitude of coal moving through the region's rail system would represent a substantial increase in train traffic and will likely lead to significant affects upon the transport of other export commodities and negatively impact plans for increased passenger rail service.

Many of the impacts on air quality and rail-line delays will be experienced by communities along the entire rail line within Washington State, from Spokane, through the Columbia River system and up through Puget Sound – including the rail lines that serve the City of Olympia. I am concerned that citizens of Olympia and our region will bear the long term consequences to the environment and public health of these proposals – without the benefit of an EIS.

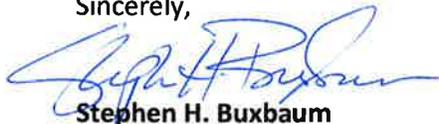
Our city is particularly susceptible to storm surges, the impacts of which will be further exacerbated by global warming. Developing coal for energy production in Asia is counterproductive to all efforts aimed at reducing emissions of greenhouse gases. On this issue alone it seems imperative that a

May 30, 2012  
Major General Meredith W.B. (Bo) Temple  
U.S. Army Corps of Engineers  
Page 2

federal agency fully examine the impacts of embarking on the currently proposed multiple large scale coal export enterprises and the direct effect these projects will have on climate change.

It is essential that we understand what the cumulative impacts of these projects would mean to communities, our health, our economies, local environments and climate. Please move immediately to develop a Programmatic Environmental Impact Statement (PEIS) that looks at the big picture and considers the cumulative impacts of all of these proposals. I look forward to your response.

Sincerely,



**Stephen H. Buxbaum**

**Mayor  
City of Olympia**

cc: Representative Jaime Herrera-Beutler  
Representative Adam Smith  
Senator Maria Cantwell  
Senator Patty Murray  
Commissioner of Public Lands Peter Goldmark  
Governor Christine Gregoire

cc-12-25-



# Pierce County

## Office of the County Executive

930 Tacoma Avenue South, Room 737  
Tacoma, Washington 98402-2100  
FAX (253) 798-6628  
www.piercecountywa.org

**PAT McCARTHY**

Executive  
(253) 798-7477  
pmccart@co.pierce.wa.us

**KEVIN R. PHELPS**

Deputy Executive  
(253) 798-7477  
kphelps@co.pierce.wa.us

July 23, 2012

Ted Sturdevant  
Director, Washington State Department of Ecology  
P.O. Box 47600  
Olympia WA 98504

Brigadier General John R. McMahon  
Commander, NW Division  
U.S. Army Corps of Engineers  
PO Box 2870  
Portland, OR 97208-2870

The Honorable Jack Louws  
Whatcom County Executive  
311 Grand Avenue, Suite 108  
Bellingham, WA 98225

Director Sturdevant, Brigadier General McMahon and Executive Louws:

I have been monitoring the coal terminal proposal by Pacific International Terminals, Inc., a subsidiary of SSA Marine, at Cherry Point in Whatcom County. The "Gateway Pacific Terminal" would provide the capacity to ship up to 54 million metric tons of coal per year from the Powder River Basin of Wyoming and Montana to Asia.

I am concerned about the impact of this proposal on the quality of life here. Pierce County is a beautiful place to live, and we cannot take that for granted when projects such as this threaten the core of our prosperity. Here are areas of concern:

**Air Quality:** Pierce County is currently out of Attainment for Particulate Matter 2.5 emissions. Diesel-powered coal trains will have a negative effect on our air quality and our PM 2.5 problem. It is estimated that each coal train will release one pound of coal dust per container per mile. These added particulate matter emissions could cause severe economic and health problems for the citizens of Pierce County. Moreover, 18 long trains each day will cause more idling of vehicles waiting at train stops around Pierce County. This proposal could seriously jeopardize our plans to get back into attainment for PM 2.5.

**Economic Development:** Pierce County's economy is heavily dependent on trade and reliable rail and road transportation infrastructure, especially to and from the Port of Tacoma. Key to keeping the Port of Tacoma and its supporting businesses competitive is unimpeded access in and out of the port area. We have worked for years to remove at-grade rail crossings, to build better access roads in to and out of the port, to ease sharp corners that slow freight trains, and to separate freight rail from passenger rail traffic. Introducing nearly 20 one-mile-long trains into the freight system will slow freight throughout the Port to a crawl, and will have devastating impacts on the road transportation network in the vicinity of the remaining at-grade crossings. The congestion the trains will cause at the Port of Tacoma will have a severe negative impact on the Port's ability to attract new business to the port facilities and the surrounding industrial area,



Director Sturdevant, Brigadier General McMahon and Executive Louws  
July 23, 2012  
Page 2

and make our years of effort and investments ineffective. Further, the problem of air quality non-attainment due to PM 2.5 is already becoming an issue when we are competing for new businesses. The additional environmental review required and associated uncertainty in the entitlement process has already led some companies to locate elsewhere. Worsening air quality will exacerbate this issue and cause more companies to look past us and locate or expand in other areas. In addition, quality of life is an important consideration for retaining our existing businesses and attracting new ones. Traffic congestion and increased air pollution will be difficult barriers to overcome.

**Human Health:** Coal and diesel are extremely hazardous to public health. Many of the communities along the railroad are already exposed to higher than normal levels of pollutants. Washington State has worked hard to move away from coal-fired energy because of the negative health effects and the carbon footprint associated with these plants.

**Recreation:** The release of coal dust at Chambers Creek Regional Park could make the park a less enjoyable facility for regional users. The coal trains could negatively impact the reputation of Chambers Bay Golf Course, especially if it prevents the United State Golf Association from holding future U.S. Open championships after 2015. That would cost Pierce County more than \$150 million in economic benefit for each Open.

**Transportation:** Coal trains will slow traffic at crossing points, including the Steilacoom Ferry Dock which is operated by Pierce County. We might have to make drastic changes to our ferry schedules, which adversely affects the residents of Anderson and Ketron islands and the state staff on McNeil Island. These trains also could negatively affect Sound Transit's efforts to move people around the South Sound.

**Water Quality:** Pierce County is committed to working to clean up Puget Sound for generations to come. Much of the rail line through Pierce County follows the Puget Sound near shore. Coal dust is a toxic pollutant and is harmful to listed species in Puget Sound. Water quality will also be negatively affected by the ocean acidification of increased coal burning in Asia.

**Home Values:** Many of the homes along these rail lines will likely suffer a decline in value if this project moves forward. In these tough times when many property owners are already underwater, this is one more potential negative for the local housing market.

I respect a jurisdiction's interest to develop jobs. But as you can see, we have serious concerns about the negative impact this coal export facility will have on Pierce County and the entire region. This seems like a short-term plan that does not move Washington State towards a cleaner and stronger economy.

Thank you for taking the time to consider these concerns. If you have any questions, please contact me or Pierce County Sustainability Manager Ryan Dicks at 253-798-8603 or [rdicks@co.pierce.wa.us](mailto:rdicks@co.pierce.wa.us).

Sincerely,



Pat McCarthy  
Pierce County Executive

## A Resolution Regarding the Proposed Gateway Pacific Coal Terminal at Cherry Point

1  
2  
3  
4 **WHEREAS** a marine terminal, the “Gateway Pacific Terminal”, has been proposed for  
5 development at Cherry Point on the US mainland northwest of Bellingham and 10 miles  
6 north of Orcas Island, by Pacific International Terminals, Inc., a subsidiary of SSA  
7 Marine, which would provide storage and handling for up to 54 million metric tons of  
8 commodities per year, primarily coal from Wyoming and Montana;

9  
10 **WHEREAS** this coal would be transported in open rail cars on trains more than a mile  
11 long, measuring a total of about 30 miles daily, with substantial exposure to coal dust  
12 and train diesel fumes along the route, and the increased train traffic from coal trains is  
13 likely to interfere with existing key Washington industries that rely on rail to move  
14 parts and products;

15  
16 **WHEREAS** there are potentially significant health impacts of this project, including  
17 respiratory illness, noise exposure from train whistles, mercury and heavy metal  
18 pollution, and potential to delay emergency medical responses and increase vehicle-  
19 train accidents along the train route;

20  
21 **WHEREAS** coal from these miles of open rail cars would be offloaded onto bulk  
22 carriers, heavy polluters of diesel fuel, and which have historically had a high rate of  
23 structural failures and safety incidents, and oil spills from these ships would be  
24 devastating to our marine environment;

25  
26 **WHEREAS** if the project is approved, there will be a stockyard at Cherry Point 80 to 105  
27 acres in area for storage of uncovered piles of coal which must be rotated regularly to  
28 avoid spontaneous combustion;

29  
30 **WHEREAS** the proposed terminal would be adjacent to the Cherry Point Aquatic  
31 Reserve, so designated to protect an important native ecosystem, and the release of coal  
32 dust, which is difficult to control, would endanger eelgrass beds and herring, a  
33 keystone species that provides food for Chinook salmon, sea lions, porpoises, and  
34 indirectly, orca whales which feed on salmon;

35  
36 **WHEREAS** degradation of areas with high levels of recreational boating would  
37 decrease economic support for the surrounding coastal communities from recreational  
38 boating and fishing, while sustainable improvements to our marine environment will  
39 increase commercial fishing-related employment, historically an important source of  
40 income for our Puget Sound communities;

41

42 **WHEREAS** substantially increased ship traffic from bulk carriers may delay ferry  
43 crossings in north Puget Sound, especially in bad weather, affecting the work  
44 opportunities of residents who commute by ferry;

45  
46 **WHEREAS** most jobs created by this project would be temporary construction jobs,  
47 creating the opposite of a stable and sustainable economy, and while the estimated  
48 permanent jobs created by this project would number 2 to 4 hundred, the project may  
49 have a net negative offset to the currently projected 10,000 jobs that will come to  
50 Washington in the next 10 years if environmentally degrading projects such as the one  
51 described here are avoided;

52  
53 **WHEREAS** fossil fuels burned anywhere in the world contribute to global climate  
54 change, and China, the planned destination for the millions of metric tons of coal, is  
55 already a frontrunner in the production of solar energy products and should be  
56 encouraged to use sustainable energy practices; and

57  
58 **WHEREAS** one purpose of government is to regulate commerce to protect the  
59 environment, health, and livelihoods of our people, as clearly stated in the Washington  
60 State Democratic Platform, while the proposed terminal and its associated activities  
61 would make large profits for a few large corporations at the expense of the people of  
62 Washington;

63  
64 **THEREFORE BE IT RESOLVED** that the Washington State Democratic Party urges  
65 Congressman Rick Larsen, Senator Patty Murray, Senator Maria Cantwell, the Governor  
66 of Washington, and Commissioner of Public Lands Peter Goldmark to strongly oppose  
67 the proposed terminal; and

68  
69 **THEREFORE BE IT FURTHER RESOLVED** that the Washington State Democratic  
70 Party recommends that in light of the many known and expected adverse effects of the  
71 proposed Pacific Gateway Terminal on our environment, health, and economy, that its  
72 development not be allowed to proceed.

73  
74  
75 Submitted by the San Juan County Democrats to the Washington State Democratic  
76 Central Committee for consideration at its June 2, 2012 Convention. (Date Submitted  
77 5/3/2012)

78  
79 Recommended 'PASS' by the Subcommittee on Agriculture, Economic Justice and  
80 Development, Energy and the Environment, and Transportation at its May 12<sup>th</sup> meeting  
81 in Ellensburg.

82  
83 Recommended 'PASS' by the Platform Committee at its June 1<sup>st</sup> meeting in Seattle.

84

85 'PASSED' by the Washington State Democratic Convention at its June 2<sup>nd</sup> meeting in  
86 Seattle.



# San Juan County Council

---

350 Court Street No. 1  
Friday Harbor, WA 98250  
(360) 378 - 2898

District 1, Lovel Pratt  
District 2, Rich Peterson  
District 3, Howard Rosenfeld

District 4, Richard Fralick  
District 5, Patty Miller  
District 6, Jamie Stephens

June 26, 2012

Brig. Gen. John McMahon  
Commander and Division Engineer  
U.S. Army Corps of Engineers Northwestern Division  
P.O. Box 2870  
Portland, OR 97208-2870

Col. John Eisenhauer  
Commander, Portland District  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Col. Bruce Estok  
Commander, Seattle District  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Re: Request for an Area-wide Environmental Impact Statement to Address Cumulative Impacts of New Coal Terminals in the Pacific Northwest including the proposed Gateway Pacific Terminal

Dear Brig. Gen. McMahon, Col. John Eisenhauer, Col. Bruce Estok:

We are writing to request an Area-wide Environmental Impact Statement (AEIS) to address the cumulative impacts of new coal terminals in the Pacific Northwest including the proposed Gateway Pacific Terminal in Whatcom County. An AEIS is warranted in this case and would ensure that all potential impacts from the proposed increased shipping traffic and transport of coal through the marine waters surrounding San Juan County are analyzed and evaluated.

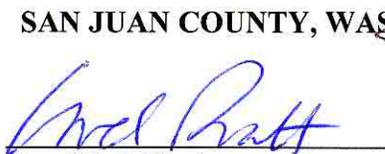
The AEIS should include a comprehensive analysis of impacts to water quality, air quality, listed species, critical habitat, and aquatic resources, as well as impacts to public health and the local economy. The shorelines of San Juan County are designated as Shorelines of Statewide Significance and critical habitat for federally listed threatened Chinook salmon and endangered Southern Resident Killer Whales. The AEIS should include a comprehensive analysis of the

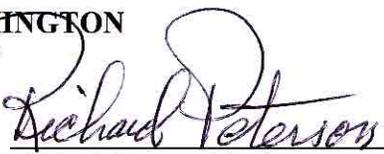
increased threat of oil spills from the increased shipping traffic and the related impacts to San Juan County's environment- and tourism-based economy.

The U.S. Army Corps of Engineers' undertaking of an AEIS would ensure that this Council and our citizens have the opportunity to comment on these and other concerns.

Thank you for your attention to our request.

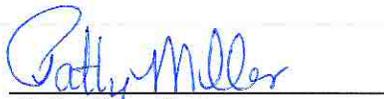
**COUNTY COUNCIL  
SAN JUAN COUNTY, WASHINGTON**

  
Lovel Pratt, Member  
District No. 1

  
Richard Peterson, Member  
District No. 2

  
Howard Rosenfeld, Member  
District No. 3

  
Richard Fralick, Member  
District No. 4

  
Patty Miller, Chair  
District No. 5

  
Jamie Stephens, Vice-Chair  
District No. 6

- Cc. The Honorable Maria Cantwell, US Senator  
The Honorable Patty Murray, US Senator  
The Honorable Rick Larsen, US Representative  
The Honorable Christine Gregoire, Governor of the State of Washington  
The Honorable Kevin Ranker, Washington State Senator  
The Honorable Jeff Morris, Washington State Representative  
The Honorable Kristine Lytton, Washington State Representative  
The Honorable Billy Frank, Chairman, Northwest Indian Fisheries Commission  
The Honorable Cliff Cultee, Chair, Lummi Nation  
The Honorable Melvin R. Sheldon, Jr., Chair, Tulalip Tribes  
The Honorable Brian Cladoosby, Chair, Swinomish Indian Tribal Community  
The Honorable Micah McCarty, Chairman, Makah Tribe  
The Honorable William "Ron" Allen, Chair, Jamestown S'Klallam Tribe  
The Honorable Frances Charles, Chair, Lower Elwha Klallam Tribe  
The Honorable Bob Kelly, Chairman, Nooksack Tribe  
The Honorable Jeromy Sullivan, Chair, Port Gamble S'Klallam Tribe  
The Honorable Leonard Forsman, Chair, Suquamish Tribe  
Randel Perry, Project Manager, USACE, Seattle District  
Jack Louws, Whatcom County Executive  
Tyler Schroeder, Planning Supervisor, Whatcom County  
Jeannie Summerhays, Regional Director, Department of Ecology  
Alice Kelly, Planner, Washington State Department of Ecology, NWRO  
Jane Dewell, Regional Lead, Governor's Office of Regulatory Assistance



## SKAGIT COUNTY BOARD OF COMMISSIONERS

RON WESEN, First District  
KENNETH A. DAHLSTEDT, Second District  
SHARON D. DILLON, Third District

July 28, 2011

The Honorable Christine O. Gregoire  
Governor of the State of Washington  
Legislative Building  
P.O. Box 40002  
Olympia, WA 98504-0002

RECEIVED

AUG 03 2011

Office of the Governor

Dear Governor Gregoire,

Skagit County has learned of the Gateway Pacific Terminal proposal for a new coal export facility in Washington State, with a suggested location at Cherry Point, in Whatcom County. After reviewing application materials, we are concerned about the possible impact of additional coal trains along the main Burlington Northern Santa Fe (BNSF) freight line. A portion of this line traverses at-grade street crossings throughout Skagit County, including streets that are connected to on-ramps and exits from Interstate 5.

It is our understanding the proponent intends to add nine fully loaded coal trains per day (each up to a mile and a half long) to the system, with a total of 18 trains round trip, with no cap on future facility expansion that could involve even more trains. Among other things, we are concerned about the degradation of transportation levels of service in Skagit County, and the resultant implications under our state's Growth Management Act. We are also concerned about the additional train traffic on the BNSF Bridge over the Skagit River, which is an outdated structure that creates backwater conditions during flood events and has the potential to jeopardize the safety of Skagit County citizens. In addition to concerns about possible lengthy delay at crossings, Skagit County requests that environmental review for this project address impacts to our transportation grid, possible adverse impacts on the County's emergency access points, and the economic impact of substantial new delays at crossings.

We appreciate efforts to improve the nation's trade deficit through the export of raw materials, provided the activities are done in a manner consistent with our quality of life here in the Northwest. The issue of coal exports is complex, and Skagit County has not yet taken any position on the merits of the proposal. However, we urge you to reinvigorate agency and public process to ensure state siting decisions are done transparently, including all jurisdictions impacted by this proposal -- in particular, Skagit County and its communities.

It is our understanding that the State has recently asserted co-lead agency status over environmental review of this proposal, along with Whatcom County. With that in mind, we explicitly request that you instruct State agency directors to carefully consider the regional impacts of this proposal, beyond Whatcom County's Cherry Point area. As part of the analysis, we request full consideration of alternatives, including a no-action alternative as well as consideration of alternative sites proposed for coal export activities within Washington State.

Finally, we request that you make Skagit County a sitting member and participant on your ongoing MAP team, which we understand has been reviewing the proposal for the past nine months under

SKAGIT COUNTY COMMISSIONERS ADMINISTRATIVE BUILDING

1800 CONTINENTAL PLACE, SUITE 100, MOUNT VERNON, WA 98273 PHONE (360) 336-9300 FAX (360)336-9307

the leadership of your Office of Regulatory Assistance (ORA). Throughout that process, we understand the participants have included third parties who are not agencies with permitting jurisdiction or applicants, but whose interests are directly affected by the proposal. Because the proposal is likely to have potential significant impacts within Skagit County, we believe the County meets the criterion for participation.

Thank you for considering these requests, and for your continued leadership in the siting of facilities with regional impacts.

Respectfully,

**BOARD OF COUNTY COMMISSIONERS  
SKAGIT COUNTY, WASHINGTON**



Ron Wesen, Chair



Kenneth A. Dahlstedt, Commissioner



Sharon D. Dillon, Commissioner

cc: Mr. Peter Goldmark, Commissioner of Public Lands ([cpl@dnr.wa.gov](mailto:cpl@dnr.wa.gov))  
Mr. Jay Manning, Office of the Governor ([jay.manning@gov.wa.gov](mailto:jay.manning@gov.wa.gov))  
Mr. Ted Sturdevant, Director, Department of Ecology ([tstu461@ecy.wa.gov](mailto:tstu461@ecy.wa.gov))  
Mr. Phil Anderson, Director, Department of Fish and Wildlife ([director@dfw.wa.gov](mailto:director@dfw.wa.gov))  
Ms. Paula Hammond, Director, Department of Transportation ([HAMMONP@wsdot.wa.gov](mailto:HAMMONP@wsdot.wa.gov))  
The Hon. Richard Weyrich, Skagit County Prosecuting Attorney ([richardw@co.skagit.wa.us](mailto:richardw@co.skagit.wa.us))



**Agenda Sheet for City Council Meeting of:**

06/18/2012

<b>Date Rec'd</b>	6/6/2012
<b>Clerk's File #</b>	RES 2012-0052
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	CITY COUNCIL
<b>Contact Name/Phone</b>	BEN STUCKART 625.6258
<b>Contact E-Mail</b>	BSTUCKART@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Resolutions
<b>Agenda Item Name</b>	0320 COAL RESOLUTION

**Agenda Wording**

A resolution expressing interest regarding potential impacts of increased rail traffic passing through the City of Spokane resulting from proposed terminal projects,

**Summary (Background)**

There have been recent discussions of the development of proposed terminal projects on the west coast of the United States, including the west coast of Washington State, for the overseas shipment of coal. The coal would be transported to the terminals by train traveling through communities, including Spokane. There are potential impacts of increased rail traffic passing through the City of Spokane resulting from proposed terminal projects.

**Fiscal Impact**

Select	\$

**Budget Account**

#
#
#
#

**Approvals**

<b>Dept Head</b>	WESTFALL, JENNIFER
<b>Division Director</b>	
<b>Finance</b>	LESESNE, MICHELE
<b>Legal</b>	PICCOLO, MIKE
<b>For the Mayor</b>	FEIST, MARLENE

**Council Notifications**

<b>Study Session</b>	
<b>Other</b>	
<b>Distribution List</b>	

**Additional Approvals**

<b>Purchasing</b>	

## Continuation of Wording, Summary, and Distribution

**Agenda Item Name:** 0320 COAL RESOLUTION

**Agenda Wording** (630 character max)

and requesting that the principal agencies reviewing the Environmental Impact Statements (EIS) for said projects, study and identify the impacts to the City of Spokane, and that at least one of the EIS Scoping hearings be held in Spokane.

**Summary (Background)** (870 character max)

This resolution requests that the principal agencies reviewing the Environmental Impact Statements (EIS) for those projects, study and identify the impacts to the City of Spokane, and that at least one of the EIS Scoping hearings be held in Spokane.

### Fiscal Impact

Select ▼	\$	<input type="text"/>
Select ▼	\$	<input type="text"/>
Select ▼	\$	<input type="text"/>
Select ▼	\$	<input type="text"/>

### Budget Account

#	<input type="text"/>

### Distribution List

<input type="text"/>	<input type="text"/>

Save

Cancel

Resolution No. 2012-0052

A resolution expressing interest regarding potential impacts of increased rail traffic passing through the City of Spokane resulting from proposed terminal projects, and requesting that the principal agencies reviewing the Environmental Impact Statements (EIS) for said projects, study and identify the impacts to the City of Spokane, and that at least one of the EIS Scoping hearings be held in Spokane.

WHEREAS Spokane, as the major rail crossroads of the Inland Northwest, would bear a significant increase in the number of coal trains passing through the City of Spokane; and

WHEREAS, the Council is reviewing the potential impacts on our community's health, air quality, safety and businesses from noise pollution, coal dust and other particulates from additional coal trains; and

WHEREAS, diesel exhaust and coal dust contain substances proven to increase the risk of cancer, lung disease, and worsened asthma from additional coal trains; and

WHEREAS, thousands of Spokane City residents live or work within ¼ mile of the rail corridor which is the source of concentrated mobile-source air toxins produced by diesel emissions; and

WHEREAS, a significant increase in coal train traffic may compromise the response time of emergency responders, and may delay general commerce, commuters, and other vehicular traffic.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Spokane as follows:

- 1) We ask that the potential impacts to Spokane's public health, safety, economy, traffic, and air quality be studied by the agencies conducting the environmental review and request that Spokane be included in any EIS hearing schedule pertaining to any project in the Northwest that may cause significant increases in associated rail traffic traveling via Spokane; and
- 2) We urge the U.S. Army Corps of Engineers, Department of Ecology, and Whatcom City Council to hold at least one of the environmental impact statement scoping hearings in Spokane and to conduct thorough studies which identify and measure the major impacts to Spokane that would result from a significant increase in coal train traffic.

ADOPTED by the City Council \_\_\_\_\_, 2012.

\_\_\_\_\_  
City Clerk

Approved as to form:

---

Assistant City Attorney

RESOLUTION NO. 2012 - 250

CITY OF STEVENSON

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STEVENSON WASHINGTON EXPRESSING CONCERN ABOUT POTENTIAL ADVERSE IMPACTS OF INCREASED RAIL TRAFFIC FROM COAL TRAINS PASSING THROUGH THE CITY AND REQUESTING THE APPROPRIATE AUTHORITY REVIEWING THE EIS TO IDENTIFY THE IMPACTS TO THE CITY OF STEVENSON

**WHEREAS**, the Burlington Northern Santa Fe (BNSF) maintains and operates at-grade track running east-west through the City of Stevenson; and

**WHEREAS**, the proposal to expand terminals in Cowlitz County to export coal will significantly increase the number of coal trains passing through the City of Stevenson; and

**WHEREAS**, there is an expectation that there will be a significant increase in general freight traffic on the BNSF track; and

**WHEREAS**, the expanded number of trains would result in an increase in train travel noise and frequency of horn blowing; and

**WHEREAS**, the substantial increase in train traffic, and specifically coal train traffic, will result in closure of at-grade crossings with greater frequency and longer periods that will create traffic congestion and could negatively impact emergency service response times; and

**WHEREAS** the City's emergency services will be a first responder to rail derailments and fires and does not have the equipment or sufficient supplies to manage a response without assistance; and

**WHEREAS**, Stevenson has a side-track capable of hosting a full-length waiting train and additional train traffic will result in more waiting trains and emissions from idling, plus more blown coal dust from stopped trains. Moreover, trains starting from stop result in longer at-grade closure times; and

**WHEREAS**, until BNSF upgrades engines to the new lower emission standards diesel emissions will remain an identified health risk; and

**WHEREAS**, the public has a concern that there may be health risks from coal dust and other particulates blown from open cars but the City has no way to evaluate these potential impacts; and

**WHEREAS**, the City of Stevenson relies on tourism for its economic base and increased train traffic and associated noise could negatively impact the community's ability to attract visitors to the area;

**WHEREAS**, train whistles and poorly managed train traffic does impact access to and recreational use of the city waterfront which is a key component to the tourism economy and to our citizen's general quality of life;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STEVENSON AS FOLLOWS:

I

We urge the appropriate authorities to require an environmental impact statement that identifies and measures the impacts on our community from the significant increase in coal train traffic and that the City be included as a party of record.

II

We request that the impact statements include impacts to traffic from increase closure of at-grade crossings, impacts to the City of Stevenson's ability to deliver emergency services due to the inability to cross the train tracks, and health and safety impacts related to coal dust and other particulates being blown from open cars and increases in diesel emissions.

III

We urge the appropriate authorities to hold at least one of the environmental impact statement hearings at a location in Skamania County.

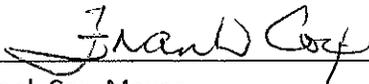
IV

We urge the US Corps of Engineers to include freight traffic and the City of Stevenson as a 'Party of Record' in their review of the Gateway Pacific Terminal Project, Cowlitz County, Washington and the Cherry Point Terminal Project, Cowlitz County, Washington.

V

This Resolution shall take effect and be in full force upon passage and signatures hereon. Dated and signed this 17<sup>th</sup> day of May, 2012.

CITY OF STEVENSON

  
\_\_\_\_\_  
Frank Cox, Mayor

ATTEST:

  
\_\_\_\_\_  
Mary Ann Duncan-Cole  
Clerk to the Council

APPROVED AS TO FORM:

---

Kenneth Woodrich, City Attorney

**RESOLUTION 14779**

**Thurston County Board of Commissioners  
Resolution Opposing Coal Export**

WHEREAS mounting evidence demonstrates the overwhelming negative impacts of coal mining and combustion on public health and the environment.

WHEREAS Washington State already recognizes the severe economic, public health, and environmental impacts of climate change on this state (80.80 RCW; Executive Order No. 0905).

WHEREAS in 2010, Thurston County made a commitment to reduce fossil fuel dependence and greenhouse gas emissions from county government operations by amending its transportation policies, completing a baseline emissions inventory and forecast, and developing a Climate Action Plan.

WHEREAS because of its extremely combustible nature, coal is transported via opentop rail cars without covers. Thurston County communities in and along rail lines, including Bucoda, Tenino, East Olympia, and Nisqually, could see up to 20 coal trains rolling through town every day, leading to contamination of farmland, forests, lakes, streams and rivers. According to Burlington Northern Santa Fe (BNSF), railroad studies estimate that each coal car can lose up to 500 pounds of coal in transit. This coal contains toxic, heavy metals - including mercury, arsenic, and lead - and exposure to these in high concentrations is linked to cancer and birth defects.

WHEREAS increased rail traffic on this scale will lead to an increase in diesel emissions in communities along rail lines. Exposure to particulate matter from diesel engines has been linked to impaired pulmonary development in adolescents, increased cardiopulmonary mortality and all-cause mortality, measurable pulmonary inflammation, increased severity and frequency of asthma attacks, emergency room visits, and hospital admissions in children, increased rates of myocardial infarction (heart attack) in adults, increased risk of cancer, and increased asthma and lung disease in children.

WHEREAS coal from the Powder River basin is highly explosive, the transportation of coal in open rail cars has been known to create public safety hazards, and the accumulation of coal on or near rail lines has led to train derailments, explosions and fires.

WHEREAS coal export terminals in other parts of the nation and world are associated with significant air and water pollution.

WHEREAS new coal export terminals are expected to result in an increase in coal train traffic in Washington of at least 20 additional trains per day, causing concerns about blocked roads inhibiting the travel of emergency vehicles, pedestrians, access to waterways near the rail lines for fishing and other recreational use, and other vehicle traffic.

WHEREAS Washington has been a national leader in creating clean-energy jobs and innovating, developing, demonstrating, and marketing clean energy technologies and practices that promote sustainable global economic development. Coal export promotes the most destructive and unsustainable energy development practices.

RESOLVED, That the *Thurston County Board of Commissioners* opposes coal export terminals in Washington State and supports economic growth that does not jeopardize Washington State's commitment to fight the serious impacts of climate change.

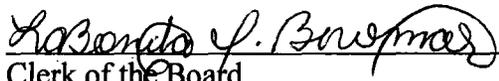
RESOLVED, That the *Thurston County Board of Commissioners* urges the Governor and the Legislature to work on a comprehensive policy opposing coal export terminals in Washington State.

RESOLVED, That the *Thurston County Board of Commissioners* requests that the Army Corps of Engineers conducts an area-wide environmental impact statement that takes into account the cumulative impacts from mine to plant of the six coal export proposals in the Pacific Northwest.

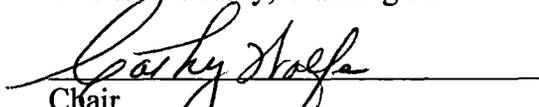
RESOLVED, That the *Thurston County Clerk of the Board* be directed to transmit copies of this resolution to the Governor of Washington, the State Lands Commissioner, Federal public officials, the Army Corps of Engineers and to each Senator and Representative from the County in the State of Washington Legislature.

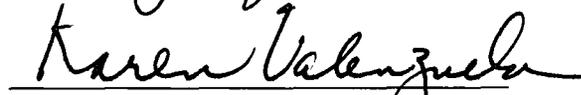
ADOPTED: August 7, 2012

ATTEST:

  
Clerk of the Board

BOARD OF COUNTY COMMISSIONERS  
Thurston County, Washington

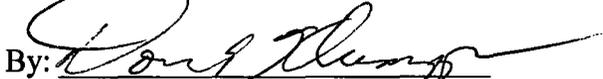
  
Chair

  
Vice-Chair

APPROVED AS TO FORM:

JON TUNHEIM  
PROSECUTING ATTORNEY

  
Commissioner

By:   
Deputy Prosecuting Attorney

07/16/12

RESOLUTION NO. W-3778

A RESOLUTION of the City Council of the City of Vancouver, Washington, expressing concern regarding the impact of increased coal transport rail traffic in Vancouver resulting from proposed coal export terminal projects in Whatcom County Washington, Cowlitz County Washington, Grays Harbor County Washington, Morrow County, Oregon, Coos County, Oregon and Columbia County, Oregon and requesting that the agencies reviewing the Environmental Impact Statements (EIS) for said projects, including federal, state, and local agencies, include impacts, both direct and cumulative, along the train and Columbia River routes for freight moving to the proposed terminals in the EIS and that at least one of the EIS Scoping hearings and one of any other subsequent hearings related to the EIS for each coal export terminal project be held in Clark County.

WHEREAS, the Burlington Northern Santa Fe (BNSF) track runs through and bisects the city of Vancouver running east/west; and

WHEREAS, another BNSF line runs north/south through the City of Vancouver, uses a railroad bridge located in southwest Vancouver to cross the Columbia River to points in the State of Oregon, and the bridge and line are also used by Union Pacific trains; and

WHEREAS, there are proposed coal export terminal projects in Whatcom County Washington (the Gateway Pacific Terminal Project, or GPT) and Cowlitz County Washington (Millennium Project) in addition to possible proposals for Grays Harbor County Washington as well as Morrow, Coos and Columbia counties in Oregon; and

WHEREAS, the City of Vancouver supports projects that create jobs and provide a healthy economy locally and regionally and understands that many permanent and potentially thousands of temporary construction jobs are at stake with the coal terminal proposal, and

WHEREAS, the City of Vancouver, in partnership with the Port of Vancouver, is investing millions of dollars in public funding to improve its waterfront area with the intention of attracting new jobs and improving rail capacity; and

WHEREAS, the City of Vancouver supports the rail expansion project underway at the Port of Vancouver which will create additional capacity to move goods and freight; and

WHEREAS, the proposals (except Morrow County), if completed, will result in significant new rail traffic through Vancouver, including at least twenty additional trains per day of up to one and half miles long; and

WHEREAS, the Morrow County proposal will result in additional barge traffic along the Columbia River near the City of Vancouver; and

WHEREAS, this increased rail traffic will have impacts in Vancouver including but not limited to increased traffic congestion and delays to residents and commerce, increased tail pipe emissions from stopped and idling vehicles and increased diesel emissions; and

WHEREAS, Vancouver has been made aware of potential impacts from coal dust and other particulates that may be blown from open rail cars and barges including air and soil pollution and health impacts but has no way to evaluate such potential impacts; and

WHEREAS, Whatcom County, Washington Department of Ecology and the United States Corp of Engineers have entered into an MOU to jointly promulgate the required EIS and are currently scoping the EIS for the GTP project; and

WHEREAS, Cowlitz County is evaluating an application and developing an EIS for the Millennium project and Washington Department of Ecology and the United States Corp of Engineers are also involved such evaluation; and

WHEREAS, the nature and scope of the environmental review for the other coal export terminal proposals has yet to be determined; and

WHEREAS, said agencies should include the impacts of coal-based export facilities, including increased rail traffic and coal dust, in the scope of the EIS for each coal export terminal project, and public hearings at the various stages of the EIS process should be conducted in Clark County; and

WHEREAS, the Federal National Environmental Policy Act (NEPA) and the Washington State Environmental Policy Act (SEPA) require the consideration in environmental review of both the direct and indirect impacts of the terminal proposals including off-site impacts along the rail lines used to deliver coal to the terminals; and

WHEREAS, NEPA and SEPA require the consideration in environmental review of the cumulative impacts of all of the terminal proposals including those actually applied for and those that are reasonably foreseeable; and

WHEREAS, substantial uncertainty exists, including contradictory evidence, about the environmental effects of coal dust potentially escaping from the trains, potential impacts on water quality resulting from coal barge traffic, and the number and size of trains using the tracks passing through the City of Vancouver; and

WHEREAS, uncertainty regarding coal trains and barges passing through or near Vancouver should be clarified in NEPA and SEPA review; and

WHEREAS, the City of Vancouver wishes to become a Party of Record regarding all of the coal terminal projects proposed in the states of Oregon and Washington.

**RESOLUTION - 3**

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF VANCOUVER:

Section 1. We urge all local reviewing Washington and Oregon agencies, the Washington State Department of Ecology, reviewing Oregon State Agencies, and the United States Army Corps of Engineers to include impacts of the proposed coal export facilities on Vancouver, including but not limited to increased traffic congestion and delays to residents and commerce, increased tail pipe emissions from stopped and idling vehicles, increased diesel emissions and potential impacts from coal dust and other particulates that may be blown from open rail cars and barges in the scoping of the EIS for both the GPT project and the Millennium project and all coal export terminal projects reasonably foreseeable in the states of Washington and Oregon.

Section 2. We urge all local reviewing Washington and Oregon agencies, the Washington State Department of Ecology, reviewing Oregon State Agencies, and the United States Army Corps of Engineers to conduct an analysis of the cumulative impacts of the GPT and Millennium project and all coal export terminal projects reasonably foreseeable in the states of Washington and Oregon through a SEPA and NEPA environmental impact statement process.

Section 3. We urge all local reviewing Washington and Oregon agencies, the Washington State Department of Ecology, reviewing Oregon State Agencies, and the United States Army Corps of Engineers to conduct at least one EIS scoping hearing for each coal export terminal project and at least one of any subsequent hearings related to the EIS for all coal export terminal projects proposed in the states of Washington and Oregon at a location in Clark County.

Section 3. We request that the City of Vancouver be made a Party of Record for all coal export terminal projects proposed in the states of Washington and Oregon.

Section 4. That this Resolution shall take effect and be in full force upon passage and signatures hereon.

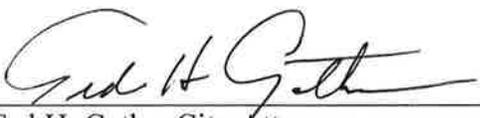
ADOPTED at regular session of the Council of the City of Vancouver, this 11th  
day of July, 2012.

  
\_\_\_\_\_  
Timothy D. Leavitt, Mayor

ATTEST:

  
\_\_\_\_\_  
R. Lloyd Tyler, City Clerk  
By: Carrie Lewellen, Deputy City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ted H. Gathe, City Attorney

**CITY OF WASHOUGAL, WASHINGTON**  
**RESOLUTION NO. 1048**

A **RESOLUTION** of the city council of the City of Washougal, Washington, expressing concern regarding the impact of increased rail traffic in Washougal resulting from proposed rail terminal projects in Whatcom County and Cowlitz County and requesting that the principal agencies reviewing the Environmental Impact Statements (EIS) for said projects, including Whatcom County, Cowlitz County, Washington Department of Ecology and The United States Army Corps of Engineers, include impacts along the train route for freight moving to the proposed terminals in the scoping document for the EIS and that at least one of the EIS Scoping hearings and one of any other subsequent hearings related to the EIS for each project be held in Clark County.

**WHEREAS**, the Burlington Northern Santa Fe (BNSF) track runs through and bisects both communities of Washougal and Camas running east/west; and

**WHEREAS**, Washougal has five at-grade crossings and only one grade separated crossing; and

**WHEREAS**, there are proposed rail terminal projects in Whatcom County (the Gateway Pacific Terminal Project, or GPT) and Cowlitz County (Millennium Project); and

**WHEREAS**, the proposed projects will significantly increase freight traffic on the BNSF track; and

**WHEREAS**, the increased freight traffic is intended to be coal being delivered to the new terminals but may potentially include a variety of commodities; and

**WHEREAS**, this increased rail traffic will have impacts in Washougal and Camas including but not limited to increased traffic congestion and delays to residents and commerce and increased tail pipe emissions from stopped and idling vehicles and;

**WHEREAS**, Washougal has been made aware of potential impacts from coal dust and other particulates that may be blown from open rail cars but has no way to evaluate such potential impacts; and

**WHEREAS**, Whatcom County, Washington Department of Ecology and the United States Corp of Engineers have entered into an MOU to jointly promulgate the required EIS and are currently scoping the EIS for the GTP project; and

**WHEREAS**, Cowlitz County is evaluating an application and developing an EIS for the Millennium project and Washington Department of Ecology and the United States Corp of Engineers are also involved; and

**WHEREAS**, said agencies should include the impacts of this increased rail traffic in the scope of the EIS for each project and public hearings at the various stages of the EIS process should be conducted in Clark County; and

WHEREAS, the City of Washougal wishes to become a Party of Record regarding both projects,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF WASHOUGAL AS FOLLOWS:

**SECTION I**

We urge Whatcom County, Cowlitz County, State Department of Ecology and United States Army Corps of Engineers to include impacts to Washougal, including but not limited to increased traffic congestion and delays to residents and commerce, increased tail pipe emissions from stopped and idling vehicles and potential impacts from coal dust and other particulates that may be blown from open rail cars in the scoping of the EIS for both the GPT project and the Millennium project.

**SECTION II**

We urge Whatcom County, Cowlitz County, State Department of Ecology and United States Army Corps of Engineers to conduct at least one EIS scoping hearing for each project and at least one of any subsequent hearings related to the EIS for both projects at a location in Clark County.

**SECTION III**

We request that the City of Washougal be made a Party of Record for both the GPT and Millennium projects.

**SECTION IV**

That this Resolution shall take effect and be in full force upon passage and signatures hereon.  
Dated and signed this 19<sup>th</sup> day of March, 2012.

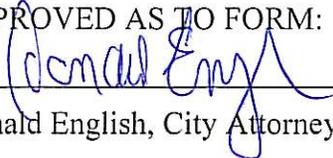
CITY OF WASHOUGAL

  
Sean Guard, Mayor

ATTEST:

  
Jennifer Forsberg, City Clerk

APPROVED AS TO FORM:

  
Donald English, City Attorney

1                                   **Resolution Regarding the Shipment of Coal**  
2                                   **from Washington’s Shores**  
3

4   **WHEREAS** the Democratic National Committee states, “Democrats are committed to  
5 protecting America’s natural resources and ensuring the quality of our air, water, and  
6 land for future generations”;

7  
8   **WHEREAS** the DNC further states, “From protecting endangered species to restoring  
9 our ecosystems and investing in clean-energy solutions, the Obama Administration and  
10 Democrats are working to address our biggest environmental challenges”;

11  
12   **WHEREAS** Democrats have made great strides in weaning our energy use from coal,  
13 the greatest contributor to climate change; and

14  
15   **WHEREAS** it is not known what impacts the shipment of coal from existing and  
16 proposed coal terminals on our coast, and related activities such as shipping and rail  
17 transport, will have on the environmental, economic, and human health of our state;

18  
19   **THEREFORE BE IT RESOLVED** that we, the Washington State Democratic Party,  
20 oppose the permitting of coal terminals in Washington unless and until it is proven that  
21 there will be no net negative impact to the environment, human health, and economy of  
22 our state;

23  
24   **THEREFORE BE IT FURTHER RESOLVED** that the Washington State Democrats call  
25 on permitting agencies at the state and federal level to conduct Programmatic  
26 Environmental Impact Statements (PEIS) that measure the cumulative impacts of coal  
27 terminals currently proposed or which may be proposed in the future in Washington  
28 State or on the West coast;

29  
30   **THEREFORE BE IT FURTHER RESOLVED** that the Washington State Democrats call  
31 on permitting agencies at the county, state, and federal level to include a comprehensive  
32 Health Impact Assessment and Economic Impact Assessment in any EIS conducted  
33 under the State or National Environmental Policy Acts; and

34  
35   **THEREFORE BE IT FINALLY RESOLVED** that the Washington State Democrats calls  
36 on all permitting agencies to scope impacts on all communities affected by any activities  
37 directly related to the mining, rail transport, storage, and shipment of coal from  
38 Washington State and on the West Coast.

39  
40  
41   \_\_\_\_\_  
42 Submitted by the Whatcom County Democrats to the Washington State Democratic  
43 Central Committee for consideration at its June 2, 2012 Convention. (Date Submitted  
5/1/2012)

44

45 Recommended 'PASS WITH AMENDMENTS' by the Subcommittee on Agriculture,  
46 Economic Justice and Development, Energy and the Environment, and Transportation  
47 at its May 12<sup>th</sup> meeting in Ellensburg.

48

49 Recommended 'PASS' as submitted by the Platform Committee at its June 1<sup>st</sup> meeting in  
50 Seattle.

51

52 'PASSED' by the Washington State Democratic Convention at its June 2<sup>nd</sup> meeting in  
53 Seattle.



April 25, 2012

JOHN A. KITZHABER, MD  
Governor

The Honorable John McHugh  
Secretary of the Army  
1400 Defense Pentagon  
Washington, D.C. 20301-1400

The Honorable Ken Salazar  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

Major General Merdith W.B. (Bo) Temple  
Headquarters  
U.S. Army Corps of Engineers  
441 G Street NW  
Washington, D.C. 20314-1000

Mr. Robert Abbey, Director  
Bureau of Land Management  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

Dear Sirs:

On behalf of the people of Oregon, I am writing to request that a federal agency prepare a programmatic and comprehensive environmental impact statement (EIS) under the National Environmental Policy Act to look at the unprecedented number of coal export proposals pending in the Pacific Northwest, as well as the potential effects in this country of the use of this coal in Asia. Currently, the United States annually exports between 80 and 100 million tons of coal from all ports in the United States. The current proposals for coal export facilities in Oregon and Washington could result in an *additional 157 million tons* of coal exports, more than doubling the U.S. coal export capacity.

Most of the environmental, community, economic, transportation, and energy security impacts associated with this tremendous increase in coal export would be shouldered by Oregon and Washington. In addition, the United States has the largest proven coal reserves in the world. Developing, transporting and using this resource for energy production in Asia will have significant implications for the trajectory of the world's transition to cleaner sources of energy and for our nation's energy security, as well as localized economic and environmental effects in our state. It is imperative that the federal government take seriously its responsibility to make informed decisions, and that there be a comprehensive look at the energy, environmental, and public health impacts of these proposals before the nation commits itself to this path.

Both the Army Corps of Engineers (Corps) and the Bureau of Land Management (BLM) have the responsibility to look at these impacts because both agencies are making decisions that will result in significant impacts that have not been analyzed. Previously, the Oregon Department of Environmental Quality (ODEQ) asked the BLM to prepare a supplemental EIS for the ongoing coal leasing and development activities on BLM lands in the Powder River Basin in Wyoming and Montana. Our prior request for a supplemental EIS was based on the fact the EIS that BLM

The Honorable John McHugh  
Major General Merdith W.B. (Bo) Temple  
April 25, 2012  
Page 2

The Honorable Ken Salazar  
Mr. Robert Abbey, Director

prepared for its coal leasing program analyzed the environmental effects of transporting the coal to the mid-western and eastern United States, for domestic energy production. The BLM did not evaluate the effects of transporting substantial amounts of coal from the Powder River basin to the West Coast for export to overseas markets. BLM Director Abbey denied Oregon DEQ's request for a supplemental EIS on the grounds that the proposals for coal export through the west coast were too indefinite at that time. That lack of certainty has now changed, with several specific proposals now pending regulatory reviews, and others having secured initial property agreements. Now is the time for a programmatic EIS, before substantial and irreversible commitments of resources are made to this path.

The impacts from the transport of coal through Oregon and its communities would be significant. Areas of concern that merit a hard look, at a minimum, include:

- Increased vessel traffic on the Columbia River, including navigational and maritime safety concerns
- Protection of water quality, including increased risk of spills
- Impacts to listed anadromous fish species
- Coal dust emissions at the facilities and during product transport
- Emissions of other air pollutants, including diesel particulate, ozone, mercury, and greenhouse gases and
- Increased rail traffic, noise, and delay times for communities along the proposed rail lines, including emergency vehicles at rail crossings

I have already heard from many of our citizens and elected officials who are deeply concerned about the impacts of increased coal train traffic running through their communities. I share their concerns. This magnitude of coal moving through the region's rail system would represent a substantial increase in train traffic -- perhaps as many as 63 coal trains per day. The trains will travel through communities that have been identified as "choke points" along the line. This could significantly affect the transport of other export commodities and negatively impact plans to increase passenger rail. I am particularly concerned about a substantial increase in rail traffic through the Columbia Gorge National Scenic Area, where train noise, air emissions and coal dust could adversely affect the recreational and visual values protected by federal law.

The proposals could also cause significant vessel traffic impacts on the Columbia River. The Columbia River is a confined system, and the proposals could result in a 70% increase in ship traffic. The Columbia River has multiple ports, a breaking coastal bar at the entrance, and no federal vessel traffic system, all of which create significant potential for risk. Vessel traffic impacts from the proposals could be significant, and need to be analyzed.

The Honorable John McHugh  
Major General Merdith W.B. (Bo) Temple  
April 25, 2012  
Page 3

The Honorable Ken Salazar  
Mr. Robert Abbey, Director

Another major concern, and one not addressed by the prior BLM EIS for the Wright Area coal leases, is the impacts of increased or extended use of coal to generate electricity in Asia. Coal-fired energy production in Asia has been directly linked to increases in air pollution on the west coast of the United States. Studies that 84 percent of the mercury in the Columbia River basin is due to atmospheric deposition from global sources and 18 percent of mercury deposition recorded at one Oregon site can be traced to anthropogenic sources in Asia. Over the long term, these transported emissions could lead to economic as well as environmental and health impacts in our states, triggering additional costs in emissions controls for U.S. industries. The air quality impacts of the use of Powder River coal in Asia must be explored in the context of a comprehensive federal EIS.

Greenhouse gas emissions from the transport and combustion of coal are also a major concern. Two years ago, the Secretary of the Interior issued Order No. 3289, Amendment No. 1 (Feb. 22, 2010), which requires each bureau of the Department to consider and analyze potential climate change impacts when making major decisions regarding potential use of resources under the Department's purview. *See also* CEQ Draft NEPA Guidance on consideration of the Effects of Climate Change and Greenhouse Gas Emissions (Feb. 18, 2010). Oregon faces particular threats from climate change, including the reduction in the amount of precipitation falling as snow and the resulting effects on water supplies and fish and wildlife as well as power production from hydroelectric dams, more frequent and intense storm surges, more flooding, likely loss of land in coastal area, more frequent and severe forest fires and increased forest pests and diseases, and detrimental impacts to shellfish fisheries as a result of ocean acidification. As noted above, the United States has the largest proven coal reserves in the world. Developing that resource for energy production in Asia will extend the period of time that Asian nations are reliant on coal, resulting in greater worldwide emissions of greenhouse gases (and conventional air pollutants, as noted above). The impacts of United States coal exports on climate change are an issue of national concern that merits a hard look by a federal agency.

If the United States is going to embark on the large-scale export of coal to Asia it is imperative that we ask -- and answer -- the question of how such actions fit with the larger strategy of moving to a lower carbon future. In the absence of a clear federal policy on this point, we will simply be deciding by not deciding; locking ourselves into a coal-dependent future for Asia without the benefit of a full discussion, consideration and balancing of all the associated economic, environmental and health problems related to such a course of action. The decision must also be made only after we have full information about the short and long-term consequences. This critical step will fill significant information gaps that will benefit our nation, our states, and our communities. Since federal agencies will be making decisions whether to allow these projects to go forward, and because the impacts of the projects cross state boundaries, it is the responsibility of a federal agency to step up and do this analysis.

The Honorable John McHugh  
Major General Merdith W.B. (Bo) Temple  
April 25, 2012  
Page 4

The Honorable Ken Salazar  
Mr. Robert Abbey, Director

I strongly urge an immediate commitment to evaluating the impacts of these projects through a comprehensive, programmatic Environmental Impact Statement that examines both the cumulative effects of coal transport to the West Coast, and the effects of the use of that coal to produce energy in Asia here in the United States. The EIS must be prepared before regulatory or additional coal leasing decisions are made. Thank you. I look forward to your response.

Sincerely,



John A. Kitzhaber, M.D.  
Governor

cc: Ray LaHood  
Nancy Sutley  
Joseph Szabo  
Jack Lew  
Steve Gagnon (re NWP-2012-56)

**RESOLUTION NO. 12-013**

**A RESOLUTION EXPRESSING CONCERN REGARDING  
POTENTIAL ADVERSE IMPACTS FROM INCREASING  
NUMBER OF TRAINS TRANSPORTING COAL THROUGH  
THE CITY OF THE DALLES, AND REQUESTING THE  
APPROPRIATE AUTHORITIES TO REQUIRE AN  
ENVIRONMENTAL IMPACT STATEMENT WHICH  
IDENTIFIES THE IMPACTS TO THE CITY OF THE DALLES**

**WHEREAS**, there are currently a number of projects proposed which include the transportation of coal by train from the Powder River Basin in Wyoming to facilities located in the States of Oregon and Washington; and

**WHEREAS**, under these proposed projects, the potential exists for an increase in the number of trains transporting coal through the City of The Dalles; and

**WHEREAS**, the Union Pacific Railroad has track lines located in the City of The Dalles, including four at-grade crossings; and

**WHEREAS**, during two town hall presentations, the City Council heard public comment expressing concern for the potential for coal dust being generated by the trains, having a negative impact upon the residents of the City of The Dalles; and

**WHEREAS**, the City Council is concerned that the potential increase in train traffic used to transport coal could result in closure of at-grade crossings with greater frequency and for longer period of times, which could possibly contribute to traffic congestion and negatively impact emergency service response times; and

**WHEREAS**, the City Council is concerned about the impact on the community's health, environment, safety, and local business from coal dust and other particulates which may be blown from or fall from the train cars used to transport the coal; and

**WHEREAS**, the route which the coal trains would follow is adjacent to the historic downtown area of the City, and to the recently completed Lewis and Clark Festival Park, and the City Council is concerned about the potential negative impact of the increased number of coal trains upon customers of local businesses, and visitors to downtown area and the Festival Park;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THE DALLES  
RESOLVES AS FOLLOWS:**

Section 1. The City Council urges the appropriate authorities to require an environmental and economic impact statement which identifies and measures the impacts on the City of The Dalles and other communities located within the Columbia River Gorge from the increase in coal train traffic.

Section 2. The City Council urges the appropriate authorities to hold at least one of the environmental impact scoping hearings at a location within the City of The Dalles.

Section 3. This Resolution shall be effective as of September 24, 2012.

**PASSED AND ADOPTED THIS 24<sup>TH</sup> DAY OF SEPTEMBER, 2012**

Voting Yes, Councilors: Wood, Dick, McGlothlin, Spatz

Voting No, Councilors: Ahier

Abstaining, Councilors: None

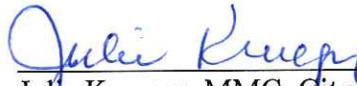
Absent, Councilors: None

**AND APPROVED BY THE MAYOR THIS 24<sup>TH</sup> DAY OF SEPTEMBER, 2012**

  
\_\_\_\_\_  
James L. Wilcox, Mayor

BRIAN AHIER  
MAYOR PRO TEM

ATTEST:

  
\_\_\_\_\_  
Julie Krueger, MMC, City Clerk



**COUNCIL RESOLUTION NO. 5065**

**A RESOLUTION TO OPPOSE THE TRANSPORT  
OF COAL FOR EXPORT THROUGH EUGENE.**

**PASSED: 5:3**

**REJECTED:**

**OPPOSED: Clark, Farr, Poling**

**ABSENT:**

**CONSIDERED: October 24, 2012**

## RESOLUTION NO. 5065

### A RESOLUTION TO OPPOSE THE TRANSPORT OF COAL FOR EXPORT THROUGH EUGENE.

#### **The City Council of the City of Eugene finds that:**

**A.** In October 2011, the Oregon International Port of Coos Bay (the "Port") signed an exclusive negotiating agreement with an anonymous company interested in shipping coal from the Port. The proposal, called Project Mainstay, would build a new terminal and ship 6-10 million tons of coal per year.

**B.** This coal would originate in Wyoming and Montana and would be shipped to Asia. The Port of Coos Bay indicated that as many as 10 trains with 120 to 135 cars that are 1.5 miles long could pass through Eugene per week. At 10 to 15 mile per hour these trains could block intersections in Eugene for 5 minutes. This would increase traffic and the risk of delaying emergency vehicles at rail crossings.

**C.** According to findings from the Environmental Protection Agency and research in other communities; there are likely to be significant negative impacts to Eugene's public health, economy, and air and water quality.

**D.** These mile and half long trains which typically carrying 100 tons of coal; can lose up to 3% of their load in transit in coal dust. The train cars are not likely to be covered due to danger of fires, and nor are they likely to be sealed with a surfactant to prevent the coal dust loss en route because of the additional cost of applying the surfactant.

**E.** This coal dust will have a negative impact on local businesses, farms, homes and crops. Property values along coal transport routes have also been shown to decline. As well, local food production is likely to sustain adverse impacts which are counter to our community's desire to increase local healthy food production.

**F.** Coal dust contains toxic heavy metals, including mercury, arsenic, and lead; all known to have serious adverse health impacts on people of all ages, particularly children. These heavy metals, as well as emissions from the diesel-powered engines, are linked to increases in cancer, bronchitis, emphysema, black lung disease and birth defects. The train tracks through Eugene go directly through neighborhoods with populations that already face adverse health impacts.

**G.** Mercury and other toxic air pollutants produced from burning the coal in Asian nations have been shown to adversely impact the Northwest's air, water, fish, and wildlife.

**H.** Exporting to, and burning coal in, Asia for electricity production will increase greenhouse gases (GHG) and hasten the adverse effects of global warming. Exporting coal to

Asia will extend the period of time that Asian nations are reliant on coal, resulting in greater worldwide GHG emissions and other air pollution. It is difficult to see how exporting coal fits into the larger strategy of moving to a lower carbon future.

I. The City of Eugene is a leader in the fight for clean air, and against climate change, by signing on to the US Mayors Climate Protection Agreement, creating our award-winning Community Climate and Energy Action Plan (CEAP), and by establishing Council goals to become carbon neutral in City-owned facilities and operations by 2020, and to reduce community-wide fossil fuel use by 50% by 2030.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:**

**Section 1.** While we strongly support the use of rail on the Coos Bay Rail Link for freight, and the resulting jobs at the Port of Coos Bay; we find that coal trains through our City will have adverse social, economic, and environmental consequences for Eugene without much, if any, economic benefit to our community. Allowing coal trains to pass through our City is not compatible with the City's efforts to improve air quality, enhance public health, and promote local food production.

**Section 2.** Exporting coal to Asia for electricity production is inconsistent with Eugene's efforts to reduce GHG emissions that cause climate change, move toward a lower carbon future, and to create clean energy jobs.

**Section 3.** The City of Eugene shall explore whether there are local, state or federal laws protecting public health, safety, and air and water quality that can be used to prevent the transport of coal through the City, and if so, take reasonable steps to prevent that transport.

**Section 4.** We fully support Governor Kitzhaber's request that a federal agency prepare a programmatic and comprehensive environmental impact statement (EIS) under the National Environmental Policy Act to look at the unprecedented number of coal export proposals pending in the Pacific Northwest, as well as the potential effects in this country of the use of coal in Asia. Now is the time for a programmatic EIS, before substantial and irreversible commitments of resources are made.

**Section 5.** The City of Eugene joins the call for review of a comprehensive, independent, health impact assessment before any permits are approved for any proposed coal export project.

**Section 6.** This resolution shall be sent to Governor Kitzhaber, Senators Wyden and Merkley, Congressman DeFazio, Secretary of the Interior Salazar, Secretary of the Army McHugh, General Temple of the US Army Corp of Engineers, Director Abbey of the Bureau of Land Management, our local state legislative delegation; and the City shall lobby on its behalf where appropriate.

**Section 7.** This Resolution is effective immediately upon its passage by the City Council.

**The foregoing Resolution adopted on the 24<sup>th</sup> day of October, 2012.**

*Beth Lovest*  
\_\_\_\_\_  
**City Recorder**

## **Resolution 2012-15**

### **A Resolution stating the City of Hood River's concerns and opposition to transporting coal through the Columbia River Gorge**

WHEREAS, The City of Hood River has committed itself to being a leader in protecting the environment, air quality, and water quality in the Columbia River Gorge, and

WHEREAS, burning coal leads to greenhouse gases, and the impacts of climate change on the Columbia River Gorge and other tourist attractions negatively impact Hood River's economy, and

WHEREAS, coal is commonly transported via open top rail cars, contaminating cities, towns, farmland, forestland, streams, and rivers within the Columbia River Gorge with coal dust and chunks of coal, and

WHEREAS, coal contains toxic heavy metals - including mercury, arsenic, lead, and uranium - and exposure to these toxic heavy metals in high concentrations is linked to a multitude of health problems, such as cancer and birth defects, and

WHEREAS, increased rail traffic will lead to an increase in diesel emissions in communities along rail lines, and

WHEREAS, up to 54 additional trains per day will have detrimental effects on traffic congestion and air quality due to idling cars, and

WHEREAS, increased noise and vibration from large freight trains have been shown to have a negative impact on psychological health, and

WHEREAS, up to 54 additional trains per day may inhibit the travel of emergency vehicles in the Columbia River Gorge

WHEREAS, increased freight train traffic will have a negative effect on property values, and

WHEREAS, an increase in coal train traffic would raise the risk of a train derailment taking place, and communities within the Columbia River Gorge are not equipped to deal with the public safety and health risks caused by a coal train derailment, and

WHEREAS, public health risks associated with diesel emissions and other pollutants from coal trains disproportionately impact children, the elderly, and those with existing respiratory issues, and

WHEREAS, the route coal trains would follow through the Columbia River Gorge runs along the Columbia River through popular recreational areas, a major source of the economy in the Gorge, and

WHEREAS, the negative impacts of shipping coal by barge on the Columbia River will have similar effects on the Columbia River Gorge as those associated with shipping coal by rail.

Now therefore be it RESOLVED, that the City of Hood River opposes coal export projects that entail transporting coal through the Columbia River Gorge either by rail or by barge.

Be it further resolved, that the City of Hood River supports economic growth that does not jeopardize the City of Hood River's commitment to fight the serious impacts of climate change, and

Be it further resolved, that the City of Hood River urges the Governor and other decision makers to work on a comprehensive policy to prevent shipping/exporting coal through the Columbia River Gorge by rail or barge.

Be it further resolved, that the City of Hood River intends to address any impacts to public health and/or property caused by the transport of coal through The City of Hood River by actively enforcing local public health, safety, building, electrical, and fire codes, and

Be it further resolved that the City of Hood River intends to address any impacts to surface and/or groundwater caused by the transport of coal through The City of Hood River by actively enforcing applicable environmental statutes delegated to The City of Hood River, and

Be it further resolved that the City of Hood River strongly requests that the State of Oregon through its elected officials require the railroad and barge companies to mitigate any public safety hazards created by the transport of coal through the Columbia River Gorge such as access by emergency vehicles and

Be it further resolved that the City of Hood River requests that the railroad, and make public, any plans for new or expanded rail facilities or significant rail traffic volume increases within the Columbia River Gorge, and

Be it further resolved that the City of Hood River requests that the railroad and barge companies provide representatives to meet periodically with local citizen groups and local government officials from the Columbia River gorge to seek mutually acceptable ways to address local concerns, and

Be it further resolved that the City of Hood River requests that the railroad submit an emergency environmental clean-up plan in case of a derailment that affects local watersheds and recreational areas, and

Be it further resolved that the City of Hood River requests that the railroad and barge companies perform an Environmental Impact Study prior to approval of permits and later provide continued environmental monitoring of noise, air, groundwater, and surface water quality, including monitoring for the presence of coal dust, and that the results will be shared with local and state agencies, and

Be it further resolved that the City of Hood River requests that the railroad and barge companies carefully monitor the loading of coal at the coal mines as part of the contract(s) with the coal companies to assure best loading practices in order to reduce the amount of coal and coal dust coming out of the rail cars, and

Be it further resolved that the City of Hood River urges appropriate permitting authorities to require an environmental impact statement that identifies and measures the impacts on our community from a significant increase in coal train traffic, and

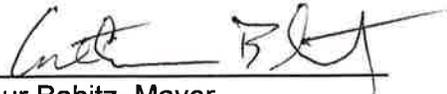
Be it further resolved that the City of Hood River urges appropriate permitting authorities to hold at least one environmental impact scoping hearing at a location in The City of Hood River, and

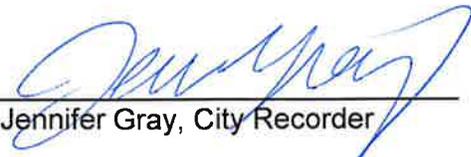
Be it further resolved that the City of Hood River transmits copies of this resolution to the Governor of Oregon, to all members of the Oregon State Division of Lands Board, and to each state Senator and Representative in both Oregon and Washington whose districts fall within Columbia River Gorge, the Washington Department of Ecology, and the Washington Department of Natural Resources, and

Be it further resolved that the City of Hood River transmits copies of this resolution to each Senator and Representative from Oregon and Washington in the Congress of the United States and

Be it further resolved that passage of this resolution shall not preclude the City of Hood River from taking additional actions to protect residents from the effects of coal trains in the future.

Approved by the Hood River City Council this 23rd day of April, 2012, to take effect immediately.

  
Arthur Babitz, Mayor

  
Jennifer Gray, City Recorder

Mayor Andrea Rogers  
Council President Tim Mortenson  
Penny Wallace  
Kathy Fitzpatrick  
David Princehouse  
Steve McKibben  
Hector Kent

## City of Mosier

P.O. Box 456 Mosier, OR 97040  
541-478-3505 541-478-3810 (fax)  
mosiercityhall@mosierwinet.com

U.S. Army Corps of Engineers, Portland District  
Mr. Steve Gagnon  
PO Box 2946  
Portland, OR 97208-2946

RE: Public Comments on NWP-2012-56; Coyote Island Terminals, LLC /dba/ Ambre  
Energy Morrow Pacific Coal Export Project

Dear U.S. Army Corps of Engineers,

The Mosier City Council strongly opposes the proposed new coal export terminals which could result in an untenable increase in train and barge traffic through our community and the exposure of our entire population and our environment to the harmful effects of coal dust and diesel pollution. This includes Ambre Energy's proposed Morrow Pacific Project. Ambre's proposal will significantly increase barge traffic on the banks of our community. Moreover, we have serious concerns about whether Ambre's representation that it will use "fully enclosed barges" is technologically viable and whether the company, over the course of decades of operating the coal export project, could change its operations without any government oversight and public process. In turn, we request that the U.S. Army Corps of Engineers (Corps) evaluate both the environmental and public health impacts of shipping 8.8 million tons of coal per year by covered barges or, alternatively, uncovered barges.

The City of Mosier is located on the Columbia River in the heart of the Columbia River Gorge National Scenic Area. Our community thrives on our connection to the Columbia River. Many of our residents and tourists are attracted to Mosier because of access to and use of the Columbia River for swimming, sailing, kayaking, fishing, windsurfing, kiteboarding, boating, and other water recreation. Tourists visiting this national treasure also visit Mosier because we offer excellent cycling roads through the natural scenic beauty of the Gorge and because the City of Mosier has invested heavily in a waterfront park that includes a windsurfing beach on the Columbia River.

Cherry orchards have historically formed the economic base of the Mosier Valley and are still the Mosier area's strongest industry. Vineyards have contributed recently to this strong agricultural presence. Within our city limits, Mosier relies more heavily on the tourist industry to sustain the businesses in our downtown core.

Ambre's proposal to barge coal through the Columbia River Gorge would heavily impact the Mosier community. This proposal represents a significant increase in river traffic along the Columbia River at Mosier. Ambre's application does not account for how its coal barging project will impact river users and Columbia River communities, including Mosier, that rely on the river. The Corps has a duty to fully evaluate the harm to the public interest that would result from Ambre's project, as well as the significant environmental and public health impacts of barging 8.8 million tons of coal per year.

The City of Mosier urges the Corps to prepare a thorough site-specific Environmental Impact Statement (EIS) on the Mosier Pacific Project. This should including holding scoping hearings in impacted communities in the Columbia River Gorge and offering a public comment period and holding public hearings on the draft EIS.

In its evaluation of the Morrow Pacific Project, the Mosier City Council requests that the Corps:

1. Require an analysis of public health impacts and environmental impacts of coal dust if Ambre changes its operations to uncovered barges.
2. Require an analysis of public health and environmental impacts of diesel pollution from Ambre's barging operations.
3. Require an analysis of the economic impact of coal barge traffic on Oregon communities (property values, fishing, river recreation), including the City of Mosier.
4. Require an analysis of public safety impacts from Ambre's barge traffic.

The City of Mosier also joins the U.S. Environmental Protection Agency's recommendation that the Corps integrate environmental review and consultation requirements into a single environmental review process that can inform the Corps' site-specific evaluation of coal export projects. A Programmatic EIS is necessary to thoroughly evaluate the wide-ranging cumulative impacts of multiple proposed coal export terminals on the City of Mosier and other communities that will be inundated with rail and barge traffic if these proposals move forward.

The City of Mosier and other Columbia Gorge communities that could be seriously impacted by the proposed coal export terminals have not been invited to participate in any form of information gathering or decision making related to Ambre's proposal. In turn, we rely on the Corps and its technical and scientific review of the project's impacts to understand how this proposal will impact our constituents and economy.

Thank you for your attention to this issue which could have such a strong negative impact on our community. We request that you inform the City of Mosier in a timely manner of any updates regarding the proposed new coal export terminals, including the Morrow Pacific Project.

Sincerely,



Andrea Rogers, Mayor  
Mosier City Council  
City of Mosier

RESOLUTION NO. 55-2012

**A RESOLUTION TO OPPOSE THE TRANSPORT OF COAL  
THROUGH MILWAUKIE, OREGON**

**The City Council of the City of Milwaukie finds that:**

A. There are currently proposals for projects that would result in the increase of the shipment of coal in open-aired freight trains and barges through Oregon and Washington, including as many as four to eight, one to one and a half mile trains passing through Milwaukie per week. Even at 30 to 40 miles per hour, these trains could block intersections in Milwaukie for two to three minutes at a time. The coal trains would operate on the Union Pacific Railroad which generally bisects the city, separating a significant residential section of Milwaukie from its downtown. This condition is of heightened concern as a single train could simultaneously block the three at-grade crossings at Harrison Street, Oak Street, and 37<sup>th</sup> Avenue, which are immediately adjacent to the Milwaukie Public Safety Building that houses Police and Fire services.

B. According to findings from the Environmental Protection Agency and research in other communities, coal trains are likely to cause significant negative effects on Milwaukie's public health, economy, and air and water quality.

C. These mile and a half long trains which typically carry 100 tons of coal can lose up to 3% of their load in transit in coal dust. The train cars are not likely to be covered due to the danger of fires presented by the use of fully enclosed cars.

D. This coal dust will have a negative effect on local businesses, homes and natural areas. Property values along coal transport routes have also been shown to decline. As well, local food production is likely to sustain adverse effects which are counter to our community's desire to increase local healthy food production and the promulgation of community gardens.

E. Coal dust contains toxic heavy metals, including mercury, arsenic, and lead, all known to have serious adverse health effects, especially on children. These heavy metals are linked to increases in cancer, bronchitis, emphysema, black lung disease and birth defects.

F. The open-aired freight cars that coal is transported in are designed to drain moisture from the bottom of the car. Water seeping from the bottom of these cars could carry coal dust onto the track-way and eventually into the groundwater from which Milwaukie draws its drinking water.

G. Mercury and other toxic air pollutants produced from burning the coal in Asian nations have been shown to adversely affect the Northwest's air, water, fish, and wildlife.

H. Derailment is more likely in coal trains than in other trains. Because many homes and businesses are in such close proximity to the rail alignment, a coal train derailment could result in significant property damage to residents or business owners in Milwaukie.

I. The City of Milwaukie is a leader in the fight for clean air and against the negative impacts from climate change, as evidenced by signing onto the US Mayors Climate Protection Agreement. The City has also committed to reducing its environmental impacts in its day-to-day operations. The Milwaukie Sustainability Team (S-Team) is a committee made up of representatives from various City Departments that meets bimonthly to discuss sustainability issues. This group created the Sustainable City Plan, which was approved and adopted by City Council via resolution in March 2009. This Plan guides the City's actions in reducing the environmental impact of the City's day-to-day operation. The plan has four target action areas, namely: Waste Reduction, Energy & Fossil Fuel Consumption, Procurement, and Ongoing City Commitment & Education. The City has further committed to participate in the Portland General Electric's renewable energy clean wind green tag program for a minimum of a year, and instituted a Green Power Challenge to encourage residents to participate.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILWAUKIE,  
a Municipal Corporation of the State of Oregon, as follows:**

**Section 1.** Allowing coal trains to pass through our City is not compatible with the City's efforts to improve air quality, enhance public health, and promote local food production.

**Section 2.** Allowing trains or barges to pass through the State of Oregon transporting coal in the volume and of the type planned is not compatible with the environmental future desired by our City residents.

**Section 3.** All applicable federal, state, and local laws protecting public health, safety, and air and water quality should be enforced to protect the citizens of Milwaukie and the state of Oregon from the adverse effects of coal trains and barges.

**Section 4.** The City fully supports Governor John Kitzhaber's request that a federal agency prepare a programmatic and comprehensive environmental impact statement (EIS) under the National Environmental Policy Act to look at the unprecedented number of coal export proposals pending in the Pacific Northwest, as well as the potential effects in this country of the use of coal in Asia. Now is the time for a programmatic EIS, before substantial and irreversible commitments of resources are made.

**Section 5.** The City of Milwaukie joins the call for review of a comprehensive independent Health Impact Assessment before any permits are approved for any proposed coal export project.

**Section 6.** This resolution shall be sent to Governor Kitzhaber, Senators Wyden and Merkley, Congressman Schrader, Secretary of the Interior Salazar, Secretary of the Army McHugh, General Temple of the US Army Corp of Engineers, Director Abbey of the Bureau of Land Management, our local state legislative delegation; in addition the City shall lobby on its behalf where appropriate.

**Section 7.** This Resolution is effective immediately upon its passage by the City Council.

The foregoing Resolution adopted on the 16 day of October, 2012.

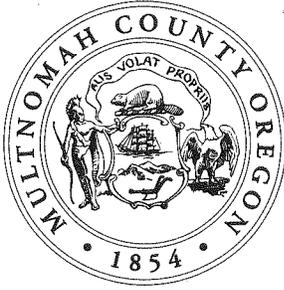
  
\_\_\_\_\_  
Jeremy Ferguson, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

  
\_\_\_\_\_  
Pat DuVal, City Recorder

  
\_\_\_\_\_  
City Attorney



## Jeff Cogen, Multnomah County Chair

501 SE Hawthorne Blvd., Suite 600  
Portland, Oregon 97214  
Phone: (503) 988-3308  
Email: [mult.chair@co.multnomah.or.us](mailto:mult.chair@co.multnomah.or.us)

June 8<sup>th</sup>, 2012

Brig. Gen. John McMahon  
Commander and Division Engineer, Portland District  
U.S. Army Corps of Engineers Northwestern Division  
P.O. Box 2870  
Portland, OR 97208-2870

Dear Brigadier General John McMahon,

I am writing to urge the U.S. Army Corps of Engineers to undertake a programmatic and comprehensive review of the numerous coal-export facilities currently proposed in the Pacific Northwest. These facilities may present serious threats to human and environmental health in Multnomah County and in Oregon and we need to understand the potential impacts before deciding to move forward.

To date, coal-export facilities have applied for permits and initiated the review process individually, yet it is their collective impact that poses a larger concern. To adequately evaluate the risks to human and environmental health, I strongly urge you to view these various permit applications in context with one another. While the impacts of any single facility alone are likely significant, the impacts collectively could be far more significant.

Coal to and from several of these export facilities will be transported through Multnomah County by rail or by barge and have the potential for major local impacts on human and environmental health. Of greatest concern are coal dust emissions from uncovered rail cars, which can degrade local air and soil quality. Also of serious concern is a sharp increase in Multnomah County's already elevated levels of diesel particulate matter due to increased rail and barge traffic. As the local public health authority, Multnomah County works hard to reduce asthma and other respiratory health conditions. These conditions would be exacerbated by the coal dust and diesel particulate emissions generated by these proposed projects should they be built. Multnomah County residents already breathe the most polluted air in Oregon and our community health workers see everyday the impact that air pollution already puts on the most vulnerable members of our community including children and the elderly.

These health and environmental impacts are compounded by a second wave of effects when this coal would eventually be combusted in Asia and prevailing winds would carry the resulting air pollution back to the Pacific Northwest. These impacts are not trivial: In

the Columbia River basin more than 80 percent of toxic mercury pollution comes from global coal combustion.

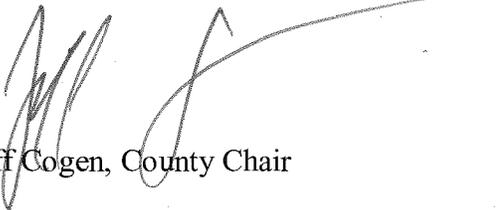
In addition, these proposed projects may negatively impact the treaty fishing rights of Native American communities throughout the Columbia River Gorge. They will also cause significant traffic delays at railroad crossings in Multnomah County and throughout our larger region, and they will displace future economic development opportunities at our ports.

Prior to permitting any further facilities, I respectfully request that the Army Corps of Engineers, in partnership with other federal agencies as appropriate, evaluate the cumulative impacts of the various coal terminals in a single comprehensive Programmatic Environmental Impact Statement (EIS) under the National Environmental Policy Act, in addition to the project specific EIS already underway.

Among the many questions we must ask and answer is this: How does exporting tens of millions of tons of Powder River Basin coal each year to Asia fit into a larger national and regional strategy of lowering carbon emissions? We must understand the cumulative impacts of these proposals—the impacts on human health, the environment, and our economy that these projects would have—before we proceed with a set of approval decisions that our citizens will have to live with for the foreseeable future.

I urge you to review these applications thoroughly and in a larger context prior to reaching a decision. Thank you for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Cogen', with a long horizontal flourish extending to the right.

Jeff Cogen, County Chair

cc: The Honorable Ron Wyden  
The Honorable Jeff Merkley  
The Honorable Suzanne Bonamici  
The Honorable Earl Blumenauer  
The Honorable Peter DeFazio  
The Honorable Kurt Schrader  
The Honorable Ken Salazar, Secretary of the Interior  
Governor John Kitzhaber  
Colonel John Eisenhauer, Commander, U.S. Army Corps of Engineers, NW Division  
Director Dick Pedersen, Oregon DEQ



OFFICE OF MAYOR SAM ADAMS  
CITY OF PORTLAND

May 2, 2012

The Honorable John McHugh  
Secretary of the Army  
1400 Defense Pentagon  
Washington, D.C. 20301-1400

The Honorable Ken Salazar  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

Major General Meredith W.B. (Bo) Temple  
Headquarters  
U.S. Army Corps of Engineers  
1849 C Street NW, Room 5665  
Washington, D.C. 20314-1000

Mr. Robert Abbey, Director  
Bureau of Land Management  
U.S. Department of the Interior  
441 G Street NW  
Washington, D.C. 20240

Brig. Gen. John McMahan  
Commander and Division Engineer  
U.S. Army Corps of Engineers  
Northwestern Division  
P.O. Box 2870  
Portland, OR 97208-2870

Dear Sirs:

I am writing to urge you to undertake a programmatic and comprehensive review of the numerous coal-export facilities currently proposed in the Pacific Northwest. These facilities present potentially serious human and environmental health impacts in Portland and throughout Oregon.

To date, coal-export facilities have applied for permits and initiated the review process individually, yet it is their collective impact that poses the real concern. To adequately evaluate the risks to human and environmental health, I strongly urge you to view these various permit applications in context. While the impacts of any single facility alone are likely significant, the impacts collectively could be catastrophic.

The Portland region was the first in the United States to adopt a Metro Export Initiative, and we are committed to the President's goal of doubling exports over the next five years. However, we believe that long term export growth will come from innovation and advanced manufacturing, and not from continued use of outdated technologies and the export of raw materials that pose significant risks.

Coal to and from several of these export facilities will be transported through Portland by rail or by barge and have the potential for major local impacts on human and environmental health. Of greatest concern are coal dust emissions from uncovered rail cars, which can significantly degrade local air quality. These impacts are compounded by a second wave of effects when the coal is eventually combusted, primarily in Asia, and prevailing winds carry the resulting air pollution to the Pacific Northwest. These impacts are not trivial: In the Columbia River basin more than 80 percent of the mercury pollution, a potent neurotoxin, is from overseas sources.

Prior to permitting any further facilities, I respectfully request that the Army Corps of Engineers evaluate the cumulative impacts of the various coal terminals in a single comprehensive Programmatic Environmental Impact Statement under the National Environmental Policy Act.

These facilities will be with us for decades, and I urge you to review these applications thoroughly and in context prior to reaching a decision.

Thank you for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read 'S.A.M.', written in a cursive style.

Sam Adams, Mayor

cc: The Honorable Ron Wyden  
The Honorable Jeff Merkley  
The Honorable Suzanne Bonamici  
The Honorable Earl Blumenauer  
The Honorable Peter DeFazio  
The Honorable Kurt Schrader  
Governor John Kitzhaber  
Steve Gagnon, U.S. Army Corps of Engineers (re: No. NWP-2012-56)

**SUBSTITUTE**

**36959**

RESOLUTION No.

Adopt a policy opposing coal trains traveling through the City of Portland until a programmatic, comprehensive and area-wide Environmental Impact Statement is completed. (Resolution)

WHEREAS, the City of Portland and State of Oregon have committed to greenhouse gas reduction goals; and

WHEREAS, in 2009 the City of Portland approved the Climate Action Plan, with a goal of achieving a 40 percent reduction in carbon emissions by 2030 and an 80 percent reduction by 2050; and

WHEREAS, in 2011, the City and the County determined that people, businesses and organizations had successfully undertaken climate protection initiatives resulting in a reduction in carbon emission of 26 percent per person compared with 1990; and

WHEREAS, increasingly, evidence demonstrates the negative impacts of fossil fuel mining, processing, transport and combustion on the environment and upon human health and the imperative for development of clean renewable energy sources; and

WHEREAS, in 2010 the City of Portland worked with many community partners and Portland General Electric to arrive at an agreement to cease coal operations at the Boardman power plant, Oregon's only coal-burning power plant, by 2020 (Exhibit A); and

WHEREAS, toxic pollutants from coal-fired energy plants in Asia rise in the winds and are carried in the jet streams over the Pacific Ocean, resulting in increased air pollution in the Pacific Northwest; and

WHEREAS, studies have shown that mercury—a potent neuro-toxin—is released from burning coal; and

WHEREAS, up to one ton of coal dust can escape from each rail car in transit which is a health concern because it can cause asthma attacks, pulmonary inflammation, bronchitis, emphysema, and cancer; and

WHEREAS, over 135 Oregon physicians, 180 health professionals and public health advocates, the Environmental Justice Task Force, the Chairs of 14 North Portland Neighborhood Associations, and the Yakama Nation have called on Governor Kitzhaber to review a comprehensive Health Impact Assessment before approving any coal export permits; and

WHEREAS, it is anticipated that new coal export terminals along the Columbia River and the Northwest coast will result in significant increases in train traffic on rail corridors through Portland; and

WHEREAS, noise, diesel emissions, and toxic coal dust from the increased rail traffic will negatively impact the livability of Portland's neighborhoods and the health of our citizens; and

WHEREAS, increased rail traffic through Portland will obstruct local roads, causing additional noise, air pollution, loss of property values, delays of emergency vehicles, commuters, business and domestic traffic in residential communities and business districts; and

WHEREAS, Portland has strived to be a leader in developing and implementing clean energy technologies and practices, promoting sustainable economic development and creating clean-energy jobs; and

WHEREAS, more than twenty cities and counties in the Northwest have passed resolutions or written letters expressing their concern about the potential adverse impacts of coal exports in their communities, and called for the Army Corps to study the cumulative and comprehensive impacts of coal exports; and

WHEREAS, local, state and federal officials including Mayor Sam Adams and Governor John Kitzhaber have expressed concerns about the real and potential harm to our collective communities, as well as called on the Army Corps of Engineers to require a comprehensive Environmental Impact Statement (EIS) for the proposed coal export facilities in Oregon and Washington (See Exhibits B-C); and

WHEREAS, the Linnton Neighborhood Association, the North Portland Coalition of Neighborhoods, and the Southeast Uplift Coalition of Neighborhoods, which are adjacent to rail lines, have called for an area-wide or programmatic Environmental Impact Statement to be performed; and

WHEREAS, Environmental Assessments, as the Army Corps of Engineers currently requires, do not thoroughly review the impacts or allow for sufficient public input; and

WHEREAS, coal trains traveling through our city will have significant consequences for Portlanders, and it is of paramount importance that community members are fully engaged in the decision-making process from the beginning; and

WHEREAS, undertaking the process of performing a programmatic and comprehensive Environmental Impact Statement will ensure that the effects of increased coal export, its alternatives, and possible mitigations, are fully considered, and that the community has adequate opportunity to comment; and

NOW THEREFORE BE IT RESOLVED that the City of Portland opposes coal export on trains through its jurisdiction until the process of a programmatic, comprehensive and area-wide Environmental Impact Statement, is completed; and

BE IT FURTHER RESOLVED, that the City of Portland joins with Governor Kitzhaber in asking that the Army Corps of Engineers, the Bureau of Land Management and other responsible federal agencies undertake to perform programmatic, comprehensive and area-wide Environmental Impact Statements, studying the cumulative and comprehensive impacts of increased coal production from federal lands, and the five proposed coal export terminals in Oregon and Washington, to allow for fully informed decisions before approving any coal export facility; and

BE IT FURTHER RESOLVED that the City of Portland intends to address any impacts to public health, safety and property caused by the transport of coal through Portland by actively enforcing applicable local public health, safety, building, electrical and fire codes; and

BE IT FURTHER RESOLVED that the City of Portland intends to address any impacts to surface and groundwater caused by the transport of coal through Portland by actively enforcing any applicable environmental statutes delegated to the City of Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that the Railroad companies make public any development plans for increased rail traffic through Portland to accommodate coal exports, and to provide adequate notice to Portland citizens of any plans for new or expanded rail facilities or any anticipated increases in rail traffic volume; and

BE IT FURTHER RESOLVED that the City of Portland will request that the Railroads provide representatives to meet periodically with local citizen groups and local government officials to address local concerns regarding coal trains through Portland; and

BE IT FURTHER RESOLVED that the City of Portland will request that the Railroads mitigate any public safety hazards created by the transport of coal through Portland; and

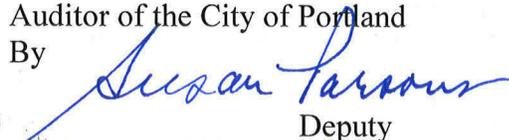
BE IT FURTHER RESOLVED that the City of Portland will request that the Railroads submit an emergency environmental cleanup plan in case of accidental spills or train derailment; and

BE IT FURTHER RESOLVED that the City of Portland supports economic growth that contributes to citizens' health, safety, and well-being, and that on balance, adheres to principles of sustainable development and an overall reduction of carbon emissions.

Adopted by the Council: **SEP 19 2012**

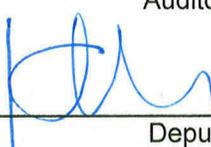
Commissioner Fritz  
Prepared by: Milena Malone  
Date Prepared: [Sept. 18<sup>th</sup>, 2012]

**LaVonne Griffin-Valade**  
Auditor of the City of Portland  
By

  
Deputy

Agenda No. **RESOLUTION NO. 36959**  
 Title **SUBSTITUTE**

Adopt a policy opposing coal trains traveling through the City of Portland until a programmatic, comprehensive and area-wide Environmental Impact Statement is completed. (Resolution)

<p><b>INTRODUCED BY</b> Commissioner/Auditor: <b>Comm Fritz</b></p>	<p>CLERK USE: DATE FILED <u>SEP 18 2012</u></p>
<p><b>COMMISSIONER APPROVAL</b></p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz <i>Tom Buring</i></p> <p>Position 2/Works - Fish <i>Chief of Staff</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p>LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By:  Deputy</p>
<p><b>BUREAU APPROVAL</b></p> <p>Bureau: N/A Bureau Head:</p> <p>Prepared by: Milena Malone Date Prepared: September 10, 2012</p> <p>Financial Impact &amp; Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p> <p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Council Meeting Date <b>September 19, 2012</b></p> <p><b>City Attorney Approval:</b> required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p><b>ACTION TAKEN:</b></p>	

**AGENDA**

**TIME CERTAIN**   
**Start time: 2:00 pm**

**Total amount of time needed: 60 min**  
 (for presentation, testimony and discussion)

**CONSENT**

**REGULAR**   
**Total amount of time needed: \_\_\_\_\_**  
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	
	YEAS	NAYS
1. Fritz	✓	
2. Fish	✓	
3. Saltzman	_____	_____
4. Leonard	_____	_____
Adams	✓	

No: 12-22  
Date: April 18, 2012

RESOLUTION  
OF THE CITY COUNCIL  
CITY OF SANDPOINT

**TITLE: CONCERNS REGARDING INCREASED COAL TRAIN TRAFFIC IN THE  
CITY OF SANDPOINT**

WHEREAS: Coal companies are proposing to increase the number of coal trains that travel through Sandpoint in order to reach their new and existing export terminals in Washington state, with mining currently taking place in the Powder River Basin in Montana and Wyoming;

WHEREAS: The City of Sandpoint recognizes the potential for economic, public health, and environmental impacts on Lake Pend Oreille, the City, its visitors and residents;

WHEREAS: Coal is commonly transported in open top rail cars attached to diesel locomotives;

WHEREAS: Coal dust, which contains heavy metals, and diesel exhaust are known to pose a threat to public health;

WHEREAS: The rail line runs adjacent to and across Lake Pend Oreille, and coal dust, along with particulates from diesel locomotives, will have potential negative impact on the water quality of Lake Pend Oreille;

WHEREAS: Increased train traffic threatens emergency response times and pedestrian safety, can cause traffic circulation issues, and increases the likelihood of derailment; and

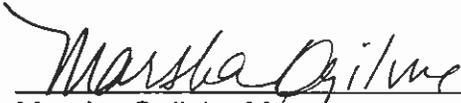
WHEREAS: An increase in the amount of rail traffic threatens property values and has no economic benefit to the City of Sandpoint.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SANDPOINT, BONNER COUNTY, IDAHO, THAT:

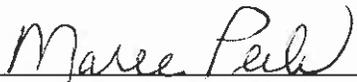
1. The City Council of the City of Sandpoint, charged by law with protecting the health and safety of its citizens, is deeply concerned about potential hazards increased train traffic and coal effects will have on the City of Sandpoint, its residents, and visitors.

2. The City of Sandpoint urges the Army Corps of Engineers to prepare a Programmatic Environmental Impact Statement—in accordance with NEPA and the U.S. Supreme Court ruling of *Kleppe v. Sierra Club* (1976)—that includes Bonner County.
3. The City of Sandpoint urges the Army Corps of Engineers to host a scoping hearing within Sandpoint in order to determine the scope of an environmental review, explore alternatives and allow for public comment.
4. The City of Sandpoint urges development and adoption of an emergency environmental cleanup plan in the event of a derailment along the shores of Lake Pend Oreille.
5. This Resolution shall be effective upon its passage and approval and shall be forwarded to the U.S. Army Corps of Engineers, the City's legislative representatives, Bonner County Commissioners, Idaho Department of Environmental Quality, Washington State Department of Ecology, and any other agencies having jurisdiction in the permitting process.

BE IT FURTHER RESOLVED THAT: The Sandpoint City Council hereby adopts this Resolution.

  
\_\_\_\_\_  
Marsha Ogilvie, Mayor

ATTEST:

  
\_\_\_\_\_  
Maree Peck, City Clerk

City Council Members:

	YES	NO	ABSTAIN	ABSENT
1. Logan	X			
2. Brunner	X			
3. Schuck	X			
4. Qualls            Second	X			
5. Eddy	X			
6. Rognstad        Motion	X			

Brig. Gen. John McMahon, Commander and Division Engineer  
U.S. Army Corps of Engineers Northwestern Division  
P.O. Box 2870  
Portland, OR 97208-2870

Col. John Eisenhower  
Commander, Portland District  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Col. Bruce Estok  
Commanders, Seattle District  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Re: Request for a Comprehensive Programmatic Environmental Impact Statement for the Proposed Coal Ports on the Northwest Coast

Dear Brig. Gen. John McMahon,

On behalf of the people of the City of Helena, the Helena City Commission respectfully requests that you prepare a comprehensive programmatic environmental impact statement ("PEIS") for the numerous proposed coal export terminals in Oregon and Washington and also requests that you hold public hearings in Montana in order to gather public testimony from all affected people. Helena, and other Montana cities, will be significantly impacted from coal that will be transported by train from the Powder River Basin in Montana and Wyoming to terminals along the Pacific Coast.

Currently, there are four coal-export terminal projects pending before the Corps: the Gateway Pacific Terminals ("GTP") site at Cherry Point, Washington; the Millennium Bulk Logistics ("MBL") site at Longview, Washington; the Oregon Gateway Terminal at the Port of Coos Bay, Oregon; and the Coyote Island Terminal site at the Port Morrow, Oregon. Additional permit applications are anticipated for a Kinder Morgan project at the Port of St. Helens, Oregon and the RailAmerica proposal at the Port of Grays Harbor, Washington. Additionally, existing export terminals at port facilities in British Columbia are already receiving coal shipments and are considering expansions of their own.

Taken together, the announced capacity of the planned U.S. projects is approximately 150 million tons of coal per year. Operating at full capacity, these plans would mean approximately 60 coal trains – each about a mile and half long – moving through the Pacific Northwest, every day year-round. These trains will pass through Helena, Montana and result in a significant adverse effect on our community which should be considered in any environmental review of these proposals. For comparison, about twenty trains currently pass through Helena.

To ensure each individual permitting action accounts for the significant cumulative impacts of multiple proposed Northwest coal export terminals, we believe that the Corps must first prepare a PEIS that carefully analyzes the combined impacts of multiple, similar coal export terminal proposals.

These coal export terminal proposals impact the citizens of Helena significantly. The railroad tracks that bisect Helena are crossed by only four routes with grade separations. All other crossings are at grade, which results in stoppage of traffic flow on many of our streets including two major arterials. Both are heavily used by people coming and going from work. The crossing at one of these arterials, Montana Avenue, has been a problem for years, but funding has not been available to construct a grade separation. The increased train traffic will cause much more frequent delays there. The increased traffic delays will result in significant additional emissions of air pollutants, including greenhouse gases, from numerous cars idling for additional hours per day.

Citizens who live near the tracks already complain about the noise of train horns and are urging the city to install the necessary equipment at crossings to implement railroad quiet zones. Again, lack of funding constrains us.

In addition, the increased diesel exhaust would exacerbate our wintertime air quality problems during air inversions and increase numerous health ailments for people along the tracks.

Finally, any environmental analysis of these proposals must consider the negative effects that burning the large volumes of coal would have on the climate. Domestic demand for coal in the Powder River Basin has been rapidly declining. As a result, this coal will be shipped overseas to Asia, where it will permanently shape the developing energy markets there. With access to our cheap coal, countries in Asia will be induced to build new coal-fired power plants, instead of transitioning to cleaner energy sources. This will lock in reliance on coal as a source of energy for the life of these power plans (thirty-plus years), with an astronomically negative effect on climate change.

Helena is already being negatively impacted by warmer weather from climate change. For example, Helena is facing an increased risk of catastrophic wild fire in the drainage basin which is one of our principal municipal water supplies. Such a fire would eliminate this source of water for years and render useless a multi-million dollar water treatment plant. This risk of fire has significantly increased due to the epidemic of mountain pine beetles and the warmer winters we have been experiencing for over a decade which have allowed pine beetles to multiply more rapidly.

Please ensure that your environmental reviews of these proposals consider the effects on the City of Helena and other impacted communities. Specifically, we urge you to conduct a comprehensive PEIS that includes an analysis of all of the indirect and cumulative environmental impacts, including the impacts on Montana communities, from all proposed coal ports in the Northwest. We further request that you hold a public hearing in Helena, Montana.

Sincerely,

Katherine Haque-Hausrath

Helena City Commissioner  
P.O. Box 1121  
Helena, Montana  
59624



May 17, 2012

Brig. Gen. John McMahon, Commander and Division Engineer  
U.S. Army Corps of Engineers Northwestern Division  
P.O. Box 2870  
Portland, OR 97208-2870

Col. John Eisenhower  
Commander, Portland District  
U.S. Army Corps of Engineers  
P.O. Box 2946  
Portland, OR 97208-2946

Col. Bruce Estok  
Commander, Seattle District  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Re: Request for a Comprehensive Programmatic Environmental Impact Statement for the Proposed Coal Ports on the Northwest Coast

Dear Brig. Gen. John McMahon,

On behalf of the people of the County of Missoula, the Missoula Air Pollution Control Board respectfully requests that you prepare a comprehensive programmatic environmental impact statement (PEIS) for the numerous proposed coal export terminals in Oregon and Washington. We also request that you hold public hearings in Montana in order to gather public testimony from all affected people along the proposed rail routes. Missoula and other Montana counties could experience significant impacts from proposed coal transport from the Powder River Basin in Montana and Wyoming to terminals along the Pacific Coast.

Currently, there are four coal-export terminal projects pending before the Corps: the Gateway Pacific Terminals site at Cherry Point, Washington; the Millennium Bulk Logistics site at Longview, Washington; the Oregon Gateway Terminal at the Port of Coos Bay, Oregon; and the Coyote Island Terminal site at Port Morrow, Oregon. Additional permit applications are anticipated for a Kinder Morgan project at the Port of St. Helens, Oregon, and the RailAmerica proposal at the Port of Grays Harbor, Washington. Additionally, existing port terminals at port facilities in British Columbia are already receiving coal shipments and are considering expansions of their own.

Taken together, the announced capacity of the planned U.S. projects is approximately 150 million additional tons of coal per year. Operating at full capacity, these plans would mean approximately 60 coal trains – each about a mile and a half long – moving through the Northwest, every day year round. These trains could pass through Missoula, Montana, and we believe, could result in a significant adverse effect on our community, which should be considered in any environmental review of these proposals.

Brig. Gen. John McMahon, Commander and Division Engineer  
Col. John Eisenhower  
Col. Bruce Estok  
Page 2

May 17, 2012

Such analysis is allowed for, and most likely required, under the National Environmental Policy Act (NEPA). Under Section 1508.25(a)(1) and (2) of the Council of Environmental Quality's NEPA regulations, this environmental review must collect, analyze, and consider connected and cumulative actions for any federally supported project. Further, "cumulative" and "similar" actions should be discussed within a single environmental impact statement, necessitating the development of a PEIS.

The railroad bisects north Missoula. This results in stoppage of traffic flow on some of our streets, which are heavily used by people coming and going from work. Increased train traffic would cause much more frequent delays, resulting in additional emissions of pollutants from idling cars.

Citizens who live near the tracks already complain about the noise of train horns and coupling and are urging the city to install the necessary equipment at crossings to implement railroad quiet zones. Lack of funding constrains us.

In addition, the increased diesel exhaust would exacerbate our wintertime air quality problems, especially during air inversions. A large part of Missoula is located in an EPA designated air stagnation zone, and is dangerously close to exceeding current EPA PM2.5 standards. Increased diesel particulate matter and coal dust are serious concerns of people living in residential neighborhoods near the rail line.

Finally, any environmental analysis of these proposals must consider the negative effects that burning the large volumes of coal would have on air quality and climate. This coal would be shipped overseas to Asia. With access to our cheap coal, countries in Asia will be encouraged to build new coal-fired power plants, instead of transitioning to cleaner energy sources. This will lock in reliance on coal as a source of energy for the life of these power plants (thirty-plus years). Carbon dioxide, particulates and heavy metals such as mercury are carried back to North America on world-wide air currents and are currently found in Northwest rivers and mountain tops. Greenhouse gas emissions from the transport and combustion of coal will have an astronomically negative effect on the world's climate.

Please ensure that your environmental reviews of these proposals consider the effects on the community of Missoula and other impacted communities. Specifically, we urge you to conduct a comprehensive programmatic EIS that includes an analysis of all of the indirect and cumulative environmental impacts, including the impacts on Montana communities, from all proposed coal ports in the Northwest. We further request that you hold a public hearing in Missoula, Montana.

Sincerely,



Garon Smith, Ph.D.

Chair, Missoula City-County Air Pollution Control Board

cc: Missoula City Council, 435 Ryman, Missoula, MT 59802  
Missoula Board of County Commissioners, 200 West Broadway, Missoula, MT 59802  
Senator John Tester, 130 W. Front Street, Missoula, MT 59802  
Senator Max Baucus, 280 E. Front Street, Missoula, MT 59802  
Representative Dennis Rehberg, 301 E. Broadway, Suite #2, Missoula, MT 59802



March 22, 2012

U.S. Army Corps of Engineers  
Mr. Steve Gagnon; steven.k.gagnon@usace.army.mil  
PO Box 2946  
Portland, OR 97208-2946

Re: NWP-2012-56 Coyote Island Coal Export Terminal.

Dear Mr. Gagnon:

On behalf of Northern Plains Resource Council (Northern Plains) members in Montana, I am writing you to request that the U.S. Army Corps of Engineers (Corps) conduct a full environmental review, pursuant to the National Environmental Policy Act (NEPA), of the project described above. Additionally, under Section 1508.25(a)(1) and (2) of the Council of Environmental Quality's NEPA regulations, this environmental review must collect, analyze, and consider connected and cumulative actions for any federally supported project.

Northern Plains is a grassroots conservation and family agriculture non-profit corporation organized under the laws of the State of Montana. Northern Plains organizes Montana citizens to protect our water quality, family farms and ranches, and unique quality of life. Northern Plains is dedicated to providing the information and tools necessary to give citizens an effective voice in decisions that affect their lives.

Northern Plains formed in 1972 over the issue of coal strip mining and its impacts on private surface owners who own the land over federal and state mineral reserves as well as the environmental impacts of mining coal in general. Many of our members own farms and ranches in areas slated for coal development and many more Montana citizens live along and near railroad lines that will be the conduit for millions of tons of coal transported from Montana (and Wyoming) through our cities and towns and rural communities to the West Coast ports.

The opening of coal export terminals in Washington and Oregon will have enormous impacts on the commerce and communities in Montana. There are multiple proposed terminals in the region currently under review or in exploration stages. Collectively, these projects could transform the region with traffic and rail congestion. The effects of the port proposals extend far beyond the ports themselves and will result in systemic impacts on the entire rail transportation system of the region extending from southeast Montana and northeast Wyoming all of the way through central, northern, and western Montana as well as Idaho, Oregon, and Washington. Preparation of a full environmental impact

statement (EIS) and consideration of alternatives is required by law and, more importantly, necessary to ensure that the public understands the environmental risks and has an opportunity to weigh in.

To ensure this review accounts for the significant cumulative impacts of multiple proposed Northwest coal export terminals, we believe that the Corps must first prepare a Programmatic EIS that carefully analyzes the combined impacts of multiple, similar coal export terminal proposals. We believe that this Programmatic EIS must be completed before the Corps issues an individual EIS for Ambre's Port of Morrow proposal.

Other projects, including those in Longview and Bellingham, Washington, have already committed to a thorough public process starting with numerous scoping hearings throughout the region this year. We applaud the Corps for its commitment to a full and transparent environmental review for these coal terminals. Ambre's Oregon coal project warrants no less thorough consideration.

Thus, Northern Plains is formally and respectfully requesting that an EIS be completed for this project after a Programmatic EIS is done and that the scope of any coal export terminal EIS fully and completely include the connected and cumulative actions, issues, and concerns of citizens in the areas where the coal will be strip mined and along the rail lines that will be used to transport the coal to the facility at Port Morrow, Oregon or elsewhere. As part of this EIS process, we are requesting that scoping hearings be held in the states and communities impacted by this project in connected and cumulative ways, specifically communities in Montana. We recommend scoping hearings in at least Billings, Bozeman, Helena, and Missoula.

Thank you for consideration of our formal request.

Sincerely,

A handwritten signature in cursive script that reads "Walter Archer".

Walter A. Archer, Chair  
Northern Plains Resource Council

cc: The Honorable John Kitzhaber  
The Honorable Christine Gregoire  
The Honorable Sen. Tester  
The Honorable Sen. Baucus  
The Honorable Rep. Rehberg



# Whitefish Lake INSTITUTE

501 (c)(3) Non-Profit Corporation

635 Denver Street  
Whitefish, MT 59937

Voice: 406.862.4327  
Fax: 406.862.4341

[www.whitefishlake.org](http://www.whitefishlake.org)  
[info@whitefishlake.org](mailto:info@whitefishlake.org)

July 5, 2012

Brig. Gen. John McMahon, Commander and Division Engineer  
US Army Corps of Engineers Northwestern Division  
P.O. Box 2870  
Portland, OR 97208-2870

Col. John Eisenhauer  
Commander, Portland District  
U.S. Army Corps of Engineers  
P.O. Box 2946  
Portland, OR 97208-2946

Col. Bruce Estok  
Commander, Seattle District  
U.S. Army Corps of Engineers  
P.O. Box 3755  
Seattle, WA 98124-3755

Re: Environmental Review of Coal Train Traffic and Coal Export Terminals

Dear Brig. Gen. John McMahon, et al;

On behalf of the Whitefish Lake Institute (WLI), I am writing you to request that the U.S. Army Corps of Engineers prepare a comprehensive programmatic environmental impact statement (PEIS) pursuant to the National Environmental Policy Act that considers any connected and cumulative impact from increased coal train traffic in Montana associated with proposed coal export terminals on the Pacific Coast.

WLI is a science and education non-profit corporation concerned with the protection of water quality in the Whitefish, Montana area. In Whitefish, the railroad crosses the Whitefish River and closely parallels Whitefish Lake for approximately six miles.

We ask that as part of the PEIS, a chapter specifically address the direct, indirect and cumulative effects to aquatic ecosystems associated with, but not limited to, the deposition of diesel particulate matter and coal dust constituents during transport related to the increased traffic volume. We also request that the post consumer effect of coal burning from the Asian market be examined due to trade wind deposition of mercury and its bio-magnification potential in the food web. In the aquatic ecosystem chapter, we request that you address rapid response plans for emergency clean-up efforts in all types of waterbodies.

Brig. Gen. John McMahon, Commander and Division Engineer  
Col. John Eisenhower  
Col. Bruce Estok  
*Page 2*

July 5, 2012

Lastly, we urge you to conduct public hearings in either Kalispell or Whitefish so that the citizens of Northwest Montana can be engaged in the process.

Thank you for your time and consideration in processing our request.

Sincerely,



Mike Koopal  
Executive Director

cc: John Muhlfeld, Mayor, City of Whitefish, P.O. Box 158, Whitefish, MT  
Caryn Miske, Executive Director, Flathead Basin Commission, 655 Timberwolf Parkway,  
Kalispell, MT 59901  
Senator John Tester, 14 Third Street E, Suite 230, Kalispell, MT 59901  
Senator Max Baucus, 8 3rd St E, Kalispell, MT 59901  
Representative Dennis Rehberg, 301 E. Broadway, Suite #2, Missoula, MT 59802



## **2012 Annual Convention Pendleton, Oregon**

### **RESOLUTION #12 - 53**

#### **“CALLING FOR FULL, TRANSPARENT ENVIRONMENTAL REVIEW OF THE PORT OF MORROW PROPOSAL, CONSULTATIONS, AND REGIONAL REVIEW OF ALL SIX NW COAL EXPORT PROPOSALS”**

#### **PREAMBLE**

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

**WHEREAS**, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

**WHEREAS**, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

**WHEREAS**, since time immemorial, our economy, culture, religion and way of life have centered around our fishing, hunting and gathering resources, and the lands and waters on which they depend, and we have been, and remain, careful and conscientious stewards over them to ensure their continued health and well-being; and

**WHEREAS**, the tribes of ATNI are sovereign and our people depend on the natural resources of this region; and

**WHEREAS**, the tribes of ATNI have an obligation to protect our First Foods and our most precious resource, water; and

**WHEREAS**, there are sweeping proposals for Powder River Basin coal to be shipped by rail and/or barge to West Coast ports: Cherry Point, Washington; Longview, Washington; Grays Harbor, Washington; Port of Morrow, Oregon; St. Helens, Oregon; and Coos Bay, Oregon; and

**WHEREAS**, the coal will then be shipped through our waters to Asia where it will then be burned in coal-fired power plants, emitting mercury and other toxins that return through the atmosphere to our homes; and

**WHEREAS**, the estimated coal export volumes from the proposed West Coast ports are unprecedented at over 150 million tons per year; and

**WHEREAS**, Northwest tribes have strong concerns about the impact of these proposals on tribal rights and resources, including but not limited to the following:

- Intrusions into traditional fishing, hunting and gathering sites;
- Destruction of our cultural and religious areas;
- Degradation of human health, related to fugitive coal dust and mercury poisoning;
- Interference with tribal business enterprises and opportunities, causing a loss of jobs, preventing jobs growth, and reducing tribal income, related to increased coal-train traffic;
- Declining water quality and loss of salmon and lamprey habitat from barging and shipping operations;
- Increases in emergency response times, interference with school functions, and fiscal impacts on other public services due to delays at train crossings;
- Filling of shorelines, wetlands, and streams, during expansion or reconstruction of rail lines along the Columbia River, the Salish Sea, and their tributaries;
- Climate change, sea level rise, and ocean acidification from coal-fired power plants; and
- Overall degradation of our natural resources and culture

; and

**WHEREAS**, Northwest tribes require transparency and ongoing consultation to ensure that the permitting and Environmental Impact Statements (EIS) for all of the proposed coal ports are consistent, in light of the fact that all of our waterways are connected to one another; and

**WHEREAS**, that ATNI hereby declares that a mere Environmental Assessment for the Port of Morrow facility, instead of an EIS, is completely unacceptable, based on a number of

deficiencies, including but not limited to the lack of Government-to-Government consultation required with all affected tribes in the region; now

**THEREFORE BE IT RESOLVED**, that ATNI hereby calls upon the White House Council on Environmental Quality to require immediate preparation of a comprehensive Environmental Impact Statement for the Port of Morrow proposed coal export facility; and

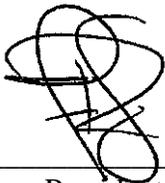
**BE IT FURTHER RESOLVED**, that ATNI hereby calls upon the White House Council on Environmental Quality to direct the U.S. Army Corps of Engineers (USACE) to develop a comprehensive EIS at the USACE Northwestern Division level, on the cumulative effects of all six currently proposed coal export proposals, and any future proposals, together, including analysis of the cumulative impacts of the proposals throughout the entire region and internationally, including their direct and indirect impacts on tribal cultural resources, treaty rights and interests (see attached letter); and

**BE IT FURTHER RESOLVED**, that ATNI hereby concludes that a separate EIS is also necessary for each of the coal export facilities individually; and

**BE IT FINALLY RESOLVED**, that ATNI hereby insists that the White House Council on Environmental Quality mandate all federal and state agencies to commence immediate Government-to-Government consultations with all tribes in the region, as our First Foods and resources, treaty rights and human health are directly impacted by the coal industry in the Northwest.

### CERTIFICATION

The foregoing resolution was adopted at the 2012 Annual Convention of the Affiliated Tribes of Northwest Indians, held at Wildhorse Resort and Casino, Pendleton, Oregon on September 24 – 27, 2012 with a quorum present.



\_\_\_\_\_  
Fawn Sharp, President



\_\_\_\_\_  
Norma Jean Louie, Secretary