



Washington State Legislature

June 13, 2016

Diane Butorac
Regional Planner
Southwest Regional Office
Department of Ecology
diane.butorac@ecy.wa.gov

Re: Comments on Draft Environmental Impact Statement for Millennium Bulk Terminals Longview Coal Export Proposal

Ms. Butorac,

We greatly appreciate the opportunity to participate in the environmental review process for Millennium Bulk Terminals – Longview (MBTL) coal export proposal. Please consider this letter as part of the public record for the draft environmental impact statement.

As state legislators, we represent diverse communities across Washington, and we share the common interests of protecting public health and safety, economic development, treaty rights and cultural resources, and the environment in our communities. The purpose of this letter is to acknowledge the many adverse impacts identified by the DEIS and to urge the reviewing agencies to broaden the scope of the review further so as to highlight a number of significant impacts that are not included in the draft review.

Our specific concerns about the DEIS fall into several categories:

Impacts of increased traffic

The proposed terminal would generate up to 16 daily trips by loaded and unloaded, mile-and-a-half long trains along rail corridors in Washington, Oregon, Idaho, Montana, and Wyoming each day, and an estimated 1,680 transits of Panamax bulk vessels on the Columbia River annually. This increase in rail and vessel traffic will have profound impacts on the communities along the rail corridors that lead to the proposed terminal site and along the Columbia River. The DEIS examines some of the impacts that will be felt in Cowlitz County, but does not fully capture the impacts to communities elsewhere in the state.

- **Who will pay for the necessary infrastructure improvements?** The DEIS notes that rail infrastructure investments will be necessary to deal with increased rail traffic, but no investments in infrastructure improvements are proposed as mitigation outside the local project area. Instead, proposed mitigations along rail main lines are focused on



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coordination and notification, shifting the burden for costly infrastructure improvements for crossing safety and traffic to state and local governments.

- **What economic impacts will result from increased rail traffic?** The analysis of economic impacts is focused on the local project area and Cowlitz County, and this does not fully capture the regional economic impacts of increased traffic congestion, over-capacity rail lines, air and water pollution, and noise along rail lines and the Columbia River. The DEIS discusses traffic congestion in the project area in terms of “levels of service” and 24 hour averages, but does not examine the traffic impacts during rush hour or on typical freight delivery schedules. Outside Cowlitz County, farmers are already experiencing difficulties in getting commodities to market, and in communities along the rail line, traffic congestion, pollution, and noise will deter economic development.

Environmental Impacts

The transportation of coal across the state, through many small and large communities and along the Columbia River, places public health and natural resources at risk. The DEIS examines many of the potential impacts around the project area, but fails to address the broader array of impacts that may be felt throughout the state.

- **What impacts will result from more coal dust?** The DEIS downplays impacts from coal dust on public health and environment, and does not reflect the impacts communities along rail lines are already experiencing. Communities along the Gorge already report issues with deposits of coal dust along rail lines from existing coal trains, where contaminants can be washed in to the river. The DEIS projects that “average and maximum deposition of coal dust on the BNSF main line in Cowlitz County [is] estimated to be above the nuisance thresholds at 50 and 100 feet,” but then finds that these impacts are “not significant” because no state or federal standards apply. The proposed requirement to establish a coal dust complaint system only applies in Cowlitz County, and the requirement to share information with the Columbia River Gorge Commission once a year does not address the physical impacts of coal dust or provide any certainty they will be addressed.
- **How will impacts to treaty fishing rights be mitigated?** The DEIS acknowledges impacts to fish populations and to Tribal fishing access across rail lines, but fails to fully analyze or propose mitigation to avoid significant adverse impacts. The DEIS notes that to mitigate impacts on access to tribal treaty fishing areas, the Applicant may initiate a process with Columbia River Inter-Tribal Fish Commission officials to discuss and identify mitigation measures prior to beginning operations. This does not provide certainty that impacts to fishing access will be avoided or mitigated.
- **How will sensitive areas be protected?** Impacts to protected areas along rail and barge lines are a particular concern. The Columbia River Gorge National Scenic Area is just



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one of many protected and sensitive areas that would be negatively impacted by coal trains that would service this facility. Wetlands, wildlife refuges, state parks, tribal fishing areas, critical fish, wildlife and plant habitat, recreation, and scenic resources would be harmed by the impacts of this facility, its trains, and the expansion of rail lines needed to accommodate the increase in rail traffic.

Scope

While the DEIS identifies and analyzes many of the potential adverse impacts that will likely stem from the project, the statewide impact is not fully examined. The geographic scope of analysis for many of the DEIS elements is too narrow to capture impacts to impacted communities and resources along rail and barge routes. For example, the analysis and mitigation of noise and economic impacts is focused only on Kelso, Longview, and Cowlitz County despite the fact noise and traffic impacts along rail and barge lines will impact communities in five states. Further, the DEIS acknowledged disproportionate impacts to Minority and Low-Income Populations within 1 mile of the project area and 0.5 mile of the affected rail lines in Cowlitz County. Again this, underrepresents the full scope of the impact, which extend to communities beyond the borders of Cowlitz County.

The final EIS must provide a more robust analysis of full costs and risks of this proposal to communities across the impacted region. We commend the reviewing agencies for examining a number of potential impacts, and especially for acknowledging and proposing mitigation for the greenhouse gas emission that the project will produce, but we think that the DEIS still falls short of uncovering the full range of potential impacts. We urge the agencies to build on this draft document and continue to identify potentially significant impacts, especially outside the immediate project area.

Thank you again for the opportunity to participate in this process, and for carefully considering our comments.

Sincerely,

Handwritten signature of Joe Fitzgibbon in black ink.

Representative Joe Fitzgibbon
34th Legislative District

Handwritten signature of Patty Kuderer in black ink.

Representative Patty Kuderer
48th Legislative District

Handwritten signature of Sherry Appleton in black ink.

Representative Sherry Appleton
23rd Legislative District

Handwritten signature of Gael Tarleton in black ink.

Representative Gael Tarleton
36th Legislative District



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Handwritten signature of Pramila Jayapal in black ink.

Senator Pramila Jayapal
37th Legislative District

Handwritten signature of Kevin Ranker in blue ink.

Senator Kevin Ranker
40th Legislative District

Handwritten signature of Kristine Lytton in black ink.

Rep. Kristine Lytton
40th Legislative District

Handwritten signature of Strom Peterson in black ink.

Representative Strom Peterson
21st Legislative District

Handwritten signature of Brady Walkinshaw in black ink.

Representative Brady Walkinshaw
43rd Legislative District

Handwritten signature of Marcus Riccelli in black ink.

Representative Marcus Riccelli
3rd Legislative District

Handwritten signature of Cindy Ryu in black ink.

Representative Cindy Ryu
32nd Legislative District

Handwritten signature of Ruth Kagi in black ink.

Representative Ruth Kagi
32nd Legislative District

Handwritten signature of Joan McBride in black ink.

Representative Joan McBride
48th Legislative District

Handwritten signature of John McCoy in black ink.

Senator John McCoy
38th Legislative District

Handwritten signature of Lillian Ortiz-Self in black ink.

Representative Lillian Ortiz-Self
21st Legislative District