

# William Iyall

The Cowlitz Indian Tribe formally documents our opposition to the Millennium Bulk Terminals Water Quality Certification proposal and reasons for our opposition in the attached comment letter.



# Cowlitz Indian Tribe

July 26, 2017

Washington State Department of Ecology  
ATTN: SEA Program  
Federal Permit Coordinator  
SEA Program  
Post Office Box 47600  
Olympia, WA 98504-76000

RE: Comments Regarding Water Quality Certification for the proposed Millennium Coal Terminal

To the Washington Department of Ecology,

The Cowlitz Indian Tribe is a Federally Acknowledged Government entity in the region. Our historic area includes a large portion of the Lower Columbia River Basin that spans on both sides of the Columbia River and into Oregon State. The proposed Millennium Bulk Terminal (also identified further as "Coal Terminal") lies within our homeland. This proposal would have direct and indirect consequences to our people.

This letter formally documents our opposition to the Millennium Bulk Terminals Water Quality Certification proposal. It proposes a series of mitigation actions which do not mitigate specific project actions, and further, have not been evaluated for Cultural and Historic Resources. The Cowlitz Indian Tribe does not believe that the applicant's project can provide reasonable assurance that the project, as proposed, will comply with state water quality standards and other aquatic resources protection requirements under Ecology's authority. We assert this based in the facts presented in existing permitting applications.

We have relied on the once bountiful regional resources for survival since time immemorial. Our Tribe continues to depend on the precious resources, many of which are in a depressed state, which carry high significance to our way of life. Our Tribe carries natural resource management authorities, rights, and obligations within the Columbia Basin that would be impacted by the proposed Coal Terminal project. The proposed Coal Terminal is another threat to our way of life, culture, and subsequently our future generations' right to the use and enjoyment of natural resources within our homelands.

Before and after Federal Acknowledgement, we have taken the "high road" in regards to being a good neighbor, establishing positive relations with numerous Federal, State, Tribal, and Local entities. We have numerous

ongoing regional activities addressing concerns associated with our depleted first foods and working on recovery of such significant resources.

The proposed Coal Terminal is a threat to our restoration activities and our cultural practice continuity in the region. We have been and continue significant activities in regards to addressing and implementing restoration activities of our traditional first foods within our homeland. Several of our significant resources continue to be listed under the Endangered Species Act (ESA). Significant areas of our work towards restoration would be affected by the expected water quality impacts associated with the Coal Terminal proposal. There are numerous other entities in the potential impact area that have invested considerable resources regarding restoration within the Columbia River system, especially the Columbia Estuary.

The estuary is also an “ecologically critical area,” 40 CFR § 1508.27(b)(3), that is essential to the survival of juvenile salmon and steelhead, waterfowl, and many other species. A considerable amount of resources have been invested from Federal and State tax dollars, as well as “rate payer” dollars from utilities in the region. There are significant restoration plans that have been and will be implemented in the region in the foreseeable future. We and many others maintain the goal of restoring habitat and other conditions for natural resources within the Columbia Basin. Much of this work is due to habitat loss, poor water quality, and other factors of which industrial developments have been a significant contributors to.

We believe that there is no amount of mitigation possible to fully compensate the deleterious impacts the proposed action would have to our community, our natural environment, and future outlook towards restoration. With that in mind, the current mitigation proposal is insufficient by regulatory standards. We again state that the proposed project does not provide reasonable assurance that the project, as proposed, will comply with state water quality standards and other aquatic resources protection requirements under Ecology's authority.

The Millennium Bulk Terminals proposal is a proposal to move 49,000,000 tons of coal annually from the Powder River Basin to the West Coast and Longview via rail, then stockpile it at the proposed project site, use a conveyor system to transport it from stockpiles to ships, and ship it, via the Columbia River, to Asia. The Washington State Environmental Protection Act (SEPA FEIS) document reviewed both the shipping impacts from Powder River and the likely effects associated with coal burning in various Asian countries and had nine significant unavoidable impact findings.

The Cowlitz Indian Tribe now expresses our great concern regarding the project's short and long-term impacts on water resources. This is a massive proposal. Construction would last six years. When the site is completed, eight trains with 125 cars, 122 tons of coal per car, would arrive each day. Coal would be placed on conveyor belts to move it around the site and onto ships. Just 4900 of 16100 lineal feet of the conveyor belts are proposed to be enclosed. 70 ships would come and go from the docking facilities each month (840 annually). They would on average hold 65,000 tons of coal. They would have to be loaded and refueled (which would occur offsite).

On the development site, 170 of the 190 acres will be impervious to water infiltration. Maintenance dredging would occur annually with a maximum amount of 100,000 cubic yards allowed, unless additional dredging was permitted under an emergency basis.

There are real environmental, health, and regional well-being concerns with coal transportation, storage, and export exactly as portrayed in the proposal. High water quality is essential for Columbia River restoration.

**Failure to adequately protect resources will be a loss to all people, all fish, and all wildlife, thus a significant deleterious impact for our peoples right to to a healthful environment.**

## **Wetland and Aquatic Impacts at Project Site**

As the Cowlitz Indian Tribe has repeatedly stated, the proposed Millennium Bulk Terminal project documents have repeatedly under-represented the project's actual impacts. As a water quality certification, this takes several forms in the revised application.

Impact avoidance discussion focuses on the project's economic needs. 44 million metric tonnes per year are required 'to make the project viable' and 'the project is economically viable only if it takes advantage of an economy of scale of being able to berth and load two Panamax-class or larger vessels.' (pg. 50) The Conceptual Mitigation Plan further posits that 'the need for this project is that there is sufficient Asian market demand for western U.S. low-sulfur coal to warrant the development of a coal export terminal in Longview, Washington.' However, the statement that only the proposed site, or the proposed alternative site met the site criteria, in presumably the entire western U.S. and Canada is disingenuous, as is the 'requirement' that the site must ship 44 MMTPY.

The applicant did not make a good-faith effort to complete reasonable alternatives that met their economic goals while also attempting to minimize environmental impacts. Their described alternatives all describe smaller throughput.

## **Wetland Impacts**

The wetland delineations used in the September 1, 2014 report and referenced in the 2017 Conceptual Mitigation Plan were completed in October 2011. This is important for two reasons:

- Longview, Washington had had five well-below average years of precipitation, from 2007 to 2011. No discussion of this dry period is made either in the data forms or the report.
- Wetland delineations, per Corps' Regulatory Guidance Letter [05-02, Expiration of Geographic Jurisdictional Determinations](#), expire after five years.

The applicants should be required to complete updated delineations and reporting.

In the years prior to the 2011 wetland determinations, Longview's annual rainfall was (2007) 35.04, (2008) 32.55, (2009) 23.71, 2010 (36.33), and 2011 (33.82). The average annual rainfall for the area is 47.96 inches. The outcome is that, at the time of assessment, the area had received 78.35 inches less rain in the preceding five

years than in other similar time periods. The years 2012 – 2017 have not been as dry and conditions at the site have likely changed.

The delineations also should be reassessed because they are more than five years old and subject to Regulatory Guidance Letter 05-02.

The 2014 Wetland and Stormwater Ditch Delineation Report further infers that Wetland A was 'either a stormwater management feature or borrow area that has over time taken on wetland characteristics' (page 3). It is unclear why the report provides this information, other than to confuse the current condition of the site. With mature cottonwood, Oregon ash, red alder, and willow in Wetland A, there is no discussion about why this site is not classified as a 'mature forest,' or Category I wetland.

The Conceptual Mitigation Plan assesses wetland functions as if the wetlands are stormwater ponds. As delineations were completed in 2011 (A, C, Y, Z) and 2012 (P2), the old guidance was used. The answers are presented in the mitigation report do not answer the sorts of questions the Western Washington Rating System, Depressional and Flats Wetlands asks. The report describes the wetlands as low quality by over-emphasizing their perceived stormwater benefits.

As examples:

#### *Water Quality Scoring.*

- "During large rain events, these depressional wetlands collect a portion of the site's surface water runoff." "In addition, the wetlands likely provide some pollutant filtration functions."

Water Quality Functions asks about surface water outlets, soil characteristics, persistent plant life, and how much of the wetland is seasonally ponded.

#### *Hydrologic Function.*

- "The developed surrounding site conditions reduce the hydrologic function." "The wetlands are shallow depressions, which limits the potential to store stormwater during large rain events." "In addition, the basins that contribute surface water to the wetlands are entirely within the property, which limits the opportunity for the wetlands to store large volumes of stormwater."

Hydrologic functions are evaluated in the rating questionnaire by noting surface water outflows, depth of water storage during wet periods, and contribution of watershed storage.

#### *Habitat Function.*

- "Wetlands A, C, and Y provide moderate habitat functions." "The remaining wetlands....provide moderate to low wetland habitat functions due to the proximity of the MBT-Longview site's operation"

facilities.” “Wetlands Z and P2 likely provide only temporary use by birds and waterfowl due to surrounding development and degraded habitat conditions.”

Habitat functioning is assessed by the rating system by evaluating plant community structure, hydroperiods, richness of plant species, interspersion of habitats, special habitat features, accessible habitat, undisturbed habitat near the wetland, and land use intensity within one kilometer.

In summary, the Conceptual Mitigation Plan conflates wetlands with stormwater features while underreporting actual wetland functions. This is even more evident in discussion on page 37, describing that “each of these wetlands’ respective contributing basins is entirely within the property and/ with the exception of wetlands A and Y, limited to the area directly surrounding the wetland. Therefore the pollutant filtering function of these wetland is minimal.”

As described in detail above, pollution filtration is but a part of the overall wetland classification and function and does not absolve the applicant of faithfully recording and mitigating wetland functions. Page 37 continues that “The water quality function provided by these wetlands through stormwater retention and groundwater infiltration would be lost, but the pollutant filtration function would be retained through on-site stormwater treatment.” And “Overall, the hydrologic functions provided by these wetlands through stormwater retention would be offset through an expanded stormwater management system, but the groundwater recharge function would be lost.”

The application does not account for wetland functions associated with stormwater features such as ditches, but does evaluate wetlands based, primarily, on their stormwater functions.

## **Aquatic Impacts**

The trestle is described as by the applicant a narrow overwater structure. The approach trestle will be 32 feet wide and approximately 14.1 feet on the Columbia River datum, which is approximately 3 feet above ordinary high water mark. For reference, the 2017 high water level was 13.92 and the flood of record reached 24 feet.

The applicant states, as they have in other documents, that ‘ambient light would be expected to reach beneath the trestle at all times of the year.’ This is a gross overstatement, given the height and width of the trestle. Furthermore, the applicant states that ‘any change in habitat suitability for piscivorous fish due to the trestle would be negligible.’ No citation or explanation is offered to substantiate their claim in this regard.

Overall shallow water habitat impacts are also minimized by the project description, which omits a key behavioral issue for juvenile salmon – they often skirt shaded areas rather than going through them. This is critically important, because dock structures may cause fish to go around docks and through deep water habitat, rather than continuing along the shoreline.

The Conceptual Mitigation Plan states that because the structure is just 5% of the channel width, “a smaller proportion of outmigrating juvenile salmonids would be expected to encounter the structure.” The authors appear to allow the idea that the structure is a small proportion of the channel to conflate with actual amount

of fish which would have to interact with the structure. In fact, as discussed in the Seasonal Juvenile Salmonid Presence and Migratory Behavior in the Lower Columbia River report by PNNL scientists, Carter et al, 2009, “Most acoustic-tagged yearling and subyearling Chinook salmon passed the acoustic receiver array near East Sand Island (RKM 8.3) on the north (Washington) side of the navigation channel.”

So, contrary to the permit application’s claims, actually MOST juvenile (Chinook) salmon outmigrate on the northern shore of the Columbia River. We suggest the Millennium team read this research to understand the species they will impact and provide at least sensible and logical discussions about the potential impacts.

The applicant also states that ‘based on its orientation relative to the channel’ and ‘similar to what is described for juvenile salmonids above, relatively few eulachon would be expected to encounter this structure.’ This is an inaccurate, illogical, and unscientific assessment of impacts to a threatened species.

On page 42 in the section labeled ‘Conclusions Regarding Predation’ infers that most juvenile mortality occurs near Caspian tern and cormorant colonies due to bird predation. However, investigating the cited report, states that “avian predation losses (2 to 12%) observed for fish in this study.” Additionally, the applicant does not take into account the study’s focus on the estuary environment, the large data gaps upstream of the estuary, or the relatively tiny sample size. Therefore, the statement “very little mortality is occurring to migratory juvenile salmonids from near the mouth of the Willamette River to RKM 50” is at best a rosy extrapolation.

Page 54 skirts acoustic injuries to salmon or other fish by stating that they will minimize underwater noise impacts. We note, from the NEPA DEIS documents associated with this proposed action, that pile driving noise thresholds would be exceeded at distances of 45 feet to 3.92 miles (exceeding the width of the Columbia River at this location), resulting in injury and behavioral impacts to adult salmon. This data considers impacts to adult fish. The DEIS occluded actual impact by measuring impact distance along the shoreline and suggesting an impact area of 0.44 square miles.

Injuries to salmon can result in ‘reduced fitness, leading to increased vulnerability to predators, reduced ability to locate prey, inability to communicate, or inability to sense their physical environment.’ (pgs 5.7-26 & 27) When these effects are temporary, they are able to recover most function within 18 hours. The projected injury distance is 1.1 miles, which means that during the pile driving period 100% of the migrating salmon species, either juvenile or adult, is likely to be negatively affected, injured, and fitness reduced.

And, there is still no description of where the dredge spoils will be placed, which is critical to determining water quality impacts.

The proposed off-channel slough mitigation site ignores two critical site features:

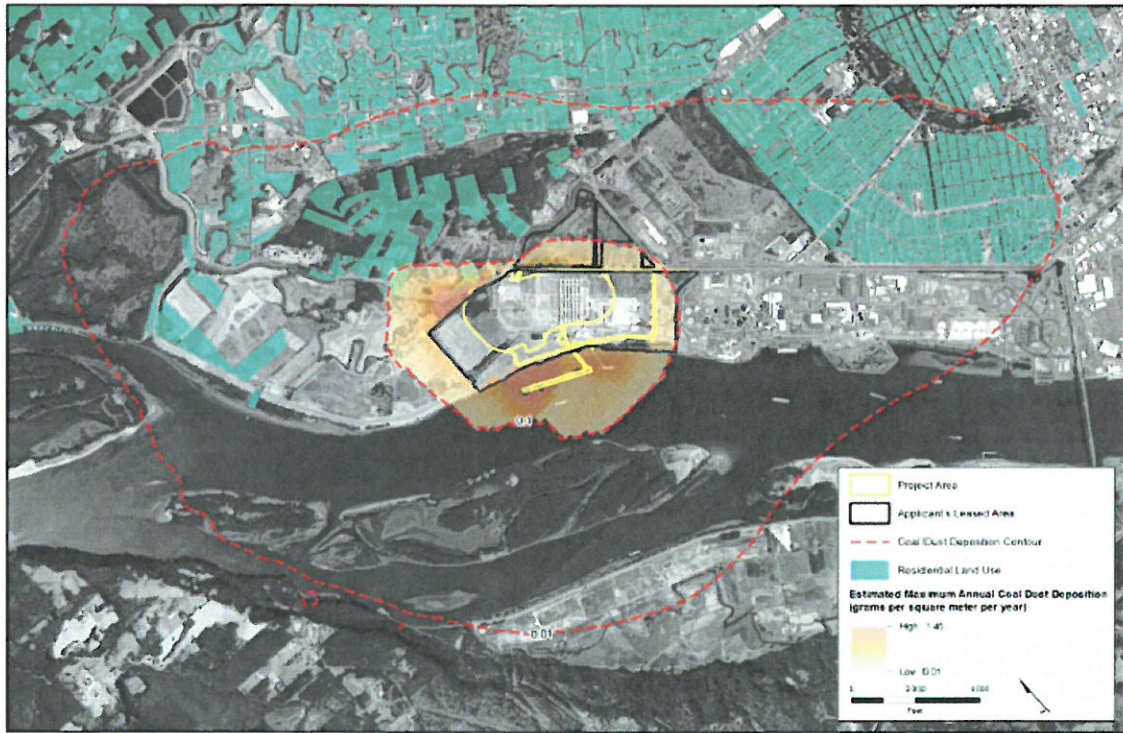
- Coal dust deposition is anticipated to be 1.45 grams per square meter, the highest off-site rate offered by the applicant’s research, in the off-channel slough vicinity. Creation of an off-channel rearing site would create an attractive nuisance in an area likely to become contaminated by coal dust and without

the flushing volume associated with the mainstem Columbia River (see our comment letter dated November 28, 2016 for full associated concerns with coal dust in the Columbia River)

- Erosion risks are higher with a small, confined outlet with diurnal ebb and flow and pond for the levee system. Hydrology should be carefully evaluated and modelled before this project moves forward. The following link is a description of a restoration project which was rebuilt after community concerns about levee erosion downstream of the ponding area.

<http://whk.stparchive.com/Archive/WHK/WHK09252014P01.php>

Figure 6.7-2. Estimated Maximum Annual Coal Deposition—On-Site Alternative



To conclude, we are appalled that the Conceptual Mitigation Plan reiterates the applicant's intent to prevent debris such as sawdust, concrete, and asphalt rubble from entering the Columbia by 'using tarps.' And they also apparently still think a 'skiff and a net' are sufficiently efficient for retrieving floating debris generated by construction or operations. We disagree with this approach. It's on page 53.

## Wetland and Aquatic Mitigation Proposals

First, and critically important, the proposed wetland mitigation site either has not had, or a report has not been presented, regarding cultural resources at the proposed mitigation sites. The Millennium Bulk Terminals National Environmental Policy Act Draft Environmental Impact Statement noted that "the probability for archaeological resources to exist at the Off-Site Alternative (Barlow Point) project area is considered high."



Barlow Point is located immediately east of the proposed mitigation site. Additionally, the proposed wetland mitigation site has been minimally disturbed since settlement occurred and may contain cultural artifacts.

Project actions which require the Section 106 consultation:

- Excavating slough features.
- Tilling to improve groundwater penetration.
- Grading.

**This project review should be stopped until an archeological investigation has been completed to determine if and what resources exist at the proposed mitigation sites.**

## **Wetland Mitigation Proposal**

The mitigation site currently has 16.29 acres of delineated wetlands, per Table 9, page 68. The applicant proposes to create an additional 56.68 acres on the 100 acre site and enhance 13 (or 14) existing wetland acres. Impacts to wetland buffers at the project impact site, or mitigation for impacted buffers, are not discussed in the Conceptual Mitigation Plan.

We reviewed Cowlitz County Code 19.15, Critical Areas, to assess the mitigation proposal in the language of the relevant local code. The Wetland Mitigation Ratio table below has been extracted from CCC 19.15.

Table 19.15.120-E. Wetland Mitigation Ratios

Category and Type of Wetland Impacts	Reestablishment or Creation	Rehabilitation Only <sup>a</sup>	Reestablishment or Creation (R/C) and Rehabilitation (RH) <sup>a</sup>	Reestablishment or Creation (R/C) and Enhancement (E) <sup>a</sup>	Enhancement Only <sup>a</sup>
All Category IV	1.5:1	3:1	1:1 R/C and 1:1 RH	1:1 R/C and 2:1 E	6:1
All Category III	2:1	4:1	1:1 R/C and 2:1 RH	1:1 R/C and 4:1 E	8:1
All Category II	3:1	6:1	1:1 R/C and 4:1 RH	1:1 R/C and 8:1 E	12:1
Category I Forested	6:1	12:1	1:1 R/C and 10:1 RH	1:1 R/C and 20:1 E	24:1
Category I – based on score for functions	4:1	8:1	1:1 R/C and 6:1 RH	1:1 R/C and 12:1 E	16:1
Category I Wetlands of High Conservation Value	Not considered possible <sup>b</sup>	6:1 Rehabilitation of a wetland of high conservation value	R/C Not considered possible <sup>b</sup>	R/C Not considered possible <sup>b</sup>	Case-by-case
Category I Bog	Not considered possible <sup>b</sup>	6:1 Rehabilitation of a bog	R/C Not considered possible <sup>b</sup>	R/C Not considered possible <sup>b</sup>	Case-by-case

This table is useful to evaluate the proposed mitigation ratios. As re-establishment and creation were also put into a single category, we reviewed CCC 19.15.120.D.4 definitions and summarized each action as follows:

- Restoration. Re-establishment and rehabilitation of wetlands. Returning natural or historic functions to a **former** wetland.
- Creation. Establishment of wetlands on disturbed upland sites. A gain of wetland acres.
- Enhancement. Enhancement of significantly degraded wetlands in combination with restoration or creation.

We updated the table found on page 72 with the corrected data. Bolded ratios and acreage needed figures are the corrected mitigation ratios per CCC 19.15.120-E. Based on a the same assumptions presented in the Conceptual Mitigation Plan, the Cowlitz Indian Tribe calculates 8 additional creation acres or 28 additional rehabilitation acres.

Wetland	Category	Acres Impacted	Reestablish/ Create	Rehabilitation	Mitigation Acreage Needed
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A (forested)	III	8.35	2:1		16.7
C (forested)	III	3.38	2:1		6.76
P1	III	4.80	2:1		9.6
P2	IV	2.65	1.5:1		3.975
P3	IV	1.23	1.5:1		1.845
Y (forested)	III	0.57	2:1		1.14
Z	III	11.22	2:1	4:1	22.44 / 44.88
I	IV	0.03	1.5:1	3:1	0.045 / 0.09
L	IV	0.08	1.5:1	3:1	0.12 / .24
TOTALS		32.31			62.625/ 85.23

The mitigation proposal does not appear to create or reestablish like-to-like wetland types. Wetlands A, C, and Y at the project impact site are forested wetlands. At a 2:1 mitigation ratio, the 12.27 acres would be mitigated by creation of 24.54 forested wetland acres at the mitigation site. The applicant proposes 15 forested wetland acres to be created. Using the applicant’s own resources, which we assert as being inadequate.

Further, the Cowlitz Indian Tribe posits that the mature forested wetlands at the impact site should be actually categorized as ‘mature forested wetlands,’ or Class I wetlands, with a 6:1 mitigation ratio, per Cowlitz County Code (CCC) 19.15.120-E. Wetlands which may not classify as ‘mature forested’ should still be mitigated by like-to-like. That would mean that 61.95 acres of forested wetlands type would have to be created.

The applicants also assert that they will be conducting ‘rehabilitation’ rather than ‘enhancement’ activities on existing wetlands. Cowlitz County clearly states that these terms exist on a continuum, which is determined by the County. As 14 acres of existing wetlands will be ‘rehabilitated’ and 14 acres of wetland enhanced to shrub-scrub, it would suggest that the project actions proposed by the applicant will not include substantial lift or change to the existing wetland features. Ceasing mowing or grazing ought to be adequate to restore the wetlands, and replanting them is not a substantial lift to the hydrologic, habitat, or social benefits at the site. Most scrub-shrub wetlands are Category III or IV, unless part of a larger and more complex wetland feature, so a functional lift should also not be anticipated. This analysis suggests the correct proposed wetland mitigation type would be ‘enhancement.’

At this time, we would like to present a revised wetland mitigation ratio and acreage table, adopting the corrections presented in the preceding paragraphs.

Wetland	Category	Acres Impacted	Reestablish/ Create	Enhancement	Mitigation Acreage Needed
A (mature forested)	I	8.35	6:1		50.1
C (forested)	II	3.38	3:1		10.14

P1	III	4.80	2:1		9.6
P2	IV	2.65	1.5:1		3.975
P3	IV	1.23	1.5:1		1.845
Y (forested)	II	0.57	3:1		1.71
Z	III	11.22	2:1	8:1	22.44 / 89.76
I	IV	0.03	1.5:1	6:1	0.045 / 0.18
L	IV	0.08	1.5:1	6:1	0.12 / .48
TOTALS		32.31			99.975 / 179.64

The issues described above, in addition to a failure to complete a cultural resource survey as part of the project proposal, are critical flaws in the mitigation proposal. Particularly since the proposed mitigation site is 100 acres - absent additional information, the Cowlitz Indian Tribe does not see how Millennium Bulk Terminals can complete necessary mitigation at their proposed site.

We have additional concerns regarding increased ground water levels for neighboring parcels, possible issues with standing water and mosquitos, and how the increased water and ground water at the site will affect other parcels in the vicinity. The City of Longview has proposed the area as mixed residential and commercial. We raise these issues to say “This Is Not a Good Idea,” for more reasons than the direct environmental and regulatory issues we raise here today.

Finally, the quality of the study is difficult to determine, given the statement on page 69 that “species likely to inhabit the Mitigation Site include birds, rodents, amphibians, reptiles, and invertebrates. Larger and more mobile mammals could also be present.” After reading this statement, we suggest that the applicants actually complete an assessment that narrows habitat use down from anything alive to a slightly shorter list.

### Aquatic Mitigation Proposal

The aquatic mitigation site, as we described in the introduction, has two key flaws.

- High rates of coal dust deposition at the aquatic mitigation site; and
- Possibility of erosion to the CDID #1 levee due to the diurnal tidal ebb and flow.

The proposal additionally purports to add 7.4 acres of new aquatic habitat. Reading through the section in detail, it is not until page 113 that an illustration finally makes clear what is proposed. And it is not 7.4 acres. It is a small open water slough with bordering scrub shrub and emergent wetlands. This is described, but not very well, on page 106 as 4.5 acres of native emergent, shrub and tree species. How does an open water area become a small slough? By putting 22,000 cubic yards of ‘suitable upland fill’ into the existing pond, grading it so it drains out (to reduce fish stranding potential) and then replanting to the emergent and shrub/scrub communities. The pond is currently between 0 and +4 feet in elevation, and after the project, the minimum elevation will be +4.

Millennium Bulk Terminals estimates they will impact 4.83 acres of aquatic habitat. If 7.4 acres of ‘new aquatic habitat’ subtracts 4.5 acres of wetland and upland enhancement, 3.5 acres of mitigation is proposed. Based on the model below, we suspect that even less aquatic habitat will be permanently created.

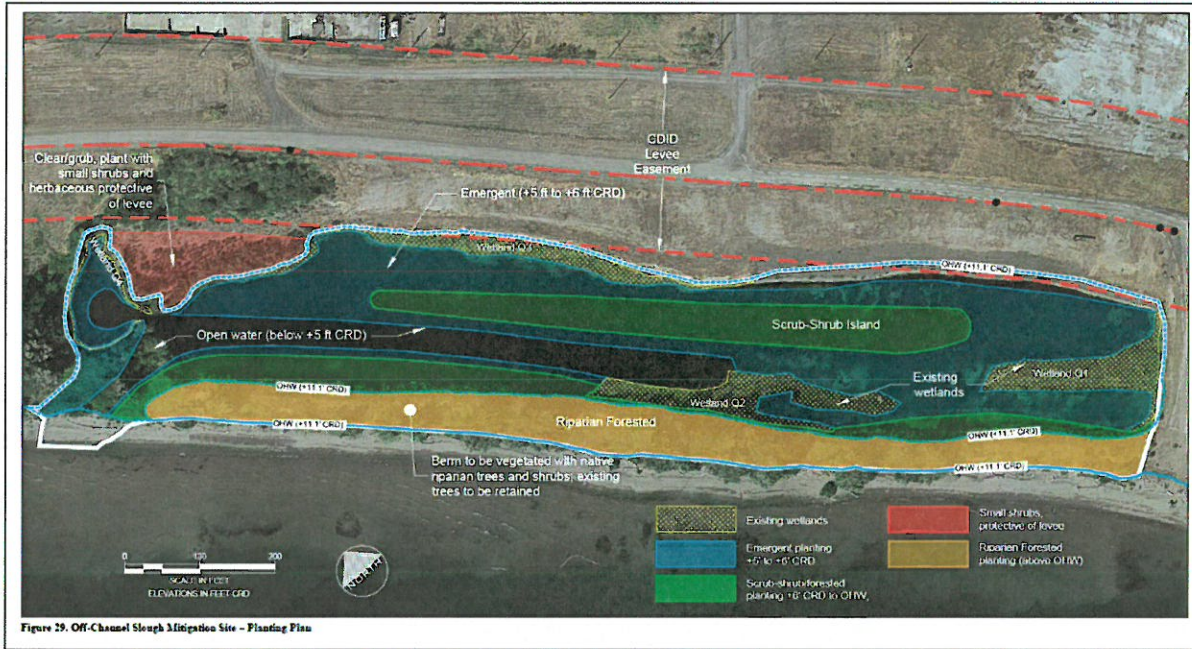


Figure 29. Off-Channel Sloop Mitigation Site - Planting Plan

The Millennium Coal Terminal proposed site coal dust deposition modeling illustrates that the heaviest coal dust deposition will occur over the Columbia River. When coal enters the Columbia River, it becomes part of the Columbia River sedimentation process. When it settles to the bottom, it impacts benthic organisms disproportionately. Coal impacts aquatic organisms in ways such as tissue abrasion and smothering or clogging of respiratory and feeding organs. This would have a higher impact on benthic invertebrates and bottom feeding fish, including sturgeon. Further up the food chain, invertebrate community changes could impact fish such as salmon and other higher order species.

Another, perhaps more terrible impact would occur as coal sediments accrete in the Columbia River estuary. Lower Columbia River Sand Supply and Removal: Estimates of Two Sand Budget Components (Templeton and Jay, 2013) note that, though 'tidal currents at the mouth of the system are strong, there is very little net sand transport from the estuary to the ocean under the present regulated flow conditions.' The NEPA DEIS states that toxins could leach from coal to the pore water in sediments. A contaminant sink of coal, exported over time downriver, would likely largely remain trapped in the Columbia River estuary, a place so key to the Columbia River's salmon population that millions and millions of dollars have been put towards restoring it for future generations. This Coal Terminal proposal does not address how a contaminant sink might affect either local resources or the lower Columbia River estuary.

Trace amounts of toxic elements are present in coal including antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel, selenium, and uranium in trace amounts. The Columbia River's downriver estuarine environment, where most sediments do not exit the estuary, would quite probably develop a toxic sink. Evidence of how sediment moves through natural fluvial process and dredging is available.

The effect decades of coal dust, coal particles, or coal spills would have on the local and downstream river environment should be evaluated. Coal deposition into major river and estuary sediments should be, at minimum, modelled to understand how this will affect the Columbia River aquatic ecosystem. The Cowlitz Indian Tribe rejects this mitigation proposal as inadequate and without scientific merit.

## Conclusion

We fundamentally oppose this proposed project development adjacent to and within a fragile ecosystem. This development is contradictory to the State of Washington's goals and commitments toward global climate change reduction and local goals of recovery and sustainability within both the economic and environmental arena. We believe it is an ethical responsibility for the Action Agencies to deny any approval for the proposed Millennium Bulk Terminal – Longview Water Quality Certification.

Water quality is critically important to our region's long-term health. We ask the Department of Ecology team to carefully and thoughtfully review our comments on this topic. The proposed project has many troubling aspects, and the applicant cannot reasonably assure compliance with Washington State's water quality standards and other aquatic resources protection requirements.

Please contact our Natural Resources Department Director, Taylor Aalvik or our Natural Resources Program Assistant, Tiffini Alexander for follow up communications and scheduling. Taylor can be reached at: 360-577-8140, or [taylor.a@cowlitz.org](mailto:taylor.a@cowlitz.org), and Tiffini can be reached at: 360-577-8140, or [talAlexander@cowlitz.org](mailto:talAlexander@cowlitz.org),

Sincerely Yours,



William Iyall, P.E

Chairman of the Cowlitz Indian Tribe

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