

## Wendy Harris

I am writing to ask for a one-month extension of time for the first public comment session. During that period, I request that you hold a public Q&A meeting so that we can all have our many questions addressed with any agenda. I am compiling a list of questions as I review materials and would like to be fully informed before the threshold determination.

You have allowed only two weeks for review of a very large and complex proposal for Cherry Point development that involves shoreline use, new facilities, and expanded infrastructure. This is simply too rushed for a project of this size and I do not believe it is reasonable to expect the public to review all of the material and prepare a comment in such a short time span. Additional time provides the public with due process rights for an important SEPA case and could result in more informed comments. This is established by some of the facts, as reflected below.

This proposal involves 18 acres of land, half of which consists of wetlands, that abut and makes use of the shoreline with a "temporary" dock that may or may not comply with the USACE restrictions on new docks and piers. Since biodiesel is being shipped and supplies received continuously, I am not sure how this can comply with fish windows as claimed.

The proposal develops not one but two steam methane reforming facilities, which create great heat (up to 900 degrees) and pressure, adjacent to each other and the Phillips 66 petroleum refinery. This follows on the heels of an application for an extremely large tank farm expansion of the refinery and these facilities will also include large tanks and production capability of up to 350 million gallons. We are talking about what is likely the largest expansion of P66 since the refinery was first created.

This will increase transportation from trains, tankers, railroad trains, and diesel trucks. This was estimated to increase the need for tankers, tug-barges and assist tugs. This will increase tanker traffic by 144 ships annually, but the number of tug-barges and assist tugs could not be estimated. That leaves me at a loss to understand how the consultant can then claim the impacts from this increase would be less than significant. We are told that there would be no increase in train traffic but that is suspicious when it is stated that 55 new trains would be arriving each day and that is half a train. There is wear and tear and greater fuel use if nothing else. This will also require the expansion of the rail receiving facility.

The consultant also determined that an accidental release of renewable biodiesel, which may cause narcosis to aquatic organisms, birds and wildlife, would have less than a significant impact on the Salish Sea ecosystem, which is already suffering from a loss of fish populations, starving marine mammals and large declines in sea bird populations. It does not appear that the consultant considered this fact. A credible explanation of his determination is not provided other than the assumption that there will be an effective spill response. I am not sure how this even qualifies as an expert's opinion.

I thought that SEPA required a cumulative impact analysis, but this is one of the many matters I would require more time to research. It does not appear that any cumulative impact analysis has been considered, nor the impacts of climate change and sea-level rise, whose impacts alone are

killing off native species and promoting the arrival of invasive species such as the newly discovered European Green Crab. We know that the Salish Sea ecosystem is going to face greater challenges in the future but that remains unacknowledged.

The various government permits required takes a page and a half to list and need to be explained to the public and studied. It also takes time to review mitigation plans, stormwater plans, and solid waste plans. It is concerning that Green Apples allows itself great latitude is what it produces and what materials it uses. There are no firm conditions in the proposal and this could be a problem. For example, the applicant can decide to produce renewable airline fuel rather than biodiesel and this would change the GHG profile as would the use of different oils or animal fat.

However, what the feedstock consists of and how it is treated before and after processing is a primary concern of mine. I live downstream of P66, and only 5 miles from BP, and suffer from a serious and extremely advanced environmental pulmonary disease. Molds, bacteria, particulates, and VOCs that float in the air can be life-threatening to me and I need to know what I may be exposed to and I would like assurances that I will remain safe by being able to track what materials are being used and how they are being treated. I would like to know if my life is being considered in the threshold decision and with regard to this project, generally.

An important reason to delay a threshold decision is that not all of the necessary reports have been completed. I do not understand how it is even legal for this project to move forward with a SEPA threshold decision before this information is ready. Some of these documents are very necessary for purposes of determining environmental impacts, including the Geotechnical Investigation Report (GeoTest Services, pending) , the Construction Stormwater Pollution Prevention Plan (SWPPP) (Anvil, pending), the Stormwater Design Report (Anvil, pending), the Traffic Impact Analysis (AECOM, pending). There is also a listed Environmental Site Assessment (Whatcom Environmental Services, pending). I do not know what involves, but I hope it is the WDFW priority species and habitat and the CAO fish and wildlife habitat conservation areas required under the state GMA under a standard of no net loss. I note the biological opinion covers only federal species and this leaves a large gap in what must be protected.

I am not sure how any threshold decisions can be made before all analyses and reports have been completed. This leaves me concerned that the county and your office will attempt to allow this massive proposal as a SEPA Mitigated DNS or even a DNS, which would be completely inappropriate. You may wish to consult your counsel on this matter because in the event you are sued, (and we know that large fuel projects are often controversial), it could harm your ability to prevail if you did not follow all the correct procedural requirements such as reviewing all relevant environmental documents.

My final point is one of timing. Your public comment was issued, literally, at the tail end of an election, with many people involved in campaigning for a candidate. The same people most likely to comment on this matter are the same people who are tied up the election ends on the 6th. That deprives too many people in our community of the right to participate in this pre-threshold comment period, and let us be honest... this is the important one. Such timing could not have been worse for a project that has been around for a little while already. I do not understand the sudden need for a rush.

Please extend the comment period for one month and schedule a Q&A session. In the event that

you are unwilling to do this, then as a protective action, I request that an EIS be required of this large and complex proposal.

Sincerely,

Wendy Harris

Blaine