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October 8, 2020

Attn: Rich Doenges
NWIW SSEIS
Washington Department of Ecology
PO Box 47775
Olympia, WA 98504-7775

RE: Comments on the Draft Second Supplemental Environmental Impact Statement for the Kalama Manufacturing and Marine Export Facility (Ecology Publication 20-06-011)

Dear Mr. Doenges,

Thank you for the opportunity to comment on the Draft Second Supplemental Environmental Impact Statement (DSSEIS) for the Kalama Manufacturing Marine Export Facility (KMMEF). As you know, Cowlitz County is the Nominal Co-Lead Agency with the Port of Kalama for the original FEIS and SEIS for the KMMEF project. Separately, Cowlitz County is a regulatory agency sharing responsibility with the Department of Ecology (Ecology) for implementation of the Shoreline Management Act. With such roles, the County's comments are focused on the overall SEPA review as applied by Ecology, and not on specific, technical presentations within the DSSEIS. Detailed commentary on such presentations is being submitted by County's co-lead, the Port of Kalama, and for purposes of economy the County would incorporate as its own the contemporaneous comments submitted by the Port.

As an agency asserting jurisdiction in this matter, Ecology concluded that the Port's and County's draft of the first SEIS warranted additional discussion of the impacts of the project's potential greenhouse gas (GHG) emissions – as well as the mitigation of those impacts. This led to Ecology's preparation of the DSSEIS which broadened the scope of analysis of GHGs associated with the KMMEF project. Ecology chose to pursue an SSEIS. The County's position is that your DSSEIS, as written, expands the scope of the Port and County's original SEIS analyses beyond all legal standards and authorities established for SEPA. Simply stated, the DSSEIS improperly clouds and endeavors to supplant the existing SEPA record of probable impacts under a reasonable review of KMMEF.

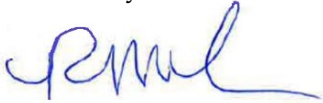
First, the DSSEIS reaches beyond your agency's legal authority under SEPA by hypothesizing about end uses unsupported by the established purpose – on record – for the KMMEF project. The DSSEIS relies upon remote and speculative scenarios for KMMEF to then assess "possible" project impacts – contrary to SEPA mandates to assess "probable" impacts of reasonable scenarios. The County believes the SSEIS, as written, is improper application of the State Environmental Policy Act, and should not be relied upon by itself to make permit decisions for the KMMEF project.

Secondly, the DSSEIS, as written, fosters unnecessary confusion about the content and measure of the official SEPA record of the KMMEF project. By example, the DSSEIS recites an inaccurate presentation of the findings and conclusions of the original SEIS. By further example, the DSSEIS offers misrepresentations and mischaracterizations when advocating how the data and analyses within the DSSEIS compare to the data

and analyses in the original SEIS. It must not be lost on Ecology when it revisits its DSSEIS that the records for the FEIS, SEIS and final SSEIS contain an amalgamation of information for comprehensive consideration which is required for a thorough and adequate and legal environmental review. The name of the document - "supplemental" - defines the purpose of the SSEIS, as to supplement the record and not supplant the records of the SEIS or EIS.

In sum, the County would encourage Ecology to revisit its decision to use hypothetical and speculative end use scenarios and to confine its review to gaging the probable environmental impacts of the KMMEF project. Finally, the County requests that Ecology, for its SSEIS, revisit and fully and accurately represent the facts, findings and conclusions of the original SEIS within the SSEIS.

Sincerely,



Ron W. Melin, CFM
Planning Division Manager
SEPA Responsible Official
Cowlitz County