



San Juan County Council

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District 1, Bob Jarman
District 2, Rick Hughes
District 3, Jamie Stephens

January 13, 2014

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Whatcom County P&DS

Proposed Gateway Pacific Terminal/Custer Spur EIS
c/o CH2M HILL
1100 112th Avenue NE, Suite 400
Bellevue, WA 98004

Randel Perry, Project Manager
USACE, Seattle District
1440 10th Street, Suite 102
Bellingham, WA 98225-7028

Tyler Schroeder, Planning Supervisor
Whatcom County, Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226

Alice Kelly, Planner
WA Department of Ecology, NWRO
3190 160th Ave SE
Bellevue, WA 98008-5452

We have reviewed the recently released GPT Scoping Summary Report and appreciate the details of the many comments received from both the general public as well as from local and regional officials.

However, we continue to be concerned about the potential environmental impacts of the Gateway Pacific Terminal project on the waters surrounding the San Juan County.

In our correspondence with you and other members of the "co-lead agencies" we have provided an extensive list of concerns that we feel must be part of the Environmental Impact Assessment made prior to the start the project on the ground. A copy of the concerns from our letter of 27 November 2012 is attached. Additional question of concern are as follows:

- Who is responsible for the initial response?
- Who will lead local clean up and recovery?

- How will San Juan County be compensated for response recovery costs?

Most importantly, we are disturbed that none of the “co-lead agencies” recognize the obligation to include the concerns that we have expressed specifically for San Juan County. In our letter of 27 November 2012, we requested an **Area Wide EIS** to “*consider the cumulative impact of the transportation, storage, shipment, and use of coal on the environment and the jobs that directly and indirectly depend upon a healthy Salish Sea ecosystem or upon the health of San Juan County’s citizens and visitors, and the local economy.*”

We feel that both the Washington State Department of Ecology and the US Army Corps of Engineers have legal responsibility to assess the environmental impacts of the Gateway Terminal on the land, waters, and citizens of San Juan County. The effects of the project extend far beyond the land areas directly impacted by construction of the terminal. By its very definition it is a transportation hub --- from which potentially toxic cargo is being loaded and transported through shipping lanes immediately adjacent to the waters and shorelines of San Juan County. The presence of the terminal will have on-going environmental effects which would not occur if the terminal were not constructed. These impacts must be assessed prior to approval for construction.

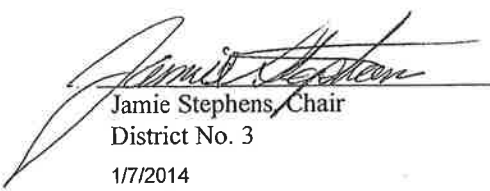
As we said in our November 2012 letter, it is our understanding that you must address all of our comments in the EIS by in-depth analysis with reasonable alternatives identified including mitigation measures, and that if any comment is considered to not be significant, you will provide a thorough explanation.


Thus we request again that the scope of the Environmental Impact Assessments from both the Department of Ecology and the Army Corps of Engineers will analyze all the “potential direct, indirect, and cumulative impacts...on the natural and human environment from the constructions and operation of PIT’s proposed Gateway Pacific Terminal...” These analyses should “consider a range of reasonable alternatives, as well as the no-action alternative. The EIS will also include a discussion of mitigative actions to address identified impact under each reasonable alternative and the no-action alternative.” (Memorandum for Record NWS-2008-260, Army Corps of Engineers, p.8)


We look forward to positive progress on this request.

Sincerely,

**COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON**


Jamie Stephens, Chair
District No. 3


Rick Hughes, Vice Chair
District No. 2


Bob Jarman, Member
District No. 1

cc: The Honorable Maria Cantwell, US Senator
The Honorable Patty Murray, US Senator
The Honorable Rick Larsen, US Representative
The Honorable Jay Inslee, 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 W. Ron Allen, Chair, Jamestown S'Klallam Tribe
The Honorable Frances Charles, Chair, Lower Elwha Klallam Tribe
The Honorable Robert (Bob) Kelly, Chairman, Nooksack Tribe Page 5 of 5
The Honorable Jeromy Sullivan, Chair, Port Gamble S'Klallam Tribe
The Honorable Leonard Forsman, Chair, Suquamish Tribe

Summary of the Points Made and Questions Posed Concerning the Gateway Terminal Project

in the letter from the San Juan County Council

to

CH2M Hill (consultants), Randel Perry (USACE),
Tyler Schroeder (Whatcom County), and Alice Kelly, WA Dept Ecology),

dated 27 November 2012

The following comments identify significant adverse impacts to San Juan County that would only occur if the proposed Gateway Pacific Terminal project is approved.

It is our understanding that you must address all of our comments in the EIS by in-depth analysis with reasonable alternatives identified including mitigation measures, and that if any comment is considered not to be significant, you will provide a thorough explanation.

San Juan County's residents and visitors depend upon marine-based public and private transportation. Washington State Ferries are our marine highways. Our air, water, fish, and fowl migrate over long distances on our planet. Thousands of species spend all or part of their life cycle in San Juan County, with 113 Salish Sea species listed as threatened, endangered, of concern, or candidates for listing. Their health directly affects our quality of our life in San Juan County. The impacts from the proposed Gateway Pacific Terminal do not exist in an isolated bubble that can be drawn only around the location of the proposed terminal. A terminal-specific or site-specific EIS will not adequately consider the cumulative impact of the transportation, storage, shipment, and use of coal on the environment and the jobs that directly and indirectly depend upon a healthy Salish Sea ecosystem or upon the health of our citizens and visitors, and the local economy.

San Juan County's economy is inextricably connected to the beauty of its environment and the health of its ecosystems. Many islanders depend upon a healthy and sustainable salmon fishery and Orca population. Jobs are directly tied to commercial and recreational fishing and shellfish farming. The tourist industry is the engine that runs our economy. People come to the San Juan Islands from all over the world to enjoy the beautiful environment and to see birds and sea life.

The transport of coal through Haro and Rosario straits increases the risk of an oil and/or coal spill in the marine waters adjacent to San Juan County.

- What is the increased risk of an oil and/or coal spill as a result of the increased vessel traffic associated with the proposed Gateway Pacific Terminal?
- What is the risk of an oil and/or coal spill from a collision, allision, or grounding

involving the single-hull bulk carriers?

- How do local tidal current affect how wide-spread the damage would be?
- How many species and commercial and recreational fisheries would be impacted and how would it affect the sustainability of those species?
- How many local jobs and businesses would be adversely impacted and/or lost?
- What would be the impacts to property values?
- What would be the impacts to Washington State Ferries in the event of an oil spill?
- What would be the costs associated with a spill of a bulk carrier's propulsion fuel?
- What would be the costs associated with a coal spill?
- What would be the costs associated with a grounding, allision, or collision involving a bulk carrier that leads to an oil spill from another vessel, including any spills of Alberta Tar Sands products such as diluted bitumen?

San Juan County is the home of and a primary destination for many commercial and recreational fishing vessels and pleasure boats.

- What would be the impacts, and the associated costs of these impacts, to vessel traffic, including Washington State Ferries traffic, in the waters of San Juan County given the proposed increased bulk carrier traffic?
- What is the increased risk of an oil and/or coal spill?
- What are the associated costs, from a grounding, allision, or collision caused by a bulk carrier and a small vessel?

The shipment of coal by bulk carrier requires large engine propulsion.

- What would be the health risks from the increase in particulate matter from the propulsion fuel used in bulk carrier engines
 - To our people?
 - To our waters and marine-dependent species?
 - To our soil, pastures, and locally produced foods?
- How would the increased particulate matter impact our residents and visitors who already suffer from conditions such as Chronic Obstructive Pulmonary Disease, asthma, and emphysema?
- What would be the impacts of the vessel noise on the listed as endangered Southern Resident Orcas and other marine-dependent species, and in particular the vessel noise associated with any required queuing?
- What would be the impacts of the vessel noise on property values, and in particular the vessel noise associated with any required queuing?
- What would be the costs associated with the impacts from bulk carrier vessel noise and propulsion fuel particulate matter?

Vessels discharge ballast water into San Juan County. Increased vessel traffic increases the amount of discharged ballast.

- How would ballast from foreign waters containing non-native, invasive aquatic species

affect the ecosystem of our waters?

- Can the impacts from foreign invasive species upon our marine-dependent species be mitigated?
- What would be the cost of restoration should non-native, invasive aquatic species impact our marine ecosystem?

Biological systems are often complex and interrelated, including the marine food chain around Cherry Point. The herring population at the site for the proposed Gateway Terminal forms the base of the food chain supporting federally listed as endangered Chinook salmon, which, in turn, are the primary food source of the federally listed as endangered Southern Resident Orcas

- How will the coal dust, and its constituent parts, associated with the transport, storage, and loading of coal impact the Cherry Point herring and the environment necessary for them to spawn and maintain a sustainable population?
- What would be the costs associated with the restoration of the Cherry Point herring spawning area?

Eastsound on Orcas Island, as well as Clark, Sucia, Matia, and Patos islands in San Juan County are geographically closer to the proposed Gateway Terminal than is Bellingham, in Whatcom County. This proximity, combined with storm events over open water, exposes the population and natural areas to coal dust, and its constituent parts,

- How much of this dust and pollution would reach San Juan County from the proposed Gateway Pacific Terminal?
- What would be the impacts from the terminal's coal dust, and its constituent parts, to
 - Human health?
 - Crops produced for home and commercial purposes?
 - Ground water quality?
 - Near-shore marine ecosystem and species?
- What would be the costs associated with any of these impacts?

The burning of coal releases carbon dioxide into our oceans and contributes to ocean acidification.

- Based on the tonnage of coal proposed to be exported and subsequently burned, what would be the impacts of increased ocean acidification in the waters of San Juan County?
- What would be the costs of the increased ocean acidification's impacts on recreational and commercial shellfish?
- What would be the impacts to the spawning of shellfish for recreational and commercial harvest?
- What would be the impacts to the wildlife that feed on shellfish?
- What would be the impacts to the pteropods that comprise much of the diet of juvenile salmon?
- What would be the costs associated with the increased ocean acidification?

The burning of coal releases carbon dioxide that contributes to global warming.

- Based on the tonnage of coal proposed to be exported and subsequently burned, what would be the impacts of increased global warming to San Juan County?

- What would be the costs from associated increased storm winds, ocean surges, and precipitation?
- What would be the impacts due to sea level rise?
- What would be the costs associated with sea level rise?

The burning of coal releases mercury.

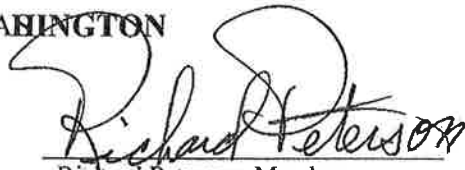
- Based on the tonnage of coal proposed to be exported and subsequently burned, what amount of mercury will be released?
- What amount of that mercury will increase the mercury content of San Juan County seafood and the people and wildlife that feed upon that seafood?
- What would be the impacts of the increased mercury pollution?
- How would the increased mercury pollution impact fish consumption rates?
- What would be the costs associated with the increased mercury pollution?


We look forward to the draft EIS that addresses all of our comments with in-depth analysis and with reasonable alternatives identified including mitigation measures. Thank you for this opportunity to comment on the scoping for the proposed Gateway Pacific Terminal EIS and to secure the San Juan County Council's standing in the EIS process.


Original letter signed by

COUNTY COUNCIL
SAN JUAN COUNTY, WASHINGTON

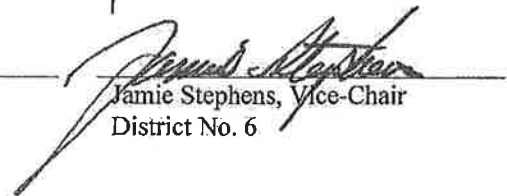

Lovel Pratt, Member
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Richard Peterson, Member
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Howard Rosenfeld, Member
District No. 3


Richard Fralick, Member
District No. 4


Patty Miller, Chair


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 Jay Inslee, Governor-Elect of the State of Washington
- The Honorable Kevin Ranker, Washington State Senator
- The Honorable Jeff Morris, Washington State Representative
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