COLUMBIA RIVER
GORGE COMMISSION
EST. 1986

November 29, 2016

Danette Guy
Project Manager, U.S. Army Corps of Engineers
MBTL NEPA Draft EIS
c/o ICF International
710 Second Avenue, Suite 550
Seattle, WA 98104

(Submitted electronically to https://public.commentworks.com/cwx/mbtldeiscommentform/)

Dear Ms. Guy,
Thank you for the opportunity to review and comment on the Draft Environmental Impact Statement (DEIS) for the Millennium Bulk Terminals Longview, LLC (MBTL). The Columbia River Gorge Commission, a bi-state compact agency, working in Oregon and Washington, manages the 292,500 acre Columbia River Gorge National Scenic Area (NSA) that spans over 85 miles along the Columbia River and its shorelines. Although the proposed terminal is located outside the NSA in Longview, WA, it would receive large volumes of coal via rail shipment from the lower Powder River Basin in Montana and Wyoming, and the Uinta Basin in Utah and Colorado. These trains travel through the NSA both to and from the proposed terminal. In reviewing the DEIS, we once again found that there was no mention of any impacts from the coal trains in the NSA in any of the analyses presented. The information on impacts presented in the DEIS narrowly focused on those immediately adjacent to the proposed terminal, and did not account for the larger and longer term significant environmental impacts from an exponential increase in the number of trains traveling through the NSA.

The Gorge Commission was involved in meetings and discussions about potential impacts in the NSA from the coal trains with the Washington Department of Ecology in both 2013 and 2016. On June 13, 2016 the Gorge Commission submitted a comment letter to the Department of Ecology and Cowlitz County requesting that the DEIS include a comprehensive analysis of the impacts to the scenic, natural, cultural and recreation resources of the NSA. A copy of our June 13, 2016 letter, and the Resolution passed by the Columbia River Gorge Commission related to fossil fuel transport through the NSA, are attached. We are gravely concerned that the information and justification we provided were not acknowledged, and the DEIS lacks consideration of any impacts related to an exponential increase in rail traffic through the NSA. We strongly urge the U.S. Army Corps of Engineers to include complete and full environmental and public health analyses of the impacts due to an increase in rail traffic delivering coal to the terminal, especially given the meteorological conditions and resources that need to be protected in the NSA, as described in the attached comment letter.

Sincerely,

Krystyna U. Wolniakowski

Krystyna U. Wolniakowski, Executive Director
Columbia River Gorge Commission

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June 13, 2016

Sally Toteff, Director, Southwest Regional Office
Washington State Department of Ecology
300 Desmond Drive SE
Lacey, WA 98503

Elaine Placido, Building and Planning Director
Cowlitz County
207 4th Avenue North
Kelso, WA 98626

Re: Columbia River Gorge Commission Comments on Draft Environmental Impact Statement for the Millennium Bulk Terminals Longview

Dear Ms. Toteff and Ms. Placido:

Thank you for the opportunity to comment on the Draft Environmental Impact Statement (DEIS) for the Millennium Bulk Terminals Longview.

The Columbia River Gorge Commission is extremely concerned about the proposed terminal in Longview because of the exponential increase in fossil fuel train traffic through the Columbia River Gorge National Scenic Area. This traffic would result in additional safety risks to Gorge communities and an increase in air, land and water pollution from fugitive coal dust emissions deposited along the route.

The Columbia River Gorge National Scenic Area Act was passed by Congress in 1986 and spans 292,500 acres over 85 miles along the Columbia River in Oregon and Washington. It is the largest and most unique National Scenic Area in the United States. The Columbia River Gorge Commission was established by interstate compact in 1987 with members appointed by the counties and the two state Governors, as well as the Secretary of Agriculture, and has the responsibility to protect and enhance the scenic, recreation, cultural and natural resources of the National Scenic Area (NSA), as well as to protect and support economic development that is compatible with the purposes of the Act. The NSA Act identified the U.S. Forest Service and the Gorge Commission as the two agencies responsible for protecting the land and resources within the NSA. The quality of life that draws new residents and businesses to the NSA, recreation, tourism, forestry, agriculture and Tribal fisheries are important components of the Gorge economy. The Gorge is also an

international tourist destination renowned for its scenic beauty and its rich tribal and cultural history.

The National Scenic Area is particularly rich in natural resources due to ecosystem biodiversity and intact native habitats. It is home to over 800 species of flowering plants, including 15 species of wildflowers that are endemic to this region and exist nowhere else in the world. The NSA has 44 species of fish, including several species of wild salmon listed under the federal Endangered Species Act, as well as 200 species of birds. The NSA is also a working landscape, sustained economically by agricultural and forest lands and 13 designated urban areas. The urban areas in the NSA are located along the Columbia River, close to the highways and railroad corridors than run the length of the Gorge in both Washington and Oregon.

The National Scenic Area Act and the Gorge Compact provide authorities that supersede individual state statutes and provide innovative opportunities to work with railroads, communities and others to address urgent concerns laid out in this letter and raised by thousands of citizens in the Pacific Northwest, including residents of the thirteen urban areas within the NSA. More than 50,000 residents live in the Gorge and an estimated 3.5 to 5 million people visited the Gorge in 2015. Regional recreation has grown to be a half-billion dollar industry. In turn, recreation and the NSA's quality of life have attracted high tech and manufacturing and many of these business interests, residents, and visitors are concerned about the human, environmental and economic impacts of a potential rail disaster. A single derailment accident could seriously impact human lives, air, water and terrestrial resources, and threaten infrastructure on both sides of the Columbia River. This was recently demonstrated by the derailment of a Union Pacific oil train in Mosier, Oregon on June 3, 2016—which led to evacuations of residents, oil spills and air pollution from the four train cars that caught fire.

Given the Commission's responsibility as the steward of the NSA, and our deep concern about the increase in rail traffic, we passed a resolution (attached) that urges the states of Oregon and Washington and the U.S. Department of Transportation to significantly raise the safety and operational standards for rail cars and other commercial transport vessels to avoid and minimize the risks of fossil fuels and hazardous materials transported through the NSA and across the continent.

Significance of the Columbia River Gorge National Scenic Area

In reviewing the Millennium Bulk Terminal Longview DEIS, we believe that it does not adequately acknowledge the significance of the Columbia River Gorge National Scenic Area as a region of special concern and consideration. It states that the Columbia River Gorge Commission will receive information on an annual basis about the proposed project, but does not sufficiently nor specifically address the potential impacts that could significantly degrade the economy, nor the scenic, natural, cultural and recreation resources from rail operations and accidents. It also does not adequately address the cumulative effects of these impacts over time. In addition, there are many other state and tribal protected and sensitive areas within and adjacent to the NSA such as state parks, federal wildlife refuges, tribal fishing areas, critical fish habitats and wetlands that could be harmed by the expansion of the rail lines and additional transport of coal through these areas.

The DEIS identifies "unavoidable and significant adverse impacts" that would occur in the NSA even after mitigation measures are applied. The DEIS summarizes the unavoidable and significant adverse impacts, including the following examples of impacts in the NSA:

- Adverse impacts to treaty fishing rights;
- Increased delay at railroad crossings;
- Rail traffic would cause tracks to exceed capacity;
- Increased emissions of greenhouse gases; and
- Increased coal dust emissions
- Adverse impacts to recreation

The proposed facility would cause significant adverse impacts to these areas. First, the substantial increase in coal by rail would create an unacceptable risk of a major derailment of trains carrying coal, oil and other hazardous products, and spill. Such an accident would be harmful to residents in the Gorge, to its economy, and to its scenic, natural, cultural, and recreation resources. Second, the substantial increase in rail traffic would cause significant adverse impacts from increased delays at railroad crossings, increased noise, and increased air pollution. The increased rail traffic would also likely contribute to the need for additional railroad construction and maintenance in the Gorge, potentially further harming Gorge resources. Finally, the large increase in the daily number of fully loaded 125-rail car uncovered coal trains would contribute unacceptable levels of fugitive coal dust emissions and depositions in the NSA that would require more railroad maintenance. The heavier trains result in more damage to tracks so the weight of coal trains must be considered in the rail accident calculations. BNSF acknowledges that coal dust gets into the rail ballast and damages the track infrastructure and that this damage has eventually resulted in derailments. The extra derailments due to damage to railroad ballast caused by fugitive coal dust emissions must be considered in the calculation of rail accidents caused by the proposed project

Environmental and human health impacts for coal dust pollution:

The DEIS was especially deficient in coal dust emissions analyses, grossly underestimating the impacts on human health, air, land and water quality from the significant increase in the amount of fugitive coal dust generated and deposited resulting from a significant increase in rail traffic. Open-top coal trains lose huge volumes of coal dust and debris during transportation. Several studies have been conducted that predict that one coal train with 120 cars traveling 85 miles through the Columbia River Gorge National Scenic Area could lose just over 10,000 pounds of coal. One coal train per day for 365 days is 3,650,000 lbs. per year deposited within NSA. Dr. Dan Jaffe studied dust deposition from coal trains in the NSA in 2014 and has shown that every train pollutes with some level of coal dust emissions, with higher levels observed in 4 train events he called "superdusters" where loss of coal dust caused a significant plume of coal dust emissions. Dr. Jaffe's findings are available at http://www.atmos.washington.edu/jaffegroup/modules/APOLLO/.

The air quality monitoring that was completed only in Cowlitz County and used in the emissions models to predict impacts may be inaccurate for the National Scenic Area because it did not take into consideration the meteorological conditions throughout the Columbia River Gorge National Scenic Area. The NSA is famous for its high winds and extreme weather conditions. Often, wind gusts up to 40-60 miles per hour. As the uncovered coal trains move through the NSA, the high wind gusts will exponentially increase the amount of coal pieces and particles that are blown off the train and deposited; moreover if there is a derailment and fire, Gorge winds could rapidly spread the fire into nearby towns and important scenic, cultural, recreational and natural lands. Photos have shown the "cloud" of coal dust that is generated as these trains move through the NSA, and the amounts that are deposited on the ground within the railway corridor. More testing, at realistic

Columbia River Gorge wind speeds, needs to take place for the final EIS to provide accurate estimates of the potential effects of the proposal on air quality in the NSA.

The final EIS should disclose the actual worst-case risks and provide adequate disclosure of the consequences on the people and the protected resources in the NSA. The EIS must be revised to identify indirect, direct and cumulative impacts of the proposal on air quality. All impacts on air quality in the Gorge must be disclosed, analyzed and mitigated in the final EIS. This analysis must be informed by the substantial amount of existing information about air quality within the NSA.

Consistency with the National Scenic Area Management Plan:

The Columbia River Gorge National Scenic Area Act establishes land use development standards for all land within the National Scenic Area, excluding certain designated Urban Areas. Independent of the National Scenic Area Act's mandates, SEPA requires that the EIS must include analysis of the likely increase in rail traffic and any accompanying expansions of railroad facilities within the National Scenic Area. Since the project would require extra rail capacity through the NSA, the EIS must identify where new construction would likely occur in the NSA and the impacts that would occur to resources protected by the Act, the Management Plan, and local implementing ordinances. Deferring this analysis to later study does not satisfy SEPA requirements.

The Management Plan for the NSA requires that "air quality shall be protected and enhanced, consistent with the purposes of the Scenic Area Act." NSA Management Plan at I-3-32–33. Pursuant to this requirement, the Gorge Commission approved the *Columbia River Gorge Air Study and Strategy* (Sept. 2011). It summarizes the existing science on air quality impacts, adopts thresholds for significant impacts to visibility, and adopts an overall goal of "continued improvement" in visibility in the National Scenic Area. The Forest Service NSA office has been monitoring lichen and air quality monitoring throughout the NSA. The EIS should be revised to incorporate this information on existing air quality and the potential impacts from additional fugitive coal dust emissions.

The Management Plan for the NSA also requires the protection of existing recreation in the National Scenic Area, NSA Management Plan at Part I, Chp. 4, which the DEIS did not address with respect reducing access to the Columbia River with increased rail traffic and a compromised user experience. The Management Plan also contains a recreation development plan, which the DEIS did not address. NSA Management Plan at Part III, Chp. 1.

In summary, it is important that there be much more rigorous analyses of potential impacts within the NSA from increased rail traffic. The analyses of impacts in the DEIS are vague at best and should be much more detailed, with special emphasis on the risks within the National Scenic Area. We request that the final EIS analyses consider the very unique and special geographic and meteorological characteristics of the NSA and address how the cultural, scenic, natural and cultural resources, and Gorge economy, will be protected and in compliance with the NSA Act. First and foremost, there must be a more rigorous assessment of the risks and benefits of coal transport through the Gorge. Second, adverse effects identified in the evaluation must be avoided, minimized and mitigated throughout the Gorge area. The Gorge must be fully protected and rigorously managed under federal and interstate standards.

Thank you for the opportunity to provide these brief comments on the Millennium Bulk Terminal Longview DEIS. The Gorge Commission is willing to answer questions at any time related to our

mission and the protection of the resources in the Gorge. I can be reached at Krystyna.wolniakowski@gorgecommission.org or 509-493-3323 ext. 224.

Respectfully,

Krystyna U. Wolniakowski

Krystyna U. Wolniakowski
Executive Director
Columbia River Gorge Commission

Attachment: Gorge Commission Resolution on the increase in fossil fuel trains traveling through the Gorge.

RESOLUTION

A RESOLUTION OF THE COLUMBIA RIVER GORGE COMMISSION SEEKING TO PROTECT THE OUTSTANDING SCENIC, NATURAL, CULTURAL, AND RECREATION RESOURCES OF THE COLUMBIA RIVER GORGE NATIONAL SCENIC AREA, AND SEEKING TO PROTECT THE HEALTH, SAFETY AND ECONOMY OF GORGE RESIDENTS, VISITORS, AND COMMUNITIES FROM THE IMPACTS OF INCREASING RAIL TRANSPORT, INCLUDING THE TRANSPORT OF COAL AND OIL THROUGH THE COLUMBIA RIVER GORGE.

WHEREAS, the Columbia River Gorge is a national treasure that contains world-class scenic, natural, cultural and recreation resources and draws visitors from around the world; and

WHEREAS, sacred cultural resources along the Columbia River Gorge have been kept and protected since time immemorial; and

WHEREAS the Columbia River Gorge National Scenic Area is a uniquely vulnerable landscape due to its steep topography, varied landscapes, unique concentration of scenic, natural, cultural and recreation resources, and increasingly evident impacts of climate change, invasive species and intense wildfires; and

WHEREAS, Oregon and Washington, and the United States Congress committed to protect, enhance and support the Columbia River Gorge National Scenic Area with a unique framework of local, state, and federal laws; and

WHEREAS, the continued protection of the Columbia River Gorge cannot effectively be accomplished by a single state or community acting alone; and

WHEREAS, the Columbia River Gorge Commission is committed to protect the most sensitive portions of the National Scenic Area from the cumulative effects of human use and development; and

WHEREAS, the Columbia River Gorge contains two major railways and the only sea-level rail route through the Cascade Mountains; and

WHEREAS, communities across the United States and Canada have recently experienced devastating tragedies resulting from train derailments, oil spills, explosive fires, and other tragic incidents involving the shipment of crude oil; and

WHEREAS, Gorge communities are individually and collectively unprepared to respond to a train derailment, or a spill of coal, oil or other hazardous materials in the Columbia River Gorge National Scenic Area; and

WHEREAS, a coal or oil spill or a tank car explosion would impact both sides of the Columbia River, Gorge communities are willing to work together to protect their regional community; and

WHEREAS, Gorge industries have expressed specific concerns about the threat of a derailment or fire to human lives, private property and economic assets on both sides of the Columbia River; and

WHEREAS, the introduction of fugitive hazardous materials into the National Scenic Area by any means or from any source is a threat to the world-class resources, quality of life, public health and safety, and the economic stability of the Gorge community; and

WHEREAS, Washington and Oregon agencies are currently reviewing multiple proposals to site large-scale coal and oil transportation facilities in the Northwest that would significantly increase the volume of rail traffic in the National Scenic Area; and

WHEREAS, the proposed developments could increase the volume of oil transported through the Gorge to hundreds of thousands of barrels of crude oil daily, thereby significantly raising the risk of one or more catastrophic incidents; and

WHEREAS, the Columbia River Gorge Commission, acting in its capacity as a bi-state policy-making body for the Columbia River Gorge National Scenic Area, is authorized to develop, adopt and implement standards for protecting the resources and assets of the Columbia River Gorge National Scenic Area; and

WHEREAS, the Columbia River Gorge Commission has unanimously agreed that coal and oil transport through the Columbia River Gorge present unacceptable risks to Gorge resources and threaten the health, safety and economy of Gorge communities;

NOW THEREFORE THE COLUMBIA RIVER GORGE COMMISSION, AN INTERSTATE COMPACT AGENCY WITH UNIQUE AUTHORITIES IN THE STATES OF OREGON AND WASHINGTON, HEREBY RESOLVES:

1. The Gorge Commission resolves to fully uphold its responsibility to ensure the consistent protection and enhancement of Gorge resources, and resolves to support and protect the economy of the Gorge from potentially devastating impacts from the transport of coal and oil.

2. The Gorge Commission strongly urges both Governors to use the powers of each state and the authorities in the National Scenic Area Act to impose a moratorium on all new fossil fuel transport through the Gorge until both states, the Commission, and all Gorge communities have jointly completed a comprehensive risk assessment and implemented a regional plan to avoid, minimize, and mitigate risks from fossil fuel transport through the Gorge.

3. The Gorge Commission strongly urges both Governors and all state agencies of Oregon and Washington, to carry out their respective functions and responsibilities in accordance with the Gorge Compact (ORS 196.150 and RCW 43.97.015), including the specific responsibilities under ORS 196.155, RCW 43.97.025, and the Columbia River Gorge National Scenic Area Act.

4. The Gorge Commission strongly urges the United States Department of Transportation to significantly raise the safety and operational standards for rail cars and other commercial transport vessels to avoid and minimize the risks of hazardous materials transported through the Gorge and across the continent.

5. The Gorge Commission strongly urges Oregon and Washington to work with the Commission to explore and fully implement the authorities under the Gorge Compact and the Columbia River Gorge National Scenic Area Act.

6. The Gorge Commission strongly urges Oregon and Washington to use mandatory protection standards in the National Scenic Area Act, the Gorge Compact and the Management Plan for the Columbia River Gorge National Scenic Area, as those standards are applied by the Gorge Commission and the United States Forest Service, to evaluate the effects of any new development or transportation proposal on or in the National Scenic Area.

7. The Gorge Commission is committed to fully implement the purposes of the National Scenic Area Act, including developing planning, policy and management tools to ensure that our communities, resources and environment are healthy, safe and protected now and for future generations.

8. To ensure the full and timely implementation of this Resolution, the Gorge Commission respectfully requests that the offices of the Governors of Oregon and Washington, and appropriate state agencies, meet with the Commission and its staff not later than September 30, 2014, to discuss and determine appropriate State and Commission actions.

9. This Resolution shall take effect immediately upon passage by a vote of the Commission and upon signature of this document by the Chair or his appointed designee.

Dated and signed this 17TH day of JULY, 2014.

Jim Middaugh, Commission Chair – Multnomah County

Lynn Burditt, USDA – US Forest Service

Janet Wainwright, Vice Chair, Washington

Gorham Blaine, Hood River County

Damon Webster, Clark County

Rodger Nichols, Wasco County

Keith Chamberlain, Skamania County

Antone Minthorn, Oregon

Carl McNew, Klickitat County

Bowen Blair, Jr., Oregon

Hon. Don Bonker, Washington

Dan Ericksen, Oregon

Lorrie DeKay, Washington