



November 29, 2016

VIA E-MAIL AND U.S. MAIL

Millennium Bulk Terminals-Longview NEPA EIS
c/o ICF International
710 Second Avenue, Suite 550
Seattle, WA 98104
www.millenniumbulkeiswa.gov/submit-comments.html

U.S. Army Corps of Engineers, Regulatory Branch
Attention: Ms. Danette L. Guy
2108 Grand Boulevard
Vancouver, WA 98661
NWS.MBTL@usace.army.mil

Re: Millennium Bulk Terminals–Longview LLC, Application No. NWS-2010-1225: Comments on Draft EIS and Permit Application

Dear Sir or Madam:

The following comments are submitted on behalf of the Sierra Club, Columbia Riverkeeper, Friends of the Columbia Gorge, Natural Resources Defense Council, Puget Soundkeeper and Spokane Riverkeeper on the Draft EIS and permit application. These comments are in addition to the comments submitted on November 28, 2016, by Earthjustice on behalf of Sierra Club, Columbia Riverkeeper, Friends of the Columbia Gorge and others.

As the comments by Earthjustice, et al. state, the Army Corps has invalidly narrowed the scope of its review in the Draft EIS to ignore the reasonably foreseeable indirect and cumulative impacts caused by this proposed project. *See, e.g.*, 40 C.F.R. § 1508.8(a)-(b). Another major flaw with the Corps' analysis is the constrained geographic scope of the review. *See* Earthjustice, et al. comments at Attachment 1.

A recent federal district court trial in the *Sierra Club v. BNSF Railway* Clean Water Act matter examined the problem of existing coal dust and coal chunk pollution along rail lines in Washington state. Constructing the Millennium Bulk Terminal coal export facility is expected to

add additional coal train traffic, and, consequently, additional coal dust and chunk pollution along the rail lines. The Draft EIS by virtue of its limited geographic scope ignored this reasonably foreseeable impact all along the rail line from mine to port. Moreover, the Draft EIS assumes that the BNSF coal loading rule achieves a full 85% reduction in coal dust and chunk pollution, a fact that the trial evidence calls into question. The trial transcripts containing eyewitness and expert testimony about coal dust and chunk pollution in Washington's waterways are attached hereto as Attachments 1-2.¹ The trial transcripts and exhibits are also contained on a CD to follow by U.S. mail.

Sincerely,



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Attachments

cc: Department of Ecology (via U.S. Mail with attachments)

¹ The referenced trial transcripts can also be found electronically here: <https://app.box.com/s/zh6g1os2p4285j5hyet5wl04olm6v3td> . Similarly, the referenced trial exhibits, which contain a number of photographs and videos, can be found: <https://app.box.com/s/c32vk30hfgn4creh49519bzkiyqlq6bo> . In addition, CDs containing the same information are following by U.S. Mail.