

Upper Columbia United Tribes
25 W. Main, Suite 434
Spokane, WA 99201

Phone: 509.838.1057
Fax: 509.209.2421

Coeur d'Alene

Colville

Kalispel

Kootenai

Spokane

November 14, 2013

Millennium Bulk Terminals-Longview EIS
c/o ICF International
701 Second Ave., Suite 550
Seattle, WA 98104

Washington Department of Ecology
c/o Diane Butorac
PO Box 47775
Olympia, WA 98504

U.S. Army Corp of Engineers
c/o Danette Guy
2108 Grand Blvd.
Vancouver, WA 98661

Cowlitz County Building and Planning
c/o Elaine Placido
207 4th Ave. N.
Kelso, WA 98626

U.S. Army Corps of Engineers, Washington Department of Ecology, and Cowlitz County:

The Upper Columbia United Tribes (UCUT) provides a common voice for our region through the collaboration of five major area tribes, the Coeur d'Alene Tribe, the Kalispel Tribe of Indians, the Kootenai Tribe of Idaho, the Spokane Tribe of Indians and the Confederated Tribes of the Colville Reservation. UCUT was formed to ensure a healthy future for the traditional territorial lands of our ancestors and takes a proactive and collaborative approach to promoting Indian culture, fish, water, wildlife and habitat.

With this mission in mind the UCUT would like to share some of our reasons for opposing the proposed Millennium Bulk Terminal coal transport facility located in Longview, WA.

The major concern our member tribes have is in regards to the impacts to human health, fishery resources, air quality and water quality in the Columbia Basin. Coal dust is notoriously difficult to control. BNSF estimates that each uncovered car loses between 500 pounds and a ton of coal dust en route. The route between the Powder River in Wyoming and Longview, Washington is 1174 miles. The estimated number of trains expected to pass through Eastern Washington is sixty per day. Of which, thirty would be full and thirty empty. Therefore based on BNSF's own estimates of the 500 pounds per trip, there would be an average of nearly 1600 pounds of dust lost per mile per day. With what we know about the human health impacts of the coal dust and the various chemicals the dust contains as well as the known adverse effects on the development and survival of fish, the Upper Columbia United Tribes believe this proposal will seriously harm our members. In addition, we expect the Department of Ecology will conduct a thorough evaluation of the human health and environmental impacts to the UCUT's area of influence.

Impacts from the coal export terminals will likely lead to:

-A decrease in regional air quality, the city of Spokane has as many poor air quality days as the city of Seattle each year and is only a fraction of the size. The huge increase in both coal dust and diesel particulates would severely impact our region's air quality.

-According to UW scientists 15% to 20% of the Mercury being deposited on Washington State originates from Asian fossil fuel burning. This is why lakes in "pristine" watersheds harbor fish with high Hg levels. The citizens of this state are living with the environmental and human health impacts from Asian coal burning now, we don't need to add to the problem.

-A decrease in water quality in the Columbia River and its tributaries. There is an abundance of information which points to a continued decline in our region's water quality and an increase in listings of fish consumption advisories. A project of this scale which will disperse additional toxins into the environment in which this coal is transported through is likely to severely impact an already contaminated system.

- Impacts to the fisheries that are essential to our tribes. It is well known that chemicals in the coal and coal dust including PAHs are harmful to fish development and survival. We now know that these adverse effects result from 1000-time lower levels of PAHs than were previously thought to be of concern. Based on a study from NOAA fisheries scientists, after low dose exposures to PAHs the salmon fry that did survive had unusually high numbers of spinal deformities and skin lesions. When a cohort of seemingly healthy pink salmon fry that were exposed were selected and released they returned two years later in much lower numbers than the control group.

-Increase in invasive species in the Columbia River Basin brought here from international shipping.

-Coal burned in China will return to the West Coast as air pollution and the increased release in Carbon Dioxide will lead to increases in climate change.

-Coal burned in China is also one of the leading causes of Pacific Ocean Acidification which is already seriously impacting tribes and fisheries in the North West.

The UCUT also supports other Northwest tribes in their opposition efforts; a resolution that passed the Affiliated Tribes of Northwest Indians (ATNI resolution # 13-47) which opposes the transport and export of fossil fuels in the Pacific Northwest and (ATNI resolution #12-53) calling for a regional review of all six NW coal export proposals. Please refer to the attachments which include the two ATNI resolutions and a map of the UCUT area of influence.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Wynne", written in a cursive style.

Chairman Matt Wynne



**2012 Annual Convention
Pendleton, Oregon**

RESOLUTION #12 - 53

**“CALLING FOR FULL, TRANSPARENT ENVIRONMENTAL REVIEW OF
THE PORT OF MORROW PROPOSAL, CONSULTATIONS, AND
REGIONAL REVIEW OF ALL SIX NW COAL EXPORT PROPOSALS”**

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, since time immemorial, our economy, culture, religion and way of life have centered around our fishing, hunting and gathering resources, and the lands and waters on which they depend, and we have been, and remain, careful and conscientious stewards over them to ensure their continued health and well-being; and

WHEREAS, the tribes of ATNI are sovereign and our people depend on the natural resources of this region; and

WHEREAS, the tribes of ATNI have an obligation to protect our First Foods and our most precious resource, water; and

WHEREAS, there are sweeping proposals for Powder River Basin coal to be shipped by rail and/or barge to West Coast ports: Cherry Point, Washington; Longview, Washington; Grays Harbor, Washington; Port of Morrow, Oregon; St. Helens, Oregon; and Coos Bay, Oregon; and

WHEREAS, the coal will then be shipped through our waters to Asia where it will then be burned in coal-fired power plants, emitting mercury and other toxins that return through the atmosphere to our homes; and

WHEREAS, the estimated coal export volumes from the proposed West Coast ports are unprecedented at over 150 million tons per year; and

WHEREAS, Northwest tribes have strong concerns about the impact of these proposals on tribal rights and resources, including but not limited to the following:

- Intrusions into traditional fishing, hunting and gathering sites;
- Destruction of our cultural and religious areas;
- Degradation of human health, related to fugitive coal dust and mercury poisoning;
- Interference with tribal business enterprises and opportunities, causing a loss of jobs, preventing jobs growth, and reducing tribal income, related to increased coal-train traffic;
- Declining water quality and loss of salmon and lamprey habitat from barging and shipping operations;
- Increases in emergency response times, interference with school functions, and fiscal impacts on other public services due to delays at train crossings;
- Filling of shorelines, wetlands, and streams, during expansion or reconstruction of rail lines along the Columbia River, the Salish Sea, and their tributaries;
- Climate change, sea level rise, and ocean acidification from coal-fired power plants; and
- Overall degradation of our natural resources and culture

; and

WHEREAS, Northwest tribes require transparency and ongoing consultation to ensure that the permitting and Environmental Impact Statements (EIS) for all of the proposed coal ports are consistent, in light of the fact that all of our waterways are connected to one another; and

WHEREAS, that ATNI hereby declares that a mere Environmental Assessment for the Port of Morrow facility, instead of an EIS, is completely unacceptable, based on a number of

deficiencies, including but not limited to the lack of Government-to-Government consultation required with all affected tribes in the region; now

THEREFORE BE IT RESOLVED, that ATNI hereby calls upon the White House Council on Environmental Quality to require immediate preparation of a comprehensive Environmental Impact Statement for the Port of Morrow proposed coal export facility; and

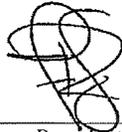
BE IT FURTHER RESOLVED, that ATNI hereby calls upon the White House Council on Environmental Quality to direct the U.S. Army Corps of Engineers (USACE) to develop a comprehensive EIS at the USACE Northwestern Division level, on the cumulative effects of all six currently proposed coal export proposals, and any future proposals, together, including analysis of the cumulative impacts of the proposals throughout the entire region and internationally, including their direct and indirect impacts on tribal cultural resources, treaty rights and interests (see attached letter); and

BE IT FURTHER RESOLVED, that ATNI hereby concludes that a separate EIS is also necessary for each of the coal export facilities individually; and

BE IT FINALLY RESOLVED, that ATNI hereby insists that the White House Council on Environmental Quality mandate all federal and state agencies to commence immediate Government-to-Government consultations with all tribes in the region, as our First Foods and resources, treaty rights and human health are directly impacted by the coal industry in the Northwest.

CERTIFICATION

The foregoing resolution was adopted at the 2012 Annual Convention of the Affiliated Tribes of Northwest Indians, held at Wildhorse Resort and Casino, Pendleton, Oregon on September 24 – 27, 2012 with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary



**2013 Mid-Year Convention
Airway Heights, Washington**

RESOLUTION #13 - 47

**“OPPOSE THE PROPOSALS FOR THE TRANSPORTATION AND EXPORT OF
FOSSIL FUELS IN THE PACIFIC NORTHWEST”**

PREAMBLE

We the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and Constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, since time immemorial, our economy, culture, religion and way of life has centered around our fishing, hunting and gathering resources, and the lands and waters on which they depend, and we have been, and remain, careful and conscientious stewards over them to ensure their continued health and well-being; and

WHEREAS, the tribes of ATNI depend on the natural resources of this region to sustain our way of life, rights to fish, hunt and gather, our economies, human health and fulfill our sacred obligation to protect our First Foods and our most precious natural resource, water; and

WHEREAS, the tribes of ATNI have previously adopted Resolution No. 12-53, in September 2012, recognizing the potential impacts of coal export terminal proposals that have come to the Northwest and the action directed to the Army Corp of Engineers to conduct a full regional Environmental Impact Statement (EIS) to address the significant cumulative impacts of these proposals; and

WHEREAS, the Northwest is facing the advancement of more fossil fuel exports, including numerous oil-rail proposals in Oregon and Washington, which would bring 500,000 barrels of oil a day via rail line to and across Northwest waterways as well as expansion of pipeline capacity from Alberta to British Columbia and Washington State; and

WHEREAS, based on review of proposals at these sites these past twelve months, the tribes of ATNI believe these energy transportation and export proposals will diminish our salmon habitat, our fishing, hunting and gathering rights, our treaty, indigenous, and inherent rights and resources, our life way, and will destroy sacred places of the Pacific Northwest tribes; and

WHEREAS, the tribes of ATNI respect and honor our Sacred Places just as we do our natural resources, including the Lummi Sacred Site known as *Xwe'Chi'eXen* where our ancestors are at rest, and the sacred traditional reef net sites at Cherry Point, Washington; and therefore call upon agencies to fulfill their statutory and legal responsibility to fully comply with Section 106 of the Historic Preservation Act; and

WHEREAS, the Northwest Tribes' ancestral industry of fisheries relies on sustainable resources that will face detrimental impacts from the transportation and export of nonrenewable fossil fuel resources; now

THEREFORE BE IT RESOLVED, that ATNI is in opposition of the transportation and export of fossil energy in the Northwest based on infringement and endangerment upon indigenous, inherent, and treaty-protected resources, impacts on human health, economies, sacred places and our traditional way of life; and

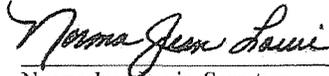
BE IT FURTHER RESOLVED, the tribes of ATNI support a strategy to document the impacts of these fossil fuel energy transport and export proposals, which includes baseline studies of science from a local approach, impacts to the economies, as well as legal and policy initiatives.

CERTIFICATION

The foregoing resolution was adopted at the 2013 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at the Northern Quest Resort and Casino, Airway Heights, Washington on May 13-May 16, 2013 with a quorum present.



Fawn Sharp, President



Norma Jean Louie, Secretary

