



Warm Springs, Oregon 97761 / 541 553-1161

November 18, 2013

Washington Department of Ecology  
c/o Diane Butorac  
P.O. Box 47775  
Olympia, WA 98504

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

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

Re: Docket number 2013-19738: Comments on  
scope of EIS for Millennium Bulk Terminals  
Longview LLC Coal Export Terminal

To Whom It May Concern:

The Confederated Tribes of the Warm Springs Reservation is possessed of treaty reserved rights pursuant to the Treaty With the Tribes of Middle Oregon that was signed by those tribes and the United States on June 25, 1855. Therein the tribes reserved the right to fish at all usual and accustomed stations. That treaty is the basis for our co-management authority in the entire John Day Basin, the Deschutes Basin, the Hood River Basin, and the Willow Creek Basin extending from the west bank to the middle of the channel. This co-management authority extends

northward to the middle of the channel of the Columbia River between the mouth of Willow Creek and the Cascade Rapids.

Based upon the preceding cited rights and interests, the Confederated Tribes of the Warm Springs have substantial concerns regarding the submitted permit application. The environmental impact statement should include a consideration of unacceptable impacts to fisheries and fishing sites; adverse impacts to air and water quality; contribution to the adverse affects of climate change and the cumulative impacts throughout Oregon and Washington.

### *Fisheries*

Coal negatively impacts fisheries resources. There are deleterious affects of increased ship traffic on migrating anadromous adult and juveniles. There will be an affect to tribal fishing sites that our fisherman use. Coal pollutants discharged into the Columbia River will negatively affect resident and anadromous fish. Mercury, emitted into the atmosphere from facilities that burn fossil fuel, travels thousands of miles before returning to Earth through rain, snow and dry depositions, ends up in the fish that tribal members consume.

### *Air and Water quality*

Currently, coal dust is a problem in the Gorge, and would be exacerbated with an increase of coal traffic. Burlington Northern estimates that each car of coal loses 500 pounds of dust each trip, with each 100-car train potentially losing 50,000 pounds. Off-loading coal and coal pile storage at the terminal will result in dust spillage that would directly affect the river around the docks.

Coal dust contains arsenic and polycyclic aromatic hydrocarbons (PAHs), a known carcinogen. High levels of both contaminants have been found in the soil around coal piles, and arsenic can leach into water. A recent report signed by doctors in Washington noted that airborne coal dust has been associated with bronchitis, emphysema, and asthma.

### ***Climate Change***

Coal will be burned in northeastern Asia. Such power plants emit mercury, which travels the jet stream to the Northwest. Generating electricity through the burning of fossil fuels, in particular carbon-heavy coal, has a greater impact on the atmosphere than any other single human activity.

### ***Cultural Resources***

There is, along with a concern with the environmental laws and values, a concern for cultural values that fall under the cultural laws. Inasmuch as cultural and environmental (natural) values are intermingled, tribal members have always lived their lives such that the environmental elements have shaped their cultural and traditional beliefs. This Terminal project provides numerous concerns as the water in which fish are harvested, for subsistence, ceremonial or commercial purposes may be impacted negatively by the coal dust. Though the applicant assures reviewers that this is not the case, it is actually an unknown. The soils that the water will be in contact with grow cultural foods and fibers for traditional basket weaving, or Tules used in ceremonies. This uncertainty of the impacts is a concern to the membership as it may affect their livelihood, their traditions, and the passing on of knowledge to tribal youth. This uncertainty portends that there is likely an impact on our way of life.

### *Cumulative Impacts*

The shipment of coal through the Northwest will have broad and pervasive impacts. These diverse and vast cumulative impacts will lead to serious, irreversible consequences on the water quality, air quality, and other treasured values throughout the region. NEPA was intended, to “foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation.”

### *Conclusion*

Accordingly, the Confederated Tribes of the Warm Springs Reservation requests that the responsible agencies undertake, within the context of the preparation of an environmental impact statement, the consideration of the impacts of the shipment of coal through Oregon and Washington, including, but not limited to, impacts to the air and water quality, climate change, fisheries resources, public health and safety, cultural traditions, and ecosystems

Sincerely,

A handwritten signature in black ink, appearing to read 'R. A. Brunoe', written in a cursive style.

Robert A. “Bobby” Brunoe

General Manager

Branch of Natural Resources

Confederated Tribes of Warm Springs