



November 18, 2013

Millennium Bulk Terminals-Longview EIS
c/o ICF International
710 Second Avenue, Suite 550
Seattle, WA 98104

Subject: Scoping Comments on Proposed Millennium Bulk Terminals Longview Shipping Facility

Delivered Electronically to: comments@millenniumbulkeiswa.gov

To Whom It May Concern:

The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Department of Natural Resources (DNR) appreciates the opportunity to comment on the proposed Millennium Bulk Terminals Longview Shipping Facility Project (Project). The CTUIR DNR is concerned that the Project may impact tribal treaty fisheries, traditional use areas, and the habitats and cultural resources necessary to support and sustain them. We have additional concerns regarding the cumulative impacts of the Project and others proposed in the region.

The Environmental Impact Statement (EIS) should include adequate information to make an informed judgment as to the impacts to tribal Treaty Rights, traditional use areas and the near- and long-term health and sustainability of tribal First Foods. The EIS should also address how the federal government would be fulfilling its Trust Responsibility to the CTUIR and other Indian Tribes if a federal agency was to ultimately authorize this Project.

The U.S. Army Corps of Engineers (Corps), the Washington Department of Ecology (WDOE) and Whatcom County have begun an environmental review for a similar coal export terminal (Gateway Pacific) in Whatcom County. WDOE and the County have indicated their intent to examine all of the impacts of that project, including indirect effects such as increased rail traffic, vessel traffic, additional mining, and greenhouse gas emissions of coal combustion. This comprehensive approach should be followed in the case of the Millennium facility as well.

Impacts from the Project will be felt far and wide. Rail impacts (traffic, emissions, and derailment risks) will extend from the Powder River Basin to the Project site. Ocean transport will cause increased emissions, collision risks, and near-shore effects from Longview, through the Columbia River estuary, and across the sea. Greenhouse gas emissions will rise from the eventual combustion of the mined and transported coal, resulting in increasing temperatures, ocean acidification and mercury deposition in the Northwest. The Millennium facility will add to environmental burdens that will result if the many other coal and oil transport projects in the region come to fruition. It should not be analyzed in isolation, but in conjunction with the other proposed projects.

Fish and Fishing Site Impacts

The CTUIR has a treaty-secured “right of taking fish . . . at all . . . usual and accustomed stations” along the Columbia River and its tributaries. In order for this right to have any meaning, there must be fish to take, they must be healthy and sustainable, and access must be available. The Project will potentially negatively impact these sites and the fish that migrate past them. The additional trains may also adversely affect the ability of tribal members to access treaty reserved fishing sites along the Columbia River and other tributaries due to the increased danger at crossings. The EIS should assess these potential impacts. Fish are but one of the many tribal First Foods, and they all should be considered when weighing the effects of the Project.

Cultural Resources

Rail transit and operations associated with the Project will affect traditional cultural properties governed by the National Historic Preservation Act. The transit corridor will pass through or otherwise affect tribal trust lands and traditional use areas. Information pertaining to changes in rail usage is necessary to assess the effects the proposed undertaking will have on those properties.

Air Quality

Air quality may deteriorate as a result of the Project, from additional diesel emissions, coal dust, and the burning of the coal itself. Mercury deposition should be specifically examined; the CTUIR is particularly concerned about the alarming evidence of toxic contaminants in fish, water and across the landscape where we commonly obtain our First Foods.

Government-to Government Consultation

These are just a few of the CTUIR’s many concerns; there are many more that cannot be fully detailed here. We request consultation on a government-to-government basis with the Corps on this Project. The EIS should include and incorporate adequate information for us and the region to make an informed decision regarding the merits and drawbacks of this and all the other projects that will have similar significant effects. Please contact Audie Huber, our Inter-Governmental Affairs Manager, at audiehuber@ctuir.org or (541) 429-7228.

Sincerely,



 Eric Quaempts
Director, Department of Natural Resources