



January 22, 2013

Reference: Docket number COE-2012-0016: Proposed Gateway Pacific Terminal coal export proposal draft EIS scoping comments.

(Submitted to: <http://www.eisgatewaypacificwa.gov/get-involved/comment>)

Dear Army Corps of Engineers, Department of Ecology and Whatcom County Council:

The Lands Council strongly opposes the construction of a coal export terminal at Cherry Point, Washington, the transportation of strip-mined coal from Montana and Wyoming on trains and ships throughout the Northwest, and all other connected actions involving the transportation and combustion of the coal.

The Lands Council is a non-profit environmental organization with a mission to preserve and revitalize our Inland Northwest forests, water, and wildlife through advocacy, education, effective action, and community engagement. The Lands Council has approximately 1,500 members who live across the Northwest. The forests, water, and wildlife, our members, and all human and natural communities are threatened by the proposal now on the table.

The proposal illustrates an emerging scientific and philosophical consensus which has become especially pertinent in this era of globalization: **Everything Is Connected to Everything Else.** The impacts of approving this proposal would be local, regional, national, and global.

At the sites where the coal is mined there would be pollution of air and water, essentially the permanent loss of wildlife habitat, the productivity of the land, and the long-term impacts on lifestyles and local economies.

All along the railroad corridors disruption of traffic would occur, and the resultant increased risks to human safety. There would also be air pollution from emission of diesel exhaust and coal

dust. There would also be the increased noise of the trains, and the risk to the environment from accidents and coal spills.

At the site of the proposed terminal there would be damage to aquatic ecosystems and fishing grounds, and the long-term impacts on lifestyles and the local economy.

In Puget Sound and the Pacific Ocean we would see increased risk to marine ecosystems from accidents and spills.

At the sites in Asia where the coal would be offloaded, and along the transportation corridors to the coal-burning plants, there would be similar impacts as we describe above for the Northwest. Additionally, there would be worsening health effects on people in China, as shown in recent media coverage¹ of poor air quality associated with emissions from coal burning and other sources of air pollution, which are poorly regulated in that nation.

The emissions of coal-burning plants include mercury, which transported across oceans through the atmosphere poison water and fish even here in the Northwest. A United Nations report² shows the amount of mercury in the world's oceans has doubled in the past century. And global emissions are rising. An increase equivalent to about one-quarter of the 2005 human-caused mercury emissions, or about 500 tons per year, is expected by 2020 if there are no major changes in economic trends or emissions, according to a 2011 report³ by the Arctic Monitoring and Assessment Programme.

Asia is already by far the largest source of new mercury emissions, and coal-burning power plants are the top contributor. Exposure to high levels of mercury, often from consumption of fish and other seafood, can damage developing brains, reducing children's IQs. Mercury has also been linked to cardiovascular effects in some adults and children. Scientists warn that ongoing emissions are more of a threat to food webs than the mercury already in the environment. University of Wisconsin researchers recently found⁴ that mercury added to a lake reached top predators faster than the mercury that already existed in their environment.

¹ <http://www.theatlantic.com/international/archive/2012/07/a-stunning-visualization-of-chinas-air-pollution/259455/>

² <http://www.environmentalhealthnews.org/ehs/news/2013/unep-mercury-timetoact.pdf>

³ <http://amap.no/documents/index.cfm?action=getfile&dirsub=&filename=86253%5Fmercury%5FLO%5FFINAL-SEC.pdf&sort=default>

⁴ <http://www.environmentalhealthnews.org/ehs/news/2013/new-v-old-merc.pdf>

Another Arctic Monitoring and Assessment Programme report finds that impacts of ice loss include reduction in the Earth's albedo; a positive feedback that leads to further global warming.⁵ Burning coal would increase particulate pollution, which combined with solar energy causes more heating of the surface of glaciers and snow from dark particulate deposit; and when added to already higher temperatures leads directly to the rise of sea level, which has already impacted human and biological communities around the world.

But those impacts may pale in comparison to the increased damage to the atmosphere that would accrue from burning the coal. There is no longer a scientific debate on the issue: **human-caused climate change is real.** We face an increasing urgency for everyone to do their part to reduce carbon dioxide (CO²) emissions.

The additional burning of diesel and coal that this proposal would facilitate would increase CO² emissions, adding to the threats to the Earth's biosphere that are already playing out in ways that affect humans, economies, and ecosystems. In an era when human population is increasing and the need to address the long-term sustainability of our use of natural resources is critical, the impacts on ecosystems of climate change makes taking steps to address sustainability even more challenging.

Rising CO² levels also cause ocean acidification. In November of 2012, Governor Gregoire released an Executive Order initiating action on ocean acidification. The Executive Order directs the Office of the Governor and the cabinet agencies that report to the Governor to advocate for reductions in emissions of carbon dioxide at a global, national, and regional level.

Climate change is believed to have already led to the increase in frequency of weather events such as Superstorm Sandy and Hurricane Katrina, and unless we urgently address the human actions that increase greenhouse gas emissions, such storms will likely further increase in frequency and intensity.

This letter only begins to mention all the connected and cumulative actions that relate to the proposal to construct a coal export terminal at Cherry Point, Washington, and transport strip-mined coal from Montana and Wyoming on trains and ships throughout the Northwest. There are also currently at least four other coal export proposals that, with this one, would transport as much as 150 million tons through the Northwest. We urge the Army Corps of Engineers to conduct an area-wide Environmental Impact Statement (EIS) to assess all the cumulative and connected impact of these proposals.

⁵<http://amap.no/documents/index.cfm?action=getfile&dirsub=&filename=89439%5Fimpact%20of%20black%20carbon%5FLO%5FFINAL.pdf&sort=default>

The EIS must consider potential natural resource impacts associated with the construction and expansion of all the shipping terminals along the west coast (Oregon, Washington, British Columbia and possibly California), which would not be adequately addressed through the regulatory processes for each individual terminal.

The EIS study area should encompass all of the potential rail routes under consideration for transport of coal from the sources of origin in Montana and Wyoming to the proposed Gateway Pacific Terminal at Cherry Point.

At hearings held for this proposal, we've heard it stated that requiring this EIS to address all these connected and cumulative actions and impacts would unnecessarily create a negative precedent. On the contrary, we believe that failing to do our part in recognizing how all these things are connected on a global scale would be a symptom of a vast dysfunction of human institutions, which cannot be tolerated if humans are to persist on the planet.

Applicable law allows for consideration of effects that may occur outside the U.S. From SEPA: "(A) lead agency shall not limit its consideration of a proposal's impacts only to those aspects within its jurisdiction, including local or state boundaries." [Wash. Admin. Code sec. 197-11-060(4)(b).] SEPA recognizes the world-wide scope of environmental issues. SEPA considers "each person's" right to a "healthful environment" to be "fundamental and inalienable." Rev. Code Wash. Sec. 43.21C.020(3) "(r)ecognize(s) the worldwide and long-range character of environmental problems" and directs agencies, "where consistent with state policy, (to) lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of the world environment... ." [RCW 43.21C.030(1)(f)].

The Environmental Protection Agency has recognized the materials emitted from combustion, including CO², as pollutants which threaten human health and the environment, and has initiated CO² emissions regulation. The New Source Performance Standards state that any new coal-fired power plant in the U.S. must meet a very tight standard for low CO² emissions. A new export terminal built for the purpose of supplying coal to be burned in a manner that does not meet these new standards would undermine the entire purpose of the NSPS standards.

Your agencies must broadly consider the public interest in considering this proposal, because the project must use government and public resources. The effect of greenhouse gas emissions is relevant to the public interest, because climate change and ocean acidification represent a very serious threat to our environment and the livability of our planet.

Finally, the U.S. is a signatory to the Copenhagen Climate Accord, which agrees in concept to large worldwide reductions in greenhouse gas emissions. Large new coal export schemes are clearly inconsistent with the intent of the Accord.

In sum, this proposal risks harming us in countless ways. These include increasing congestion and noise with more coal train traffic, polluting our air and local waterways, harming existing businesses, delaying emergency responders, damaging aquatic ecosystems and fishing grounds at the terminal site, escalating climate change, ocean acidification, increasing tanker traffic, and creating the potential for serious shipping accidents. We urge you to consider all these impacts in the scope of the Environmental Impact Statement.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Juel". The signature is written in a cursive, flowing style.

Jeff Juel
The Lands Council
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Spokane, WA 99201