



King County

Dow Constantine

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January 16, 2012

Ted Sturdevant
Director, Washington State
Department of Ecology
Attention: Alice Kelly
Northwest Regional Office
3190 - 160th Ave. SE
Bellevue, WA 98008-5452

The Honorable Jack Louws
Whatcom County Executive
Attention: Tyler Schroeder
Planning and Development Services
5280 Northwest Drive
Bellingham, WA 98226

Colonel Anthony C. Funkhouser
Commander, Northwestern Division
U.S. Army Corps of Engineers
Attention: Randel Perry
Northwest Field Office
1440 - 10th Street, Suite 102
Bellingham, WA 98225-7028

Gateway Pacific Terminal/BNSF
Custer Spur EIS Co-Lead Agencies
c/o CH2M HILL
1100 112th Avenue NE, Suite 400
Bellevue, WA 98004

Dear Director Sturdevant, Executive Louws, and Colonel Funkhouser:

The "Gateway Pacific Terminal" would provide storage and handling for the export and import of up to 54 million metric tons per year of commodities, primarily coal from the Powder River Basin of Wyoming and Montana. This letter transmits King County's input into the scope of the SEPA and NEPA review for this project.

King County is concerned about the potential for significant adverse environmental impacts from this proposal on air and water quality, energy and natural resources, environmental health, land and shoreline use, public services, and transportation in communities along the rail corridor. In addition, the proposal has broader implications for increased climate pollution. These are elements of the natural and built environment required to be considered during environmental review under the State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA). SEPA and NEPA review for this project should include the following areas of analysis:

Health, Equity, and Social Justice Impacts

There are potentially significant public health impacts associated with this project. Impacts to cardiovascular health could arise from exposure to toxins including diesel particulate matter, coal dust, mercury, and other heavy metals as coal-laden trains pass through communities. These toxins are known to negatively affect overall respiratory function with linkages to lung cancer, stroke, and asthma and allergy triggers. Other potential impacts are related to noise and emergency response time. People will be exposed to higher levels of noise along the train route and noise can add to or create mental stress. Both the increase in train trips and the length of individual trains at rail crossings have the potential to delay and thus impact the effectiveness of emergency and non-emergency responses of fire, police, and medical personnel. Increased rail traffic at unimproved at-grade crossings could increase the potential for collisions between trains and vehicles, pedestrians, and bicyclists. The analysis should consider impacts on ethnically diverse and low income communities along the rail corridor because such communities already experience disparities in health and quality of life related to exposure to toxins and other environmental factors.

Environmental Impacts

Environmental review should identify and analyze the impacts of construction and long-term operations on sensitive herring populations and eel grass beds within the designated Aquatic Reserve adjacent to the proposed terminal, as well the impacts of coal dust emissions and associated mercury and heavy metal pollutions on water quality, habitat, and Endangered Species Act-listed species along the rail corridor route.

When considering environmental impacts, it is also critical to consider the indirect, cumulative impacts of the project, no matter where the impacts occur. The project and terminal would directly support a very large quantity of coal burning in China. Burning the upper estimate of coal associated with this proposal would result in greenhouse gas emissions roughly equivalent to all sources in Washington State. Indirect emissions resulting from this proposal would erase the significant progress and commitment Washington State and many of its communities have made to address climate change.

Freight and Passenger Rail System Impacts

There are significant existing rail congestion challenges in Washington, especially at several chronically congested choke points throughout the state. Adding up to

eighteen mile-and-a-half long trains per day, without addressing rail capacity and mobility issues, could result in significant impacts to both current and future freight and passenger train traffic. In King County, key industries including aerospace and international trade rely on the rail corridor to move parts and finished products. Increased use of this corridor by long-haul coal trains could conflict with existing and future rail-dependent economic development.

In conducting the review, I urge your agencies to work with the Puget Sound Regional Council, Puget Sound Clean Air Agency, the Port of Seattle, the Economic Development Council of Seattle and King County, the aerospace industry, Sound Transit, and cities and counties along the rail corridor to thoroughly document baseline conditions and future plans related to freight and passenger rail capacity along the corridor. Having a clear assessment of current conditions, including freight and passenger rail mobility “choke points,” will be essential to supporting an accurate assessment of impacts from the proposed coal terminal and associated rail traffic.

Truck Freight, Transit, Passenger Vehicle and Ferry Traffic Impacts

In addition to rail system impacts, the addition of up to eighteen, mile-and-a-half long coal trains has the potential to create significant impacts where roads intersect with at-grade rail lines. Potential impacts include inhibiting the travel of emergency vehicles, truck freight, passenger vehicles, and transit, as well as causing increased delays during ferry loading and unloading.

Goods flowing to and from the Port of Seattle and other sites are transported by truck across train crossings. Additionally, many shipments to and from local manufacturers are carried by trucks across rail crossings. Longer wait times would add transaction costs to truck shipments. Other passenger vehicle travel, including for commuting, would also likely be impacted.

King County Metro Transit has done a preliminary assessment of Metro bus service trips across at-grade train crossings. At the nine crossings considered, there were more than 1,000 transit trips per day that would likely suffer impacts to speed and reliability from increased coal train traffic. Particularly sensitive locations are the at-grade rail crossings at South Lander Street in the SODO area of Seattle and at the West Smith and James Street area in Kent. These are sites where several hundred bus trips occur each day.

These traffic impacts could have significant economic impacts if not considered and addressed throughout communities along the rail corridor. The EIS should also

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analyze the economic and safety impacts of increased train traffic on freight, transit, and passenger vehicle traffic, and quantify the cost of mitigating these impacts.

We expect the EIS to thoroughly analyze the significant adverse impacts for the Gateway Pacific Terminal proposal and alternatives and to identify the scope and cost of actions necessary to mitigate these impacts. As part of this process, we urge the lead agencies to take the time required to obtain and, where necessary, develop all of the essential information concerning the potential significant adverse impacts in order to have a fair public discussion of this proposal. King County is happy to share information on traffic, transit, economic development, health, and environment in King County to support the review and analysis. We also expect to see meaningful consultation with tribes whose treaty fishing rights, burial grounds, and archeological resources could be impacted by the proposed terminal and associated transport of coal by ship and rail.

The Gateway Pacific Terminal is one of five active plans to ship coal from Wyoming to China via rail through ports in Washington and Oregon. King County urges you to conduct an area-wide and cumulative review of the impacts of these related proposals and thoroughly address how to avoid, minimize, and mitigate their effects. Only through a programmatic Environmental Impact Statement (EIS) can the cumulative impacts really be understood.

Washington's environmental, labor, political, and business interests came together in 2011 to phase out the only remaining coal-fired power plant in the state, the Centralia plant owned by the TransAlta Corporation. This was an important step forward for Washington toward more sustainable economic development, healthy communities, environmental protection, and clean energy. Exporting finite, domestic natural resources such as coal would harm our environment and would negatively impact King County's value-added economic base, a base that supports 49.7 percent of the non-agricultural payroll in Washington State. King County is taking this issue very seriously and will continue to monitor and engage in the process.

If you have any questions, please have your staff contact Megan Smith, Environmental Policy Advisor, at 206-263-9605, or megan.smith@kingcounty.gov.

Sincerely,



Dow Constantine
King County Executive

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cc: King County Councilmembers

ATTN: Michael Woywod, Chief of Staff

Anne Noris, Clerk of the Council

Jason King, Director of Government Relations

The Honorable Timothy Ballew II, Chairman, Lummi Nation

The Honorable Virginia Cross, Chair, Muckleshoot Indian Tribe

The Honorable Leonard Forsman, Chairman, Suquamish Tribe

The Honorable Brian Cladoosby, Chairman, Swinomish Tribe

The Honorable Melvin Sheldon, Jr., Chairman, Tulalip Tribes

The Honorable Pete Lewis, Mayor, City of Auburn

The Honorable Suzette Cooke, Mayor, City of Kent

The Honorable Denis Law, Mayor, City of Renton

The Honorable Mike McGinn, Mayor, City of Seattle

The Honorable Keith McGlashan, Mayor, City of Shoreline

The Honorable Jim Haggerton, City of Tukwila

The Honorable Peter Goldmark, Washington State Commissioner of Public Lands

Dennis McLerran, Regional Administrator, U.S. Environmental Protection Agency

Tay Yoshitani, Chief Executive Officer, Port of Seattle

Joni Earl, Chief Executive Officer, Sound Transit

Bob Drewel, Executive Director, Puget Sound Regional Council

Craig T. Kenworthy, Executive Director, Puget Sound Clean Air Agency

Christie True, Director, King County Department of Natural Resources and Parks

Ngozi Oleru, Director of Environmental Health, Seattle-King County Department of
Public Health

Harold Taniguchi, Director, King County Department of Transportation

Carrie S. Cihak, Chief Advisor, Policy and Strategic Initiatives, King County
Executive's Office (KCEO)

Megan Smith, Environmental Policy Advisor, KCEO