

January 21, 2013

GPT/Custer Spur EIS
1100 112th Ave. NE, Suite 400
Bellevue, WA 98004
via email: comments@eisgatewaypacificwa.gov.

Attached are some issue areas I believe should be evaluated as part of the Gateway Pacific terminal (GPT) project EIS. Included in each are measures that could be incorporated to avoid, minimize or mitigate some of the effects of the proposed project.

Regards,

Michael Isensee
5939 Artist Drive
Ferndale, WA 98248

1) AGRICULTURE

Potentially significant impacts include the conversion of any lands previously utilized for agricultural production or lands which could be classified as prime farmland or farmland of statewide importance as well as the utilization of limited surface and groundwater resources for dust mitigation, preventing their use for agricultural production. Conversion of farmlands for railway expansion (Custer spur or elsewhere throughout the rail system to allow for the dramatic increases in rail traffic associated with the GPT project as well as other proposed or reasonably foreseeable similar projects moving bulk commodities from east of Spokane through the state) should be quantified.

Measures to evaluate for potential incorporation as mitigation include the following:

- a) Locate the expansion of railroad lines and spurs on lands that have not previously been utilized for agricultural production and that do not meet the classification of prime farmland or farmland of statewide importance (avoidance).
- b) The requirement to compensate for the conversion of farmland of like or better resource value at a ratio that would protect, at a minimum, 80% of the state's remaining farmland (4 acres conserved for each 1 acre converted).
- c) Prohibit the use of limited fresh water resources for dust control.

2) AIR QUALITY

Potentially significant impacts that should be evaluated include greatly expanded air pollution during both construction and operations of the proposed facility including the movement of bulk commodities to the facility (rail), commuter emissions associated with employees, through the export of raw commodities from the terminal via ships, and, ultimately, through the combustion of the primary product proposed for export from the facility, coal. Emissions which should be evaluated include ozone, particulate (PM10 and PM2.5), carbon monoxide, nitrogen dioxide and sulfur dioxide, mercury, and other possible toxic air contaminants throughout the extraction, shipping and storage process. Potential adverse health effects for the general population and susceptible populations including schools, day care facilities, and high risk populations (elderly, asthmatics) should be enumerated.

Measures to evaluate for potential incorporation as mitigation include the following:

- a) The use of covered cars for rail shipment;
- b) Prohibitions on rail car movement when wind speeds are forecast to be above thresholds determined to lead to fugitive coal dust emissions;

- c) The enclosure of all receiving, storage and loading facilities in order to avoid fugitive coal dust emissions at the Cherry Point facility;
- d) Implement Best Available Control Technology for all equipment (both stationary and mobile) utilized during construction of GPT and the spur;
- e) Creation of traffic demand program to minimize commuter traffic;
- f) Require the use of shuttle buses for employees coming from out of the immediate area (e.g. within 15 miles of the facility or construction site.
- g) Prohibit diesel equipment from idling for more than five minutes unless temperatures require longer warm-up times.
- h) Maintain all construction equipment in proper tune according to manufacturer's specifications;
- i) Require that any Staging and queuing areas not be located within 1,500 feet of sensitive receptors;
- j) Prohibit idling of trains within 1,500 feet of sensitive receptors;
- k) Utilize electrified equipment rather than diesel operated equipment;
- l) Schedule construction and operating shift changes so that traffic occurs through Ferndale and on Interstate 5 at other than peak hours;
- m) Require all ships to run on electric power while at dock;
- n) Require the applicant to develop and implement or fund a program for offsite mitigation of construction equipment that results in reduced emissions equivalent to the project emissions

3) JOB

Evaluate options which ensure the project:

- a) generates the number of jobs the proponent advertises;
- b) is legally bound to train and hire residents of Whatcom County for a substantial portion of all jobs;
- c) is legally bound to provide jobs to unionized employees
- d) provides job training through local schools such as BTC or WCC for jobs that are directly associated with the project or are ancillary to the project (oil spill remediation, heavy boat operator, safety officer, etc).

4) SAFETY

Potentially significant impacts that should be evaluated include:

- Railroad crossing blockages which delay or prevent timely response by police, fire, emergency medical technicians
 - i) at each crossing in and near Ferndale, Washington (Slater Road, Hovander Road, Washington Street, Brown Road, Grandview Road) and elsewhere in Whatcom County and throughout the state. For instance, a train blocking Washington Road in Ferndale when the adjoining fire station #41 is called to respond to an emergency on the other side of the tracks. An alternative route could add over five miles to response to a fire located directly across the tracks from this station.
 - ii) For emergency response to the GPT terminal and other industrial facilities in the Cherry Point region if trains are blocking one or more of the ingress/egress points from other locations in the county.
- The potential for derailments throughout the proposed rail corridor
- Adequate fire and other emergency personnel to respond to a fire or explosion at the export terminal in its relatively remote location
- Increase in large ship traffic through major commercial shipping, commercial fishing and recreational boating waters and the associated increased potential for maritime incidents including spills, collisions or sinking vessels by swamping

Measures to evaluate for potential incorporation as mitigation include the following:

- a) Restricting the timing of deliveries to the terminal so crossing blockages throughout Whatcom County are minimized.

- b) Funding grade separated crossings at any location where the governing body requests the improvement due to a loss of service to the community. Since there is a baseline of rail traffic which already impacts crossings, the compensatory mitigation funding should not be required to exceed the proportional amount of delay the project generates (Thus, if the project generates 10 train trips daily with an average delay of 5 minutes per trip and the railroad currently carries 20 trips with an average delay of 2.5 minutes per trip, the proposed project should only be required to assume one-half of the cost of improvements). However, since the project will greatly increase delays and with each train consisting of longer delays than currently typically exists, the project should be required to provide the up-front funding for grade separation, with communities required to repay over a period of years.
- c) Compensatory mitigation commensurate to the maximum potential impact associated with the rail time delays. Thus, if one round-trip train per day creates 14 minutes of blockage, the project would be obligated to compensate for 0.97% of the cost of a grade separated crossing. If ten trains resulted in 140 minutes of blockage, the project would compensate for 9.7% of the cost of grade separated crossings (20 trains at 14 minutes of blockage would require funding 19.4% of the cost. Funding for such improvements would be based upon current estimated improvement costs and would be deposited in an interest bearing account from which impacted communities could obtain these funds.
- d) Restrict the length of trains so as to reduce potential delays to time frames which meet current emergency service providers response time estimates.
- e) Funding track maintenance and upgrades to minimize derailments commensurate with the proportion of overall traffic the project generates.
- f) Funding full-time staffed fire crew at the nearest fire station on Brown Road.
- g) Evaluate the use of tug escorts for loaded ships.

5) TRANSPORT

Potentially significant adverse impacts that should be evaluated are the hundreds of at grade rail crossings which will be adversely impacted through substantial daily delays associated with rail traffic to the GPT. It appears that there is no other single project in the Pacific Northwest which currently generates the frequency or duration of daily train traffic as is proposed in association with the GPT project. As one who lives on one side of the train tracks and works on the other, I am intimately aware of the potential adverse impacts to my own daily commute which can occur when a train blocks traffic. Currently, a single coal train moving to the terminal in British Columbia can result in traffic at the Washington Street/Portal Way crossing in Ferndale to back up so that eastbound traffic extends to Vista Way and westbound traffic extends to the Portal Way roundabout. This is an infrequent occurrence since there are only one or two trains daily. However, the delay at this single crossing from a single train can affect upwards of 100 vehicles and drop the level of service on a normally free-flowing road to an F with traffic delays then extending to nearly intersections for extended periods after the train passes as traffic slowly returns to normal.

The document should evaluate and quantify the likely amount of delays which would accrue at road/rail crossings throughout the network utilized to ship product to the GPT, and at a minimum for all the impacted crossings in Whatcom County. Using up-to-date traffic count data, the EIS should detail the number of vehicles which would be delayed in different time periods, the likely queuing length caused by such delays, alternative traffic routes, air quality emissions, and an estimated cost to travelers who are delayed. The document should attempt to quantify areas where school boundaries require travel (pedestrian, bicycle, bus and personal vehicle) across railroad tracks to get to and from school in order to account for potential adverse impacts to schools or measures which could avoid such impacts.

Measures to evaluate for potential incorporation as mitigation include the following:

- a) Items "a" and "b" from Safety, above.
- b) Evaluate routing which minimizes impacts to communities. In particular, for the GPT, the EIS should analyze the potential use of the railroad tracks through the interior portion of the county rather than along the coastline and through the County's most and third-most populated communities.
- c) Evaluate timing of trains which would minimize impacts to Whatcom County residents. This could include restricting train travel to certain periods of the day in areas where trains would result in adverse traffic

impacts, the development of dual tracks from the facility through Bellingham and a requirement that full and empty trains move through crossings simultaneously (in each direction) in order to minimize the overall periods of blocking movements from rail traffic associated with the project.

6) WATER

Potentially significant adverse impacts that should be evaluated are:

- the utilization of limited groundwater or surface water resources to control emissions or reduce the potential for combustion to occur at the facility. Quantifying the amount of water necessary for different types of proposed bulk commodities, the proposed sources of water, and an evaluation of water resources available during the most water-limited time period should be done. If waters for the project are to be provided based upon withdrawals from salmon-bearing waterways or from the Nooksack river system, an evaluation of treaty tribal fishing rights and water right allocations more generally needs to occur.
- the potential for spills, fugitive emissions, or derailments to adversely impact surface waters in the project area (wetlands and waterways), surrounding areas, including Lake Terrell, and along potential transportation routes.

Measures to evaluate for potential incorporation as mitigation include the following:

- a) Systems or methods that do not rely upon water for fugitive emission control or to reduce combustion risks
- b) Limitations on withdrawals from surface or groundwater resources which fully protect others' water rights as well as maintain adequate flows for continued ecosystem function.

7) CLIMATE

Like AIR, above, there are potentially significant impacts that should be evaluated associated with adverse impacts to climate through carbon emissions. The most obvious result of the project would be the export of 48 million tons of coal annually. The review of the GPT project should quantify the potential emissions of carbon dioxide and other climate change gasses associated with the project, from the excavation and transport to the GPT terminal to the unloading/loading, shipping and, most importantly, the combustion of the exported coal. The EIS should provide some comparisons about the emissions so as to assist with the review of the project. For instance, the climate impacts of the project could be compared with the emissions of all vehicles in Whatcom County or Washington State as a point of comparison.

It appears that the scientific consensus regarding climate change continues to strengthen and that some of the likely potential effects include ocean acidification, a change in precipitation patterns including a likely reduction in glacier size (and subsequently a reduction in summer flows in glacier-fed waters), an increase in wildlife and in the mobility of plant disease and pests, and sea-level rise among others.

Measures to evaluate for potential incorporation as mitigation range from the development of project facilities in ways that reduce climate change impacts to the project (making sure docks, rail lines, storage facilities and the like are located so that sea level rise, more frequent storms, or reductions in water supplies, do not adversely impact the ongoing operation of the facility), to simply identifying the absurdity of developing a project that will exacerbate what is likely the most critical ecological issue in recorded human history.

Clearly, the only way to avoid the impacts to the climate associated with the project are to deny the project and direct our resources toward developing energy supplies which do not threaten the existence of future generations.