

November 19, 2012

GPT/BNSF Custer Spur EIS  
c/o CH2MHill 1100 112th Avenue Northeast, Suite 400  
Bellevue, WA 98004

RE: Scoping Comments for GPT/BNSF Custer Spur EIS, Topic: railway safety

Dear Co-Lead agencies and other permitting authorities:

Thank you for this opportunity to provide scoping comments for preparation of a Draft Environmental Impact Statement (DEIS) for the Pacific International Terminals Inc.'s proposed Gateway Pacific Terminal project at Cherry Point, and the Burlington Northern Santa Fe Railway's (BNSF's) Custer Spur Rail Expansion project (hereinafter collectively referred to as "GPT").

I am a resident of Mount Vernon, Washington located in Skagit County, an area that will be significantly impacted if permits for this project are approved. My husband and I retired to Washington State in 2005 and bought a house on the hill overlooking downtown Mount Vernon (West Hill neighborhood) in part because its location provides access by walking to Mount Vernon's historic downtown where we do most of our shopping and business. In fact, our house has a "walkability score" of 91 out of 100, and is designated "walker's paradise" by Walkscore, <http://www.walkscore.com/>, because of its proximity to the downtown business area. We walk downtown year round in every kind of weather. Like us, many of our West Hill neighbors also walk to Mount Vernon's downtown business area year round. Like us, thousands of tourists and other visitors visit downtown Mount Vernon during all seasons to shop, attend cultural events and conduct other business. Downtown Mount Vernon is bisected by the BNSF rail line that would transport bulk products, predominantly coal, to and from GPT.

In order to access downtown, Mount Vernon residents and visitors, including me and my husband, cross the BNSF rail line on foot, by bicycle and by automobile or bus at either of two "at-grade crossings" (Kincaid St. and Fir St) or travel across the "viaduct" over the rail line and I-5. Interstate 5 runs right alongside the BNSF rail line and the two are, in places through Mount Vernon, very close together. (See attachments 1 through 4 incorporated herein for all purposes). As the attached color photos and satellite map also demonstrate, local roadways, businesses and government offices are also adjacent to the rail line in downtown Mount Vernon, to the north of downtown along Fir and Riverside, and on College Way. Residences

are adjacent to the rail line south of downtown and north of College Way. The BNSF rail line also passes over the Skagit River on the Burlington BNSF bridge and the rail line skirts the Salish Sea in Skagit County as elsewhere in Washington State.

At present, about 15 trains travel through Mount Vernon and the Skagit Valley including freight and Amtrak Cascades trains. According to Table 4-5, p. 4-53 of GPT's Project Information Document (PID) dated Feb. 28, 2011, at GPT full operation there would be 18 additional train trips a day to and from the GPT - via an expanded Custer Spur. Also according to the PID, each of these long-haul trains would be as much as 150 to 170 cars long (approximately a mile and a half or longer) with each car containing 101.6 to 109 metric tons of bulk products, predominantly coal. The PID also says that the weight of each of the trains going to and from the GPT would range from 16,350 metric tons to 17,272 metric tons. The unit cars for trains carrying coal to the GPT would be uncovered. The trains to GPT would travel thorough Mount Vernon, the Skagit Valley and communities all along the rail line.

An indirect but foreseeable impact of the GPT and Custer Spur expansion projects would be a significant increase in rail traffic through Mount Vernon and the Skagit Valley as well as, for the transport of coal, through some 121 communities along the rail line from the Powder River Basin to and from the GPT. It is also foreseeable that the significant increase in trains associated with the GPT project would heighten the risk and consequences of train derailments and other accidents. I request that the scope of the EIS include an analysis of the safety impacts from the risk of train derailments and other rail accidents on or near railroad tracks in Mount Vernon, the Skagit Valley, and in other rail communities and landscapes along the BNSF rail line from the addition of heavy, long trains for the GPT.

The analysis should include the cumulative impacts of GPT rail traffic in addition to existing rail traffic through Mount Vernon, Skagit Valley and the 121 rail communities along the rail line (including the 3 -4 daily coal trains traveling through the area on their way to B.C. ports) and Amtrak and freight rail traffic that will foreseeably use this rail line. Future rail traffic through Mount Vernon and the Skagit Valley includes, but is not limited to, daily freight rail traffic transporting crude oil from the Bakken oil fields in North Dakota to the Tesoro refinery (100-car trains) and to refineries at Cherry Point; freight trains (100-car trains) associated with the planned Tethys project, and Amtrak Cascades service expansion. Reuters Africa, *Update 1- Tesoro lifts volumes of Bakken rail project (August 2, 2012)* <http://af.reuters.com/article/commoditiesNews/idAFL2E8J25SJ20120802> ("Tesoro Corp aims to ship more cut-price North Dakota Bakken crude to its Washington state refinery than originally planned. ... Other companies are considering similar moves to ship Bakken crude to Pacific Northwest refineries to obtain the same cost benefit. BP Plc said it may ship Bakken crude to its 225,000 bpd Cherry Point refinery in Blaine, Washington, and Phillips 66 plans to

do the same for its 100,000 bpd refinery in Ferndale, Washington.”) ; article posted by Joan Pringle, Anacortes American online, goanacortes.com, *100 car unit train expected at Tesoro this month (August 15, 2012)*

[http://www.goanacortes.com/news/entry/100\\_car\\_unit\\_train\\_expected\\_at\\_tesoro\\_this\\_month](http://www.goanacortes.com/news/entry/100_car_unit_train_expected_at_tesoro_this_month);

City of Anacortes, Department of Planning, Community and Economic Development, To Mayor and Council from Ryan C. Larsen, Director, August 9, 2012,

<http://www.cityofanacortes.org/Council/Packets/file.asp?ID=977>. Your analysis of future rail traffic through the 121 rail communities and the landscape along the rail route from the Powder River Basin should include trains from the above referenced projects and, where applicable, all other trains associated with the four other coal terminals currently proposed for Washington and Oregon: Millennium Bulk Terminal at Longview, Port of Morrow, Port of St. Helens and Coos Bay. And any other proposals that emerge in the future.

Among other things, the impacts analysis must include a detailed study of whether and to what extent there would be an increased risk of train derailments from the significant increase in rail traffic for the GPT when added to existing rail traffic and other reasonably foreseeable future rail traffic. At this writing there have already been sixteen loaded open top unit car coal train derailments in the U.S. in 2012, occurring in both urban and rural areas. In one of these derailments, local residents of Glenview, Illinois were killed when a derailment caused the collapse of a rail overpass bridge. Daily Herald, *Glenview couple identified as train wreck victims* (July 5, 2012), <http://www.dailyherald.com/article/20120705/news/707059783/>. In another such accident the rail cars dumped coal and fell from a rail overpass in downtown Ellicott City, Maryland killing two college students. In the Ellicott City incident, the coal not only fell onto cars parked below the overpass but about 100 pounds of coal (in a position “likely to pollute”) was also dumped into a tributary of the nearby Patapsco River. The Baltimore Sun, *Derailed train buries Ellicott City in coal, crushing two teen girls* (August 22, 2012) [http://articles.baltimoresun.com/2012-08-22/news/bs-md-ho-train-derailment-0822-20120821\\_1\\_train-cars-train-derailment-air-brake-line](http://articles.baltimoresun.com/2012-08-22/news/bs-md-ho-train-derailment-0822-20120821_1_train-cars-train-derailment-air-brake-line). See also The Baltimore Sun, *Ellicott City back on track one month after derailment* (September 19, 2012) [http://www.baltimoresun.com/explore/howard/news/community/ph-ho-cf-ellicott-city-0920-20120920\\_0\\_1149376.story](http://www.baltimoresun.com/explore/howard/news/community/ph-ho-cf-ellicott-city-0920-20120920_0_1149376.story) (Some downtown businesses disrupted even a month after derailment; remediation still ongoing).

In June 2010, a loaded coal train leaving a siding at a slow speed derailed in downtown Wayzata Minnesota causing a steel rail to smash through an adjacent building barely missing a woman employed in the building. Star Tribune/West Metro, *Coal train derails in Wayzata* (June 30, 2010) <http://www.startribune.com/local/west/97482139.html?page=1&c=y> A coal train derailment even occurred in Washington in 2012 when a loaded BNSF coal train derailed

in Mesa, Washington spilling coal from about 30 cars. Tri-City Herald, *Coal train derailment*, (July 2, 2012) <http://www.tri-cityherald.com/2012/07/03/2009115/coal-train-derailment.html#storylink=misearch>. This derailment occurred with only three coal trains a day traveling through Washington state to B.C. ports; the GPT would add another 18 daily trains.

Please include in the scope of the EIS a study of all causes of coal train derailments. See for example, The Baltimore Sun, *Derailment probe appears to focus on track condition* (Sept. 5, 2012) <http://www.baltimoresun.com/news/breaking/bs-md-csx-accident-report-20120905,0,4026534.story>. Are coal trains more likely to derail than other trains and if so, why? Are there certain places (along curves, near sidings etc.) where derailments are more likely to occur? The EIS analysis should include a detailed look at the possible causes of derailments for both loaded and empty trains associated with the increased rail traffic as a result of the GPT through Skagit County and the communities all along the rail line from the coal mines in Wyoming and Montana to Cherry Point. For Skagit County and other all other communities that are in an earthquake zone, a thorough analysis must include consideration of derailments resulting from or contributed to by earthquakes. For Skagit see, Department of Natural Resources, Site Class Map of Skagit County, Washington (Sept. 2004), [ftp://ww4.dnr.wa.gov/geology/pubs/ofr04-20/ofr2004-20\\_sheet58\\_skagit\\_nehrp.pdf](ftp://ww4.dnr.wa.gov/geology/pubs/ofr04-20/ofr2004-20_sheet58_skagit_nehrp.pdf) Similarly, the analysis must consider the possibility of derailments for areas all along the rail line to GPT that are prone to mud slides or other special environmental conditions. For guidance, please see Federal Railroad Administration, Office of Safety Analysis, Train Accident Cause Codes, <http://safetydata.fra.dot.gov/OfficeofSafety/publicsite/downloads/appendixC-TrainaccidentCauseCodes.aspx?State=0> ("Train accidents are frequently the culmination of a sequence of events, and a variety of conditions or circumstances that may have contributed to its occurrence...").

As the newspaper accounts cited above illustrate, train derailments have had significant, indeed dire, adverse impacts. Please also include within the scope of the EIS a study of the potential consequences of derailments. Using past derailments as a guide, please analyze what are the greatest number of cars that can spill coal in a derailment and what is the greatest volume of coal that could be spilled from these cars? Please analyze the harm that can occur to people; for example, to pedestrians, bicyclists, drivers and passengers in automobiles and buses waiting at at-grade crossings or traveling on nearby roadways (including I-5, state and local roadways) that are parallel or perpendicular to the rail line, employees and customers in businesses (like the Skagit River Brewery, see photos attached) or other buildings, visitors to park lands adjacent to the rail line and all others who might be in the vicinity of a derailment. What would be the consequences for structures: for example, for nearby commercial buildings and homes and for bridges such as our Mount Vernon viaduct,

the BNSF Burlington Bridge and similar bridges? Please also analyze the potential impacts of a coal train derailment and spillage of coal in the Salish Sea and in all water bodies (including streams, rivers, flood plains, wetlands, buffers and other areas) crossed by or adjacent to the rail line from the mines in the Powder River Basin to the GPT as well as the potential impact of a spillage of coal in these areas on fish and wildlife that inhabit them. Please also include in your analysis a study the toxicity of coal in water. How much would it cost and who would pay the costs for wrongful death; personal injury; property damage; emergency services; costs of clean up; lost income and other economic harm to business affected and the cost of environmental remediation including complete restoration of fish and wildlife habitat?

Please also study the increased risk, causes and consequences (personal injury, property damage and environmental harm) for other kinds of accidents on or near the tracks that would result from GPT trains added to existing and future rail traffic - including, but not limited to: train to train collisions, train and railway work crew collisions, train-car collisions, train-person collisions and fires in unit cars or resulting from coal spillage from transporting highly combustible Power River Basin coal. What types of accidents, including derailments, would an advanced wayside signal system help to prevent and what types would not be prevented by such a system? Would an advanced wayside system or other safety measures be 100% effective 100% of the time? If not, what percentage of the time would such measures be ineffective and why?

Following the tragic derailment in Glenview Illinois, Joseph Schweiterman, director of DePaul University's Chaddick Center for Metropolitan Development cautioned that "[f]reight trains keep getting longer and longer, and that raises the stakes for municipalities." Daily Herald, *Derailments fact of life in the suburbs*, (July 22, 2012) <http://www.dailyherald.com/article/20120722/news/707229920/>. Communities along the rail line from the Power River Basin to GPT need to understand exactly how and how much the stakes would be raised for them by the heavy long haul frequent trains to GPT. It is imperative that you include these issues and locations in the scope of your EIS.

Sincerely,



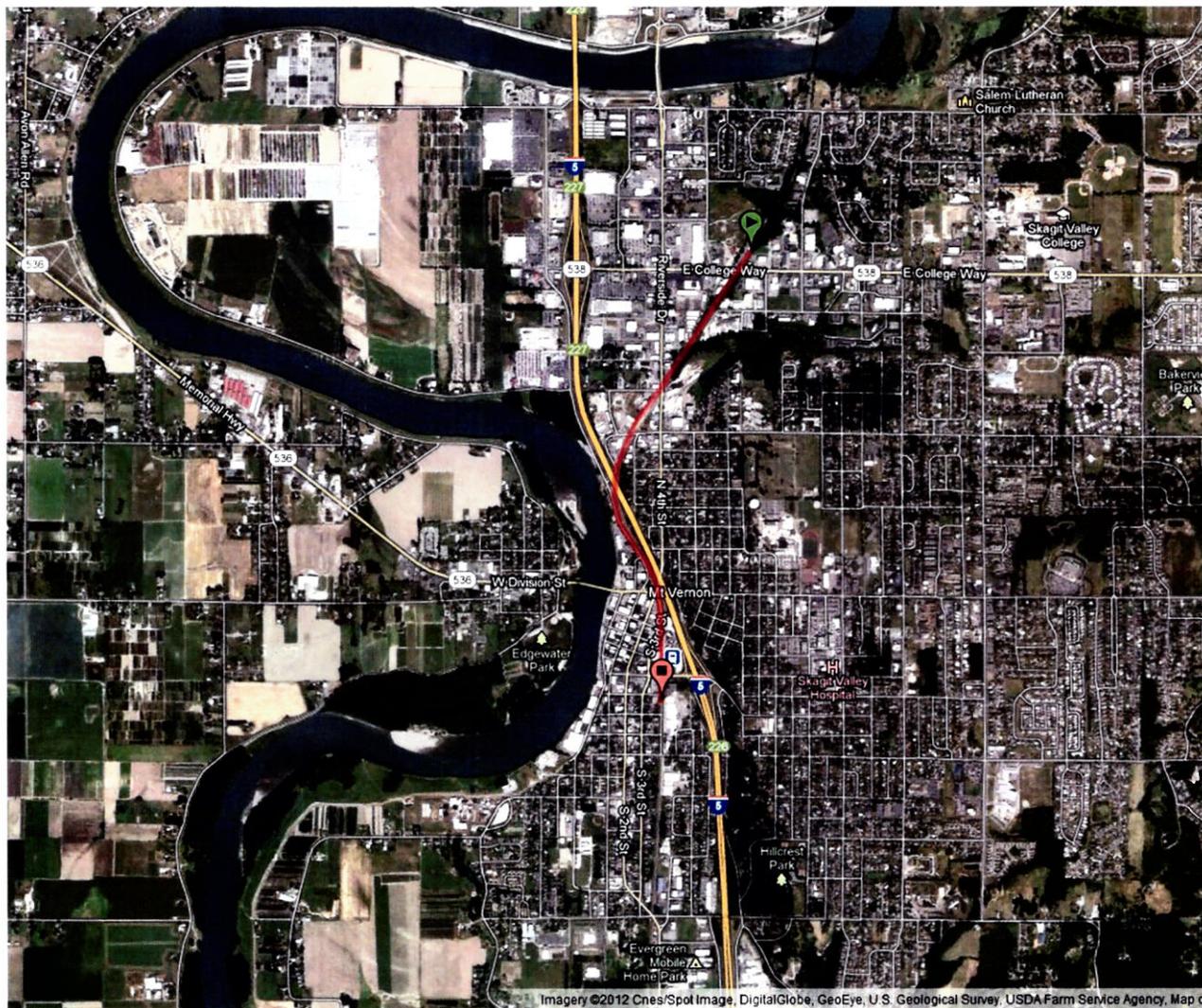
Mary Ruth Holder  
109 N. 6<sup>th</sup> St.  
Mount Vernon, WA 98273



## Attachment 1

BNSF railway bisects downtown Mount Vernon and runs adjacent to local businesses, Skagit Station and Skagit County Sheriff's office and jail (on right just south of Skagit River Brewery) as well as adjacent to and across local roadways.

## Attachment 2



Satellite Map - red line illustrates mile and a half long train on BNSF rail line through business areas in Mount Vernon and adjacent to I-5 and other roadways. The rail line also runs through residential areas to the south and north of the red line.

Attachment 3



BNSF railway adjacent to I-5 in Mount Vernon. Skagit Transit buses travel across rail line to and from multi modal Skagit Transit Station.



Shows proximity of rail line to Skagit River Brewery (popular and busy local establishment having an occupancy rating of 188 people).

Attachment 4



Rail line and I-5 run under the Mount Vernon viaduct connecting downtown and the West Hill neighborhood.