	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
1	463-60-015: General – Description of Applicant ASC Section: 1.1 Reviewer: Jan Aarts	This section of the ASC is complete.		Comment noted.	
2	463-60-025: General – Designation of agent. ASC Section: 1.2 Reviewer: Jan Aarts	This section of the ASC is complete.		Comment noted.	
3	463-60-045: General – where filed.	The application for the Tesoro-Savage Vancouver Energy Distribution Terminal was filed with EFSEC in Olympia, WA on August 29, 2013.		Comment noted.	
4	463-60-055: General - Form and number of copies Reviewer: Jan Aarts	Applicant has complied with this requirement.		Comment noted.	
5	463-60-075: General - Assurances. ASC Section: 1.3 Reviewer: Jan Aarts	Applicant has adequately described their commitment to set forth insurance, bonding or other arrangements in order to mitigate for damage or loss to the physical or human environment caused by project construction, operation, abandonment, or termination.		Comment noted.	
6	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	(1) Mitigation measures summary. Section 1.4 of the ASC does not summarize the impacts to each element of the natural or built environment from decommissioning the project, nor does it include any associated mitigation measures for project decommissioning. (Katie Clifford, Sandy Slayton)	**Section 1.4 – "**WDFW concurs that a summary of the impacts and mitigation measures associated with decommissioning the project is needed for the ASC to be complete." (Justin Allegro, WDFW Energy Policy Lead)	Text has been added to Section 1.4.1 to address that the actions to be taken to decommission the project are unknown at this time, however they would be expected to be similar in nature to the impacts incurred during construction, and similar mitigation measures would be applied.	Comment noted, see Response to EFSEC review.
7	463-60-085: General – Mitigation measures. ASC Section: 1.4		Section 1.4 – "The Department of Fish and Wildlife Oil Spill Team (OST) is a key component of Washington State's oil spill response program. Since its formation in 1992, the OST has provided round-the-clock oil spill response capability to address the needs of fish and wildlife resources. The OST also provides extensive technical support to the State's oil spill planning and preparedness efforts. As a unit within WDFW, all of the team's resources are focused on the needs of fish and wildlife. WDFW's OST's planning and preparedness efforts generally do not seek to identify upfront mitigation for indirect effects during a spill event. The OST has expertise in conducting Natural Resource Damage Assessments when a spill event occurs, and such an assessment is essential to determining the scope of mitigation." (Justin Allegro, WDFW Energy Policy Lead)		Comment noted.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
8	463-60-085: General – Mitigation measures. ASC Section: 1.4		Section 1.4 (pg 1-22): "This facility is considered a Class 1 facility under State regulations. There is no mention of Ecology Oil Spill Contingency Plan requirements (173-182 WAC) or Oil Handling - Operations Manual and Prevention Plan Requirements (173-180 WAC). These requirements direct specific design, safety, prevention and oil spill preparedness measures that are mitigating measures for oil spills that affect all of the listed facets of the environment. These required plans are noted later in the document." (Sean Orr, Ecology Spills Preparedness Program)		Comment noted; as the reviewer stated, the Applicant acknowledged in Section 2.10, and Appendix B.1, the comprehensive regulatory structure surrounding spill preparedness and response, and the requirement for the Facility to comply with applicable state regulations noted by the reviewer.
9	463-60-085: General – Mitigation measures. ASC Section: 1.4		Section 1.4 (pg. 1-18): "Shipping impacts are lightly mentioned in the subsections. It is implied that the risk of a catastrophic oil spill is low and there is reference to BMPs and safety and security measures which were not located. Please identify the BMP's and safety and security measures." (Sean Orr, Ecology Spills Preparedness Program) "Currently there are no large tank ships that carry crude oil on the Columbia River the 105 mile distance to the Vancouver/Portland Terminals and there has been no vessel risk analysis to determine or substantiate the level of risk associated with these types of vessel and volume of product they will be transporting. Such analysis should assess associated risks and identify measures to minimize the risk. See additional comments on this subject under section 2. Specific mitigation measures should be called out or identified for analysis during the preparation of the EIS." (Sean Orr; Ecology Spills Preparedness Program) Section 1.4 (pg 1-22): "This facility is considered a Class 1 facility under State regulations. There is no mention of Ecology Oil Spill Contingency Plan requirements (173-182 WAC) or Oil Handling - Operations Manual and Prevention Plan Requirements (173-180 WAC). These requirements direct specific design, safety, prevention and oil spill preparedness measures that are mitigating measures for oil spills that affect all of the listed facets of the environment. These required plans are noted later in the document." (Sean Orr, Ecology Spills Preparedness Program)		By including appendix B.1 in the ASC, the Applicant acknowledges regional preparedness planning efforts that will address not only the potential for a spill resulting from Facility operations, but also from the transportation of product by vessel down the Columbia River. The Applicant will address the risks and mitigation associated with marine transportation of crude oil away from the Facility in the Applicant-Prepared DEIS. Comment noted; the Applicant will address the risks and mitigation associated with marine transportation of crude oil down river from the Facility in the Applicant-prepared DEIS. Refined petroleum products have been shipped from, and received at several marine terminals located in the Portland-Vancouver metropolitan area for many years, including but not limited to Nustar Energy (Portland and Vancouver locations), KinderMorgan Willbridge Terminal (Portland), Tesoro Logistics Vancouver terminal (Vancouver), Pacific Terminal Services (aka Harley Marine Services) (Portland), and ConocoPhillips (Portland). The lower Columbia River Geographic Response Plan has been developed in response to these long existing product movements. Since 2012, crude oil is also shipped by marine vessel down river from Clatskanie, Oregon from the Global Partners crude-by rail facility. Comment noted; as the reviewer stated, the Applicant acknowledged in Section 2.10, and Appendix B.1, the comprehensive regulatory structure surrounding spill preparedness and response, and the requirement for the Facility to comply with applicable state regulations noted by the reviewer.
10	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John	1.4.1.7 Wetlands Does not address mitigation of potential indirect effects in terms of proximity to multiple wetlands during a spill event, where contaminants might be carried by tides, currents, floods etc. to offsite wetlands. (Jeremy Pratt)		This section does summarize the impact minimization/mitigation measures taken to reduce indirect effects to wetlands associated with spills. This is provided under the section titled "Operational Water Quality Impacts".	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	McCorkle Mike Kinder Sonia Bumpus				
11	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.4 Air – Include a more complete summary of mitigation measures addressing impacts to air. Include information on the applicant's commitment to obtain and maintain compliance with all applicable air permits. (Julie Werner) We recommend Ecology review this section of the ASC.	Section 1.4.1.4 Air – "… a recommendation is made to ask the applicant in Section 1.4.1.4 to provide information on the applicant's commitment to obtain and maintain compliance with all applicable air permits. Requiring Tesoro Savage to make a general statement to show their commitment to obtain required permits does not seem to me to add much value. Tesoro Savage cannot build the facility unless they get these permits." (Marc Crooks, P.E., Ecology's Air Quality Program)	Section 1.4.1.4 Section 3.2, Air, has been revised with additional mitigation measures discussed in the ASC. The ASC as a whole demonstrates the applicant's commitment to obtain and comply with all applicable permits, including air emissions permits.	Comment noted. Please refer to the response to EFSEC review for this same comment.
12	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.6 Habitat, Vegetation, Fish and Wildlife - The ASC did not mention minimization efforts for Bald Eagle. Although no longer ESA-listed, the bald eagle is still protected under the Golden and Bald Eagle Protection Act. There is a breeding location (as identified by WDFW PHS mapping verified on Sept 27, 2013) located north of the project site. Verify noise attenuation out to the location of this breeding site. (Jennifer Weitkamp) We recommend WDFW review this section of the ASC.	**Section 1.4.1.6** Habitat, Vegetation, Fish and Wildlife – "Associated with minimization of impacts for Bald Eagle and other WDFW-identified species, WDFW concurs with the refinement proposed by the reviewer and EFSEC to the window for the project proponent to conduct noise-producing pile-driving activities." (Justin Allegro, WDFW Energy Policy Lead)	A summary of impact minimization efforts for impacts to bald eagle (and other terrestrial wildlife species) has been added to this section. The application has been revised to state that terrestrial noise generation is expected to attenuate within 5,000 feet of project activities. The closet bald eagle nest is approximately 5,600 feet from the project site. Due to the delisting of bald eagle under ESA, and a change in status to state sensitive, WDFW no longer requires bald eagle management plans. FWS national guidelines for bald eagles recommends a 0.5 mile buffer around nests for "blasting and other activities that produce extremely loud noises". All noise generating activities associated with the proposed project occur greater than 0.5 miles from the nest. Because noise is expected to attenuate prior to the nest, and all activities occur outside 0.5 miles, a work window for upland pile driving is not warranted. .	Comment noted, see response to EFSEC Review.
13	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.6 Habitat, Vegetation, Fish and Wildlife - Temporary Construction Noise – Recommend WDFW review the ASC section discussing use of a, "bubble curtain" for purposes of attenuating noise from pile installation by approximately 5dB (page 1-15 and 1-18). (Sonia E. Bumpus)	"WDFW supports the minimization efforts proposed by the applicant, specifically seasonal restrictions, vibratory hammer for permanent and temporary piling, and use of a bubble curtain when an impact hammer is used. Additional compensation for the temporary habitat impacts of the impact hammer includes the removal of 56 piles below the high water mark and 220 timber piles." (Justin Allegro, WDFW Energy Policy Lead)	The proposed dock modification design has been revised and no longer requires any in-water impact-driven pile installation and a bubble curtain will no longer be required.	Comment noted, see response to EFSEC Review. The design does not require mitigation because no new piles are being added, and reduces the number of piles being removed See. Section 2.3.7 for the description of proposed dock improvements
14	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John		**Appendix H.1, 4.1.4.1 (a)** states: *"Bald eagles are relatively common within the greater project vicinity, and bald eagles use habitat throughout the greater Vancouver Lake Lowlands extensively. The WDFW PHS database identifies the area in the vicinity of Vancouver Lake as winter roosting habitat, and identifies two documented breeding occurrences (nests) in the riparian forest on Parcel 3 (WDFW 2013a). The nearest eagle nest site documented in the PHS database is approximately 1 mile west of the westernmost portion of the project site.*		Comment noted. As noted above, the nearest known bald eagle nest is located approximately one mile away from the Facility site, well outside the buffers recommended by FWS bald eagle management guidelines. There are no known existing bald eagle nests within 660 feet, or a quarter mile of the site. Construction noise is expected to attenuate to background levels within 5,000 feet of the Facility. WDFW PHS information has mapped bald eagle concentrations for roosting/ foraging around Vancouver Lake, greater than 1 mile north of the project site. Similar

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	McCorkle Mike Kinder Sonia Bumpus		*The state bald eagle protection rules were amended in 2011 to apply to eagles only when they are listed as endangered or threatened. Because eagles are now listed as Sensitive, the previous requirement to develop state bald eagle management plans is no longer in effect. Bald eagles remain protected under state and federal law, and the applicant must still comply with the federal Bald and Golden Eagle Protection Act (Eagle Act) to avoid impacting eagles.* *The Eagle Act regulates the "take" of eagles; where take is defined as (50 CFR §22.3): "Take means pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, destroy, molest, or disturb." Here, disturb means "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available: (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."* "The project applicant should consult with the U.S. Fish and Wildlife Service to determine whether a take permit would be required for pile driving activities. A take permit might be required if a breeding nest is within 660 feet of the projects site or if activities create frequent, prolonged, loud noises within a quarter mile of a breeding nest from January 1 through March. The applicant's proposal appears to avoid conflicting with these buffers, and will be further benefitted by avoiding pile-driving activities in January and February. Nevertheless, given the potential for impacts to roosting and foraging behavior in November and December, WDFW would recommend on-site noise abatement verification to more precisely determine the extent of terrestrial noise proliferation at the project site." (Justin Allegro, WDFW Energy Policy Lead)		to nesting bald eagle, construction noise is expected to attenuate to background conditions at the concentration areas.
15	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus		Appendix H.1, 5.1.2 estimates that elevated noise levels will dissipate to baseline ambient conditions between approximately 1,600 and 3,200 feet from the location of project activities. *"Temporarily elevated terrestrial noise levels could extend beyond the project site onto portions of the CRWMB and associated wetlands and forested habitats on the Shillapoo NWR south of Vancouver Lake. In addition to being used extensively by a variety of waterfowl, raptors, migratory birds, small mammals, amphibians, and reptiles, these habitats provide potentially suitable habitat for a number of special status wildlife species. There is potential for these species to be present in these habitats during construction and they could be exposed to elevated terrestrial noise levels. Terrestrial noise from pile driving will have attenuated significantly by the time it reaches these habitats. The noise levels may potentially be of sufficient intensity to generate a behavioral response, but will not be expected to elicit avoidance or other behaviors that could result in adverse effects to any wildlife species such as missed*		Comment noted. The application has been revised to reflect an updated noise analysis. Construction noise is expected to attenuate to ambient conditions within 5,000 feet of project activities. While portions of Shillapoo - Vancouver Lake Unit are within 5,000, these areas are subject to intermittent noise generation associated with hunting on the site and existing industrial and transportation activities in the area. Section 3.4.4.2 has been revised to address the potential impacts of temporary construction noise. Existing Bald Eagle nests are located beyond the distances noted in PHS management recommendations for monitoring of disturbance due to construction noise. Monitoring of existing nests is therefore not proposed.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			feeding opportunities, nest abandonment, or increased susceptibility to predation that could result in adverse effects to any special status wildlife species." "Field verification should be conducted to ensure no disturbance to foraging and roosting behavior of Bald Eagles. Should field verification of noise attenuation indicate elevated noise levels from pile-driving in areas indicated as used by raptors for foraging, WDFW recommends the ASC require the nest be monitored to ensure any Bald Eagle chicks have fledged prior to commencing pile-driving. Fledgling should occur before the commencement of pile-driving, so this should not be a significant issue." (Justin Allegro, WDFW Energy Policy Lead)		
16	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus		WDFW generally concurs with the ASC regarding the functional value of the terrestrial habitat on the project site, which is categorized as 'Urban/Mixed Environ wildlife habitat. Nevertheless, ASC WAC text states "The council's intent is to achieve no net loss of habitat functions and values by maintaining the functions and values of fish and wildlife habitat in the areas impacted by energy development." Appendix H.1, 5.1.2 categorizes the direct impacts on the project site as consisting of removal of approximately 6,300 square feet of upland cottonwood stands, and the proposed pipeline will pass through a portion of the riparian area. Appendix H.1, 4.1.1.1(c) states that the riparian buffer impacted at the project site likely provides a small amount of seasonal foraging habitat for resident and migratory songbirds and shorebirds, as well as raptors. Recognizing that the project site's highly-developed and de-vegetated nature limit the value of the habitat severely, WDFW still suggests the applicant consider compensatory mitigation for the permanent and temporary impacts to foraging on-site caused by the removal of the upland cottonwood stands not already permitted for removal, as well as the riparian buffer. The WAC text for the ASC suggests, '(d) The ratios of replacement habitat to impacted habitat shall be greater than 1:1 to compensate for temporal losses, uncertainty of performance, and differences in functions and values.' WDFW concurs with this recommendation for ASC completeness." (Justin Allegro, WDFW Energy Policy Lead)		Comment noted. Design refinement have reduced the amount of tree removal required. Removal of trees will be mitigated by proposed landscaping, approximately 2.21 acres, including tree planting to comply with VMC landscape standards. No other habitat mitigation is proposed. Please refer to Section 3.4.2.2 and 3.4.2.3 for the discussion of acreage of habitat impacted and compensatory mitigation thereto.
17	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John		"Sea Lion Appendix H.1, 4.1.4.2 (a) "In Oregon and Washington, Steller sea lions feed offshore along the coast and in the ocean, although some Steller sea lions make seasonal journeys (usually January through May) into the Lower Columbia River to feed, primarily on sturgeon (personal communication with Brian Wright and Robin Brown, ODFW, March 6, 2010; personal communication with Steve West, WDFW, April 22, 2010)." Completing impact pile-driving by January avoids co-occurrence." (Justin Allegro, WDFW Energy Policy Lead)		Comment noted.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	McCorkle Mike Kinder Sonia Bumpus				
18	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus		"Sandhill Crane – In order for sandhill cranes to survive in Washington, their breeding, migration, and wintering habitats need to be protected and enhanced. Appendix H.1, 4.1.4.1 (k) notes, "The fall migration of sandhill cranes through the Vancouver Lake Lowlands typically occurs in late September and early to mid-October." WDFW suggests the applicant delay pile-driving until October 15. http://wdfw.wa.gov/publications/00026/Abbreviated_Sandhill_Crane.pdf" (Justin Allegro, WDFW Energy Policy Lead)		Comment noted. WDFW Management Guidelines recommend avoiding new construction within 2,620 feet of known feeding areas. Portions of Parcel 3 and the CRWMB are potentially suitable foraging habitat and within 2,620 feet of the Facility. Most of the project site is already developed, and the project is not expected to measurably or significantly increase the extent of disturbance to potential sandhill crane feeding habitat on Parcel 3 or the CRWMB.
19	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus		"Oregon Spotted Frog – Appendix H.1, 4.1.4.4 (a) "hibernating in mud from October-February," so a mid-October-January window for piling limits impact of any sound attenuation to south Lake Vancouver." (Justin Allegro, WDFW Energy Policy Lead)		Comment noted. WDFW management recommendations are associated with preserving and minimizing impacts to habitat, and there are no management recommendations that suggest limiting the extent of terrestrial noise within wintering Oregon Spotted Frog habitat. The proposed project does not impact Oregon Spotted Frog habitat. It should therefore not be necessary to restrict the timing or duration of construction activities to avoid potential impacts to Oregon Spotted Frog.
20	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus		"Great Blue Heron – **Appendix H.1, 4.1.4.1 (e);** site conditions are likely to satisfy DFW's recommended year round buffer around a potential Heron Management Area. Completing pile driving by February is recommended to avoid behavioral impacts to breeding and pre-nesting behavioral patterns. Commencing pile driving after September is recommended to prevent disturbance of foraging habitat. A revision to in-water work period should accomplish this goal. http://wdfw.wa.gov/publications/00026/abbreviated_great_blue_heron.pdf" (Justin Allegro, WDFW Energy Policy Lead)		Comment noted. WDFW PHS data identifies a great blue heron rookery in a stand of black cottonwood north of the Columbia River Wetland Mitigation Bank (CRWMB). This rookery is located approximately 2,500 feet from any proposed construction activity associated with the proposed project. WDFW's most recently published Management Guidelines for Great Blue Heron (Azerrad 2012) recommend establishing a Heron Management Area (HMA) to protect nesting heron colonies of 984 feet for year-round, and 656 feet for seasonal restrictions during "unusually loud land use activities." All proposed construction activities associated with the Facility would be conducted outside of these recommended buffers. While dock improvements occur in-water, they are located in an industrialized port and is not indicative of suitable habitat for heron. Therefore it should not be necessary to restrict the timing or duration of construction activities to avoid potential impacts to Great Blue Heron.
21	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer		"WDFW encourages monitoring of marine mammals during in-water activities. Specific to pile-driving activities, WDFW encourages the applicant to consult with NMFS on a proper exclusion zone for species protected under the Marine Mammal Protection Act. **Appendix H.1** identifies a zone of 30 feet from each driven pile as a zone of injury. Marine mammal monitoring should be conducted to prevent piling if a marine mammal is within		Comment noted: A marine mammal monitoring plan will be developed and implemented to minimize the effect of elevated underwater noise during in-water and upland pile driving activities on marine mammals that utilize the Columbia River. A thorough body of knowledge is already available regarding the t presence of, and use by, marine mammals in this area of the Columbia River; information relevant to

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Weitkamp John McCorkle Mike Kinder Sonia Bumpus		30 feet from the piling site." (Justin Allegro, WDFW Energy Policy Lead) "WDFW recommends the ASC support post-construction monitoring of fish and marine mammals during all seasons of the year. Upon determining the new breeding, summer, winter, migratory usage, and habitat condition of the site, and reviewing as compared to pre-construction estimated levels of impacts, the applicant will report the results of post-construction monitoring to relevant state and federal agencies to determine potential courses of action." (Justin Allegro, WDFW Energy Policy Lead)		the impacts of the proposal has been considered and cited in the review presented in the ASC. Impacts to aquatic habitats and species have been mitigated in accordance with accepted regulatory practices. To the applicant's knowledge, for the type of impacts incurred as a result of normal Facility operations as to be regulated by EFSEC, it is not the practice to require post construction monitoring of aquatic species use or habitat conditions in the areas under or in vicinity of the dock structures below the OHWM.
22	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 3.4.2.1, (page 1-14) Operational Water Quality Impacts – Recommended WDFW review the ASC section where terrestrial habitats of the site are mentioned as having, "little functional habitat". (Sonia E. Bumpus)		Terrestrial Habitat quality and quantity at the site is documented and described in Section 3.4.2.1. Habitat quality at the site was determined based on structural complexity of habitats, species composition, and documented degree of use.	
23	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1- ALL Specific mitigation methods indicated in the ASC should be supplemented with additional information that speaks to their proven efficacy and/or past performance for minimizing similar impacts. (Sonia E. Bumpus)		As stated in Section 1.1, This Application was professionally prepared by experienced professional consultants under the direction of Tesoro Savage Petroleum Terminal LLC. The impact analyses were conducted, and mitigation measures selected based on: the regulatory requirements that the project must meet, and mitigation measures specifically required by regulation; consideration of mitigation measures that have been approved by local, state and federal regulatory agencies for similar activities within the same impact areas as those of the Facility; and the consideration of the large body of accepted regulatory and industry guidance related to mitigation of impacts in each field..	
24	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.6 Habitat, Vegetation, Fish and Wildlife - According to http://www.fws.gov/pacific/eagle/disturb.html the breeding season for bald eagle is Jan 1 through Aug 15 and therefore, intermittent noise such as that created by pile driving should be avoided during this time frame. However, the pile driving activity is stated to occur Oct – Feb (during approved in-water work window). We recommend that the impact pile driving be completed prior to January. The project proposes approximately 30 days total of pile driving so it is likely the pile driving phase could be completed prior to breeding season. (Jennifer Weitkamp) We recommend WDFW review this section of the ASC	"Section 1.4.1.6 Habitat, Vegetation, Fish and Wildlife, as also highlighted in Appendix H.1, 6.2, indicate that all pile installation will be conducted within the approved in-water work period for the project (anticipated to be October 1 to February 28). The ASC notes, "this work window has been established to minimize potential impacts to native fish species, but also avoids the peak migration timing for marine mammals in the Lower Columbia River. Marine mammals are not expected to occur within the action area during the in-water work period." WDFW supports the inclusion of a window for in-water work. We propose altering this window elsewhere, primarily for terrestrial wildlife, but there will be additional benefits for fish life and marine mammals." (Justin Allegro, WDFW Energy Policy Lead) WDFW encourages completing pile driving activity by January 1 to prohibit the co-occurrence of intermittent sound-producing activities and potential Bald Eagle	The proposed dock modification design has been revised and no longer requires any impact-driven pile installation below the OHWM. However the Applicant acknowledges that upland pile driving can cause noise disturbance. The nearest documented bald eagle nest site is over 1 mile north of the site, and is not visible from the site. Terrestrial noise analysis indicated noise will attenuate to ambient levels within approximately 5,000 feet maximum. The Applicant does not anticipate the need to restrict upland pile driving to avoid impacts to nesting bald eagles.	Please refer to the response to EFSEC Application review. Additional text has been added to Section 3.4.4.2 to describe the potential construction noise related impacts to bald eagles. As noted in the response to the EFSEC consultant, due to the distance separating the closest bald eagle nest to the location of upland pile driving, and based on the WDFW bald eagle management recommendations, it is not anticipated the pile driving noise will cause disturbance of nesting eagles. Because noise is expected to attenuate prior to the nest, and all activities occur outside 0.5 miles, a work window for upland pile driving is not warranted.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			breeding activity. Additionally, WDFW suggests the ASC be modified so that impact pile-driving not commence until October 15th." (Justin Allegro, WDFW Energy Policy Lead)		
25	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.6 Habitat, Vegetation, Fish and Wildlife - This section of the ASC did not mention marine mammal monitoring as it is mentioned in section 3 and in the Biological Resources Report (Appendix H.1). Add this information to section 1.4.1.6. We recommend WDFW review this section of the ASC. (Jen Weitkamp)		The proposed dock modification design has been revised and no longer requires any impact-driven pile installation in-water. Proposed vibratory pile removal and placement as well as impact driving of upland piles (at the shoreline) could still potentially exceed disturbance thresholds for marine mammals. A marine mammal monitoring plan will be developed and implemented to minimize the effect of elevated underwater noise during in-water and upland pile driving activities on marine mammals that utilize the Columbia River.	
26	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.6 Habitat, Vegetation, Fish and Wildlife - The sentence on page 1-18 beginning with "This will result the intensity of underwater noise…" should be revised to state "This will reduce the intensity of underwater noise…" (Katie Clifford)		This correction has been made.	
27	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.8 Energy and Natural Resources - There is no summary of impacts to Energy and Natural Resources. The sections states that "Operations BMPs will be developed." Will a plan be developed that will contain these BMPs? (Katie Clifford)		Text has been added to Section 1.4.1.8 to identify that impacts are not anticipated to Energy and Natural Resources. The existing language in Section 1.4.1.8 provides a list of Operations BMPs such as conservation measures that may be included, when cost effective.	
28	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.9 Environmental Health – Applicant notes in *Explosion Prevent*ion that there are two potential sources – mechanical due to overpressure, and explosions due to H2S. Applicant must also identify potential of explosions due to hydrocarbon release in this section (and the appropriate mitigation) as done elsewhere in the ASC. (John McCorkle) We recommend Ecology review this section of the ASC		Subsection "Flammability Characteristics of Crude Oil", at pages 4-336 through -338, addresses the conditions under which crude oil, and its vapors (VOCs) can ignite. The application addresses the potential of explosion due to combustible gases at page 4-338, in the subsection titled "Potential for Fire and Explosions at the Facility", as follows: "Fire and explosion hazards at the Facility may result from the presence of combustible gases and liquids and ignition sources during rail unloading and vessel loading activities, releases of flammable liquids and gases, and maintenance activities involving combustible or ignitable materials or equipment that is handling or has handled such materials."	
29	463-60-085: General – Mitigation measures.	Section 1.4.1.9 – Noise - The section discussing Noise does not address potential noise mitigation for the		Noise mitigation for construction workers is implemented under WISHA regulations WAC 296-155, Safety	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	construction workers themselves. It also does not discuss noise during standard operations once construction is completed (railroad noise emissions are regulated in 49 CFR part 201). Include mitigation measures that address this issue. (Mike Kinder)		Standards for Construction Work, addressed at page 4-352. Noise "mitigation" is commonly addressed through the use of personal protection equipment that is tailored to the noise source the worker is exposed to, which was included in the list of bullets in this subsection. Section 4.1.1.2 of the application presents a comprehensive analysis of Facility noise sources during operations and their anticipated compliance with EFSEC regulations. It is not clear if the reviewer is referring to 40 CFR 201, or 49 CFR 210. Regardless, these federal statutes apply to railroads used in interstate commerce. Upon entering the Facility site, the unit trains, and the locomotives used to power them, leave the common carrier railroad and enter a private rail yard. The provisions of 40 CFR 201 and 49 CFR 210 do not apply at the Facility site, and are not subject to EFSEC jurisdiction of the Facility. These requirements will however be addressed as part of the Applicant-prepared DEIS, in relationship to the transportation of crude oil to the project site by rail. Additional text has been added to Section 4.1.1.2 to address rail related noise emissions at the project site in compliance with EFSEC noise regulations.	
30	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.9 - Releases or Potential Releases to the Environment Affecting Public Health - There are RCRA hazardous waste associated with the former aluminum smelter. Add this information to the list of requirements in the last sentence of the 3rd paragraph. (Mike Kinder) We recommend Ecology review this section of the ASC		The text has been edited.	
31	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.1.9 – Safety Standards Compliance - The discussion of the LEL measurements in the 2nd full para on page 1-23 does not discuss the measurement of oxygen levels. Most LEL meters also measure Oxygen with alarms commonly set at 19.5% and 23%. Revise this section to include this information. Also note the action levels for the LEL (10% of LEL) and H2S meters (10 ppm). Also add discussion here, and in section 4.1, addressing security issues related to transportation, particularly the railroad (i.e., e-rail safe training, contractor/employee screening, etc.). Reference Rail Transportation Security Rule, 49 CFR part 1580, SAFE Port Act of 2006 (33 CFR Chapter I, Subchapter H) and possibly SMART Port Security Act that is promulgated. (Mike Kinder)		The discussion of LEL and H2S detectors at Section 4.1.4.4 has been edited to reflect the action levels for LEL and H2S detectors. With respect to the detection of oxygen levels using LEL detectors, LEL detectors in below grade locations will have O2 detectors to ensure safe entry into confined spaces. Monitoring of LEL levels in open work environment (i.e. not confined space) is sufficient to identify work conditions requiring shutdown and/or evacuation. Rail Transportation Rule 49CFR1580 applies to activities on main carrier lines. Upon entering the Facility site, the unit trains, and the locomotives used to power them, leave the common carrier railroad and enter a private rail yard. The provisions of 49 CFR1580 do not apply at the Facility site subject to EFSEC jurisdiction. These	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
				requirements will however be addressed as part of the Applicant-prepared DEIS, in relationship to the transportation of crude oil to the project site by rail. Compliance with 33 CFR Chapter I, Subchapter H, (33 CFR 105) was identified in Sections 2.19.3, and 2.19.4.1, page 2-199 and following of the ASC. The SMART Port Security Act, HR 4251 from the 112th Congress (2011-2012) has not been enacted at this time.	
32	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.12 – Socioeconomic Impact - Need for mitigation for socioeconomic impact should be reassessed once comments are addressed and revisions are made to section 4.4. If required, include mitigation measures for housing and the cost of public services in section 1.4.12. (Lee Elder) (2) Fair treatment.	Section 1.4.1.12: "There is no mention of socio economic impacts of a large oil spill during facility operations. Typically these impacts are substantial including disruption of commerce, vessel traffic and displacement of people due to environmental health hazards associated with the oil and clean-up operations." (Sean Orr, Ecology Spills Preparedness Program) "In many subsections where discussion occurs for releases and potential releases the discussion focuses primarily on construction. 463-60-085: General – Mitigation measures states that impacts should be summarized for construction, during operations, and decommissioning. Suggest including more thorough discussion on impacts during operations." (Sean Orr, Ecology Spills Preparedness Program)	The Applicant has reassessed the need for mitigation of socioeconomic impacts based on the revised analysis and has determined that the proposal will not have any negative socioeconomic impacts. See Section 4.4.4, of the Application.	The Applicant will address potential socioeconomic impacts associated with spills during facility operation and marine transportation of the crude oil in the Applicant-prepared DEIS. The ASC describes (Section 2.10.22 through 2.10.2.6 for example) the measures to be implemented in Facility design to capture potential releases and prevent them from entering surface water during Facility operations. Section 1.4 is intended to be a summary of mitigation measures that are presented in additional detail throughout the ASC. The Applicant has described throughout Section 2.3 the elements of project design that will be incorporated to prevent, minimize and counteract spills during the operation of the Facility. At Section 2.10.3.2 the Applicant acknowledges the requirement to prepare detailed plans that will thoroughly address all mitigation measures to be employed during operations. As noted to the response to EFSEC Consultant's comment regarding Section 1.4.1, mitigation for decommissioning impacts is anticipated to be similar to that employed for construction impacts, and will be thoroughly developed as part of the final decommissioning plan.
33	463-60-085: General – Mitigation measures. ASC Section: 1.4 Reviewers: Florin Braileanu Eric Harlow Kirt Hanson Julie Werner Sandy Slayton Katie Clifford Lee Elder Jennifer Weitkamp John McCorkle Mike Kinder Sonia Bumpus	Section 1.4.2 – Fair Treatment - Analysis of Project impacts on disadvantaged populations should be moved to section 4.4.2. Fair treatment discussion should highlight the impacts to disadvantaged populations provided in section 4.4.2. Table 1.4-1 should have a note below the table (or within the body text) describing the counties included in the Study Area. (Lee Elder)		As requested portions of the text have been moved. Based on the results of the analysis presented in the ASC the proposal is not expected to have impacts to disadvantaged populations. Table 1.4.1 has been deleted as it provides duplicative information.	
34	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer	Section 1.5 Sources of Information - After revisions are made to section 2.10.1.3, add references for local Emergency Response Plans, such as the April 2012 Clark County Hazardous Materials Emergency Response Plan, in section 1.5. (John McCorkle)		Comment noted. The reference has been added in Section 1.5.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Flathman John McCorkle Lee Elder Julie Werner				
35	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.3.1 - Earth - Include references in section 1.5 for the site-specific geotechnical engineering report(s) mentioned in section 3.1. (Kirt Hanson)		The site specific geotechnical report has been added to the ASC as Appendix L.	
36	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.3.4 Habitat, Vegetation, Fish, and Wildlife - The document prepared by Wydoski and Whitney 2003 listed on page 1-52 contains more updated baseline info vs. the cited 1979 version in this ASC. (Jennifer Weitkamp)		This citation has been updated. The information cited has also been verified as current. Cited information also verified and updated in Appendix H. Biological Resources Report.	
37	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.3.4 Habitat, Vegetation, Fish, and Wildlife - Appendix H.1 (Biological Resources Report) appears to have been prepared using some older references. NMFS has conducted more recent status reviews of some of their regulated species than what is cited in the document. (Jen Weitkamp)		Most of the information cited from the older status review documents are referencing life history information that was available in these older documents. This information is not included in the status review updates, so these sources are still necessary and valid. The 2011 Status review update for Salmon and Steelhead listed under the Endangered Species Act: Pacific Northwest (Ford et. al. 2010) has been reviewed and cited. Citations have been reviewed for applicability, updated as necessary, and the cited information has been verified as applicable and current.	
38	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.3.5 Wetlands - Field work conducted for the project is not listed here, but is a source of information for the wetlands and OHWM discussions. Include the citations for the field work in this section. (Sandy Slayton)		A citation has been added for dates of field investigations regarding biological resources including wetlands. This information is also documented in the Methodology Section in 3.5.2	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
39	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.4.1 Environmental Health - Section 4.1.1.1 Introduction to Noise Technology Common Sound Levels/Sources and Subjective Human Responses does not have references pertaining to table 4.1-1 listed either with the table or in section 1.5.4.1; therefore a source used for information is not disclosed. Sources listed in other sections (including 4.1.1.1) are not listed in section 1.5.4.1 (e.g. ANSI Standard B133.8, EPA 1971, PARTNER). This section is considered incomplete for Noise related sections as it does not list all sources. Add these missing references to section 1.5.4.1. (Julie Werner)		Comment noted. The reference list in section 1.5.4.1 has been updated.	
40	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.4.4 Socioeconomic - Add Minnesota IMPLAN Group, IMPLAN data to section 1.5. (Lee Elder)		The reference has been added.	
41	463-60-095: General – Sources of information. ASC Section: 1.5 Reviewers: Sonia Bumpus Florin Braileanu Kirt Hanson Eric Harlow Sandy Slayton Jennifer Weitkamp Katie Clifford Jennifer Flathman John McCorkle Lee Elder Julie Werner	Section 1.5.5 Air Emissions Permits and Authorizations - Incomplete entry for "Cleaver Brooks". Inaccurate agency for entry for AP-42. Correct these references. No entry for Jordan Technologies CO2 emission factor in section 1.5.5 as discussed in section 5.1.2.1.3. No reference for Reid Vapor Pressures listed in section 5.1.2.1.4. No entry for source of Facility Site Design Value (table 5.1-22 Existing Air Quality). (Julie Werner) We recommend Ecology review this section of the ASC.	Section 1.5.5 Air Emissions Permits and Authorizations – "I agree with the comment…that in Section 1.5.5 air emissions, permits, and authorizations…the entry for "Cleaver Brooks" is incomplete." (Marc Crooks, P.E., Ecology's Air Quality Program)	The references and citations have been corrected.	
42	463-60-101: General – Consultation. ASC Section: 1.6 Reviewer: Jan Aarts	Applicant has provided required information.		Comment noted.	
43	463-60-105: General: Graphic Material Reviewer: Jan Aarts	In general this requirement has been met. Reviewers have made recommendations regarding improvements to illustrative graphics in the comments presented below.		Comment noted.	
44	463-60-115: General – Specific contents and applicability Reviewer: Jan Aarts	Applicant has substantially complied with this requirement, except as identified in the sections below.		Comment noted.	
45	463-60-116: General – Amendments to applications, additional studies, procedure. Reviewer: Jan Aarts	N/A		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
46	463-60-125: Proposal – site description ASC Section: 2.1 Reviewer: Jan Aarts	Page 2-68 - Note: Major heading incorrectly cites WAC 463-60-135 instead of WAC 463-60-125 on page 2-68. (Jan Aarts)		Comment noted.	
47	463-60-125: Proposal – site description ASC Section: 2.1 Reviewer: Jan Aarts	Figure 2.1-2 - Indicate on figure 2.1-2 (and other figures as appropriate) where the BHP Billiton Potash export facility would be constructed. (Jan Aarts)		A new figure (Figure4.2-1i) has been added in Section 4.2.1 to identify the location of the BHP Billiton facilities.	
48	463-60-125: Proposal – site description ASC Section: 2.1 Reviewer: Jan Aarts		**Section 2.1.1.3** Marine Terminal – "The marine terminal operations specific to the transfer of oil to vessels is a "related action" that should be analyzed for environmental impacts in the EFSEC required SEPA document." (Sean Orr, Ecology Spills Preparedness Program)		Comment noted; the Applicant believes that the marine terminal operations are part of the "proposed action" and they will therefore be analyzed for environmental impacts in the Applicant-prepared DEIS.
49	463-60-125: Proposal – site description ASC Section: 2.1 Reviewer: Jan Aarts	Section 2.1.1.6 Rail Infrastructure – Note: The shifting of the existing WVFA tracks to accommodate the two new Project tracks, including the transfer of the third WVFA loop track to the applicant are "related actions" that should be disclosed and analyzed for environmental impacts in the EFSEC required SEPA document, even if they are not directly under EFSEC jurisdiction. (Jan Aarts)		Comment noted. The shifting of the tracks will be addressed as a related action in the DEIS.	
50	463-60-135: Proposal – Legal descriptions and ownership interests. ASC Section: 2.2 Reviewer: Jan Aarts	Applicant has met this requirement.		Comment noted.	
	463-60-145: Proposal – Construction on site. ASC Section: 2.3 Reviewer: Jan Aarts	Section 2.3.1.1 Facility Elements included in the Application for Site Certification – Add a figure that clearly shows the various facilities that would be associated with each of the two construction stages described on page 2-86 and 2-87 of the ASC. The two distinct stages of construction described on page 2-86 and 2-87 of the ASC have implications for how the environmental impacts should be described in the SEPA document. Where appropriate the construction impacts associated with each stage of construction should be described separately, as well as incrementally (i.e., stage 1 disturbance, stage 2 disturbance, total disturbance). (Jan Aarts)		Figure 2.3-2i has been added to identify those Facility elements that would be constructed at a later date. The applicant will address the potential impacts of constructing facility elements in stages in the Applicant-prepared DEIS.	
51	463-60-145: Proposal – Construction on site. ASC Section: 2.3 Reviewer: Jan Aarts	Section 2.3.2 Rail Infrastructure – Should the reference to figure 2.3-3 on page 2-88 actually reference figure 2.3-4? If so, please correct. (Jan Aarts)		The reviewer is correct, Figure 2.3-3 should have been cited instead of Figure 2.3-2, and 2.3-4 instead of 2.3-3.	
52	463-60-145: Proposal – Construction on site. ASC Section: 2.3 Reviewer: Jan Aarts	Section 2.3.3.1 Rail Car Unloading – In the 4th paragraph, clarify that figure 2.3-7 illustrates the unloading building at full build-out. Consider using color line work to identify features that would be associated with stage 2 constructions (i.e., Savage control of Track 4105, catwalks/gangways and piping to serve operations of the third unloading track) Add note explaining that the direction of the cross section view is toward the northwest. (Jan Aarts)		Comments noted; as presented the figure illustrates the full build out for which certification is being sought. Figure 2.3-2i has been added to identify which Facility elements would be constructed at a later date.	
53	463-60-145: Proposal – Construction on site. ASC Section: 2.3 Reviewer: Jan Aarts	Section 2.3.6 Area 300 – Storage – In the 1st paragraph, clarify that figure 2.3-9 illustrates the storage tanks at full build-out. Consider using color line work to identify features that would be associated with stage 1 and stage 2		Comments noted; as presented the figure illustrates the full build out for which certification is being sought. Figure 2.3-2i has been added to identify which Facility elements would be constructed at a later date.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		construction; (i.e., exterior containment berm, intermediate berms, boiler building, stormwater facilities, etc.). Alternatively, create two figures to show the differences between stage 1 and 2 construction. (Jan Aarts)			
54	463-60-145: Proposal – Construction on site. ASC Section: 2.3 Reviewer: Jan Aarts	Section 2.3.7 - The subheading section 2.3.7 needs to include the words "Area 400" before "Marine Terminal." (Jan Aarts)	**Section 2.3.7**: "Ecology Facility Oil Handling Standards Part B, WAC 173-180 requires pre-booming of all high volume transfers. Construction at the marine terminal should take into consideration design requirements to ensure pre-booming can be achieved in strong currents and poor weather conditions. Ecology rules allow transfers to be exempt from pre-booming when it is not safe and effective to do so based on current speed and weather conditions. Additional engineering for construction at the terminal may be warranted to achieve a higher level of application of pre-booming during inclement weather and strong currents." (Sean Orr, Ecology Spills Preparedness Program)	The heading has been updated at Page 2.106.	Comment noted. The Applicant will consider dock design to ensure proper implementation of pre-booming equipment during strong current and poor weather conditions. Section 2.10.2.6 has been revised to include language regarding the regulatory requirements to prepare a pre-booming plan to be approved by the regulator.
55	463-60-155: Proposal – Energy transmission systems ASC Section: 2.4 Reviewer: N/A	The applicant has requested a waiver from this requirement.		Comment noted.	
56	463-60-160: Proposal – Electrical transmission facilities. ASC Section: 2.5 Reviewer: N/A	The applicant had requested a waiver from this requirement.		Comment noted.	
57	463-60-165: Proposal – water supply ASC Section: 2.6 Reviewer: Florin Braileanu Sonia Bumpus	(3)(a) Water rights and authorizations. Section 2.6.4 Process Water and Section 2.6.5 Potable Water - Table 2.6-1 *Process Water Uses and Rates and* Table 2.6-2 *Potable Water Uses and Rates*: These tables provide the anticipated Processed Water and Potable Water Use demands of the project, but are inconsistent with values indicated in a letter from the City of Vancouver provided in the ASC in Appendix E. The City's letter indicates the city is able to provide 87,200 gpd maximum daily use of water for the project, but tables 2.6-1&2 in the ASC, total 87,400 gpd maximum daily use for the project. The same discrepancy is found between the values for average gpd use. The Applicant must address and resolve these inconsistencies. (Sonia E. Bumpus)		Comment noted. Tables 2.6-1 and 2.6-2 have been updated to reflect the correct value, 87,200 gpd.	
58	463-60-175: Proposal – system of heat dissipation. ASC Section: 2.7 Reviewer: John Gray	Section 2.7 System of Heat Dissipation - While the majority of waste heat is dissipated to the atmosphere as exhaust gases from the boilers or as steam loss, the last paragraph on page 2-122 mentions "a small amount" of blowdown water to maintain proper steam quality. This should be quantified from a system heat balance and the specific path of the blowdown water described. The quantity of blowdown water could be at a high rate but done infrequently. Please clarify. (John Gray)		The combined volume of boiler discharge has been identified in Section 2.7. The path of the blowdown has been identified – it is being discharged to the City of Vancouver sewer system. The boilers will be designed to ensure the volume and quality of the blowdown discharge meets the City discharge ordinance.	
59	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC	(1) (a – g)…identify outfall configurations, including…: (a) Section 2.8.1 and Appendix D, Attachment H provide information on outfall configurations (b) (Rainfall-runoff and hydraulic analysis of the drainage		Comment noted. Section 2.8.1 and Appendix F, Attachment H provide information on outfall configurations.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Section: 2.8 Reviewer: Florin Braileanu	system was done for the 25- and 100-year storms. Average discharge analysis was not performed (the WAC requirement does not provide an explanation of the term "average discharge rate"). Note that regardless how "average discharge rate" is defined, such flow rate is smaller than the 25-year runoff discharge. (c) N/A as existing permitted discharge systems are used. (d) N/A as existing permitted discharge systems are used. (e) Provided, Appendix D, Attachment H. (f) N/A as existing permitted discharge systems are used. (g) N/A as existing permitted discharge systems are used. (2) Where discharges are into a water-course via an existing discharge system for which certification is not being sought…: (a) Required information is provided in Section 2.8.1.			
60	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8 Reviewer: Florin Braileanu	(b) (Rainfall-runoff and hydraulic analysis of the drainage system was done for the 25- and 100-year storms. Average discharge analysis was not performed (the WAC requirement does not provide an explanation of the term "average discharge rate"). Note that regardless how "average discharge rate" is defined, such flow rate is smaller than the 25-year runoff discharge. (c) N/A as existing permitted discharge systems are used. (d) N/A as existing permitted discharge systems are used. (e) Provided, Appendix D, Attachment H. (f) N/A as existing permitted discharge systems are used. (g) N/A as existing permitted discharge systems are used. (2) Where discharges are into a water-course via an existing discharge system for which certification is not being sought…: (a) Required information is provided in Section 2.8.1.		Comment noted.	
61	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8 Reviewer: Florin Braileanu	(b) Not provided. Add to Section 2.8 a description of the terms and duration contained in the use agreement that allows the applicant to use the discharge conveyance system.		Under section 5.A of the ground lease (see page 2-81.19 of the ASC), the Port considers storm water collection and treatment a "utility" furnished to the Premises (e.g. the Facility site) subject to the lease. The Port has its own stormwater facilities within the Port which they maintain and manage. The Applicant is required to use and pay for its use of the Port's utilities (including stormwater), versus outside sources, for any utility that the Port chooses to supply to the Applicant's Facility site. The utilities furnished by the Port are for the life of the lease, and will continue for as long as the lease term may be extended into the future. The terms of the use of Port utilities is described in detail in Section 5.A. of the ground lease. In addition, at page 2-81.28 of the ASC (Section 11, Presence and Use of Hazardous Substances, Subpart C, Compliance with Environmental Laws, of the Ground Lease), the lease requires the Applicant to comply with the Port's storm water permits.	
62	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8	c) Section 2.8 identifies the Port of Vancouver as the party responsible for operation and maintenance of the stormwater conveyance system, downstream treatment ponds, infiltration swales, and outfalls to be used by the project. (d) Provided in Section 2.8.1.4: NPDES Individual Permit		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Reviewer: Florin Braileanu	WA0024350. (e) Provided in Section 2.8.1.4.			
63	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8 Reviewer: Florin Braileanu	(f) Diameter of the two discharge lines is provided in Section 2.8.1.4, however, the capacity of the two discharge lines is not provided. Provide the capacity of the two discharge lines.		Capacities of the existing conveyance pipelines at the connection locations have been added to Section 2.8.1.4.	
64	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8 Reviewer: Florin Braileanu	(g) Rated and Maximum flow levels provided (see below: 30 gpm and 26 gpm, respectively).		Comment noted.	
65	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8 Reviewer: Florin Braileanu	(h) Section 2.8.1.4 states that "the City reviewed the contents of the pre-application narrative and did not identify capacity restrictions or required offsite improvements for a wastewater flow of approximately 30 gpm (see Appendix I.1). The maximum day wastewater generated from the Facility is approximately 26 gpm." (Florin Braileanu)		A letter from the City of Vancouver, dated August 28, 2013, has been added to Appendix E. This letter confirms the availability of City sewer capacity for the proposed Facility discharges.	
66	463-60-185: Proposal – Characteristics of aquatic discharge systems. ASC Section: 2.8 Reviewer: Florin Braileanu	We recommend Ecology review section 2.8 of the ASC.		Comment noted.	
67	463-60-195: Proposal – Wastewater treatment. ASC Section: 2.9 Reviewer: Florin Braileanu	(1) Sections 2.9.1 and 2.9.2 - Applicant has provided a description of process and domestic strength wastewater sources. Treatment will occur with a publicly owned treatment facility. (2) N/A. The project does not involve wastewater collection and retention for recycling. (3) (a – e): N/A. Pretreated process wastewater and sanitary sewage will be conveyed to the City's wastewater treatment plant where it will be treated prior to discharge to the Columbia River under the City's NPDES Permit No. WA0024350.		Comment noted.	
68	463-60-195: Proposal – Wastewater treatment. ASC Section: 2.9 Reviewer: Florin Braileanu	Section 2.9.5 Waste Discharge/Water Quality Standards: The applicant has indicated they will provide a letter received by the applicant from the City of Vancouver, in which the city indicates their WWTP has adequate hydraulic and treatment capacity to support the project. (Sonia E. Bumpus) .		A letter from the City of Vancouver, dated August 28, 2013, has been added to Appendix E. This letter confirms the availability of City sewer capacity for the proposed Facility discharges.	
69	463-60-195: Proposal – Wastewater treatment. ASC Section: 2.9 Reviewer: Florin Braileanu	We recommend Ecology review section 2.9 of the ASC		Comment noted.	
70	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill	Section 2.10.1 Regulatory Overview and Applicability - The narrative in this section and Appendix B.1 provides background information on the relationships between the National Contingency Plan, the Clean water Act and the		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Graeber John McCorkle Eric Harlow Jan Aarts	Oil Pollution Act to achieve the broad objectives of both spill prevention and control and contingency planning. The descriptions of the requirements and compliance measures in section 2.10 and Appendix B.1 appear to be adequate and no suggested additions are noted. The descriptions in section 2.10 also notes spill prevention and control requirements relating to storm water controls and permitting for both construction and operations. (Bill Graeber)			
71	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts		**Section 2.10.1.2** "Ecology Facility Oil Spill Contingency Plan requirements (173-182 WAC) and Facility Oil Handling Standards - Operations Manual and Prevention Plan Requirements (173-180 WAC) are appropriately noted. However, application lacks specificity of spill prevention and preparedness measures required by these plans that are employed to prevent or be prepared for a spill. Prevention and preparedness should be related to the defined worst case spill volume under ecology regulations which would be the size of the largest tank at the facility." (Sean Orr, Ecology Spills Preparedness Program) "EXAMPLE: The specific elements of a state approved oil spill contingency plan are designed to ensure a rapid and aggressive response to spills and are critical to containing and cleaning up the spill. These important elements of the plan include: • Notification and call out procedures to ensure response teams and resources are activated immediately. • Identification of spill management teams necessary to manage a spill or incident response. • Analysis of the planning standards and worst case spill volume to assess the necessary response needs. • Appropriate response equipment and personnel to respond to a worst case spill. • Identification of oil types and properties. • Contracts with primary response contractors to provide response equipment and personnel necessary to respond. • Commitment for drills to test the plan." (Sean Orr, Ecology Spills Preparedness Program) Comment noted. These elements have been addressed in the Preliminary Spill Contingency Plan, Appendix M.		Comment noted. These plans are typically prepared and approved by the appropriate regulatory agencies prior to allowing any transfer operations to begin, but after a Facility has acquired the necessary land use approvals to construct. Nevertheless, the Applicant has prepared a Preliminary Spill Contingency Plan (provided as an additional Appendix B.3 to the ASC) based on Facility design at this time. This Preliminary plan addresses preparedness for a worst case spill scenario as required under state regulations cited-to above. EXAMPLE - These elements have been addressed in the Preliminary Spill Contingency Plan, Appendix B.3
72	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts		**Section 2.10.1.2:** "Vessels while at the marine terminal and operating anywhere in Washington waters are also required to be covered by a state approved vessel oil spill contingency plan. Although not technically a part of the facility, the operation of the vessels is clearly related to the facility operations and should be noted. Vessels would likely enroll under the Columbia River's primary contingency plan provider the Maritime Fire and Safety Association (MFSA). MFSA's Oil Spill Contingency Plan will need to be updated with Ecology approval to be able to provide appropriate coverage for the size of vessels projected for this project. MFSA may need additional response capability and equipment to adequately meet the		Comment noted; Section 2.10.1.1 acknowledges that vessels are also regulated (2nd full paragraph, page 2-136). Appendix B-1 discusses the industry cooperatives in which the Facility and vessels will be enrolled, including MFSA and CRC (see pages 14 through 17).

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			oil spill planning standards for a worst case spill volume for these vessels." (Sean Orr, Ecology Spills Preparedness Program)		
73	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts		"The project application indicates that there will be 140 new tank vessel calls at the marine terminal by year 2016 and up to 365 new tank vessel calls at full build out. This equates to an additional 280 inbound and outbound tank ship transits by year 2016 and 730 inbound and outbound tank ship transits at full build-out. This is a substantial change in the river vessel traffic that will substantially increase the risk of oil spill at the terminal and while the vessels are transiting the Columbia River. The application does not clearly indicate the size and cargo carrying capacity of vessels but it is assumed they will be Panamax size tank ships with a capacity to carry upwards of 500,000 barrels (21 million gallons) of crude oil." (Sean Orr, Ecology Spills Preparedness Program)		Since the submittal of the ASC the Applicant has more thoroughly vetted the range of vessel sizes expected to moor at berths 13 and 14. Section 4.3.3.3 has been updated with this information.
74	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts		"Currently there are no large tank ships that carry crude oil on the Columbia River the 105 mile distance to the Vancouver/Portland Terminals. This new operation involving the transport of crude oil will result in a significant change in the volume and type of oil moved on the Columbia River. Laden tank ships represent one of the highest risks for a catastrophic oil spill in Washington waters. Discussion should be added as to how the risk of oil spills will be assessed and minimized/mitigated. Suggest assessment of pilotage and escort requirements for tank ships in northern Puget Sound required under RCW 88.16.190. Also review RCW 90.56.005 to view legislative findings on zero spills policy for the state." (Sean Orr, Ecology Spills Preparedness Program)		Please refer to the response to agency comment to Section 1.4 (pg. 1-18), in regards to types of oil currently transported on the Columbia River. The marine vessels, once they have left the Facility Marine Terminal Area, are not subject to site certification by EFSEC. However, the risks of spills from vessels on the Columbia River, and the existing piloting infrastructure in the Columbia, will be presented and analyzed in the Applicant-prepared DEIS. The Applicant anticipates further coordination with agencies involved in spill preparedness to assess additional equipment and planning needs. In RCW 88.160.170, Oil Tankers – Intent and Purpose, the legislature recognizes "that the Columbia river has many natural obstacles to navigation and shifting navigation channels that create the risk of an oil spill." In this same section of the RCW, the legislature "also recognizes Puget Sound and adjacent waters are a relatively confined salt water environment with irregular shorelines and therefore there is a greater than usual likelihood of long-term damage from any large oil spill." As a result, the legislature enacted in RCW 88.16.180 through 195 distinct requirements for oil tankers transiting Puget Sound and the Columbia River. The statutory requirements for tug assisted transits only apply to transits in Puget Sound. The statutory requirements for transits in the Columbia River are described in RCW 88.16.180 (2), and require that "Notwithstanding the provisions of RCW 88.16.070, any registered oil tanker of five thousand gross tons or greater" … "take a licensed pilot while navigating the Columbia river". Washington state law does not impose any requirements for tug assisted vessel transits in the Columbia River. Pilotage of vessels across the Columbia River bar and on the Columbia river is regulated under ORS 776, and

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
					requires the use of licensed pilots. Federal statute confirms the authority of the states to regulate pilotage (46 USC 8501).
75	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts		"The Lower Columbia River Geographic Response Plan should be specifically called out. The Lower Columbia Geographic Response Plan is a geographic-specific response plan for oil spills to water from the Bonneville Dam downstream. It includes response strategies tailored to a specific beaches, shores, and waterways that are deployed during the early hours of a spill as a means to minimize impacts on sensitive resources threatened by the oil spill. GRP's have two main priorities: • To identify sensitive natural, cultural or significant economic resources. • To describe and prioritize response strategies in an effort to minimize injury to sensitive natural, cultural, and certain economic resources at risk from oil spills" (Sean Orr; Ecology Spills Preparedness Program) "The Lower Columbia Geographic Response Plan includes response strategies near and downstream of the facility that would need to be deployed in the event of a spill. This plan is currently being updated at this time to include		The Applicant referenced the Lower Columbia Geographic Response plan in Appendix B.1 of the ASC. This plan will also be discussed in the Applicant-prepared DEIS.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			additional strategies based on current activities on the river. This project may necessitate additional strategies to be developed to protect sensitive areas near the facility and downstream. Link to GRP: www.ecy.wa.gov/programs/spills/preparedness/GRP/ColumbiaRiver/LowerColumbiaRiver htm" (Sean Orr, Ecology Spills Preparedness Program)		
76	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts	Section 2.10.1.3 Local Requirements - Include a discussion of the local emergency management plans, such as the Clark County Hazardous Materials Emergency Response Plan, updated April 2012. Note communication with this plan's stakeholders to ensure appropriate coverage from local authorities, as this local plan was based in part on a 2005 Commodity Flow Study, and operations of this facility may substantially impact local commodity flow and therefore the local authorities' ability to respond. (John McCorkle)		The discussion of emergency planning coordination with local authorities as required by WAC 118-40 has been added to Section 4.1.6.1. The reviewer is also referring to the 2005, Clark County Commodity Flow Study (http://www.cresa911.org/docs/cfs.pdf). This study presents data regarding the percentage of hazardous materials transported by rail through the County. Class 3 Hazardous materials would include petroleum crude oil, as well as many other flammable liquids transported by rail. With the establishment of existing crude-by-rail facilities in WA state, and the proposal for additional facilities such as the TSVEDT, local commodity flow of Class 3 materials is likely to change. Although potentially influenced by the TSVEDT, planning for this change is beyond the scope of the Application for Site Certification proper. This concern will however be addressed in the Applicant-prepared DEIS.	
77	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts	Section 2.10.2.2 Rail Unloading Facilities - Within the rail unloading facility, trenches and containment pans 'drain' to secondary containment tanks. Some trenches are 5 feet below grade. The rail unloading facility is not in the 100-year floodplain, but is within the 500-year inundation area. Are the trenches and below-grade features subject to inundation during a 100-year event? What if there is a greater than 100-year flood event? Are there systems to prevent backflow of oil from the containment system or berms to protect the facility? (Eric Harlow)		The reviewer is correct. The elevation of the facility is such that it will not be inundated or impacted by a 100-year event. During inundation of a 500-year event flood waters could inundate the drip pans and containment trenches within the unloading facility. However, the containment trenches are operated as secondary containment, and are immediately emptied in the event of a spill to the spill holding tanks located near the support buildings. These tanks will in-turn be emptied of their contents as soon as possible. These tanks will be equipped with the necessary back flow equipment to prevent their contents draining back into the containment trenches.	
78	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts	Section 2.10.2.6 Booming - Add a figure depicting a typical deployment of the fence boom placed between the vessel location and the shoreline and the floating boom connected to the fence boom on the downstream end and open on the upstream end. Explain the anticipated percent of time the boom would be in place when a vessel is at the berth and during what kinds of weather or river current conditions the boom would not be deployed. Cite the experience of other similar vessels and berths on the Columbia River in the vicinity of the Project. (Jan Aarts)	Section 2.10.2.6 Booming – "Agree with comments by Jan Aarts – Ecology expects pre-booming of all high volume oil transfers. Analysis and engineering should be conducted to ensure design considerations are made to maximize the time boom is able to be in the water during strong currents and poor weather conditions." (Sean Orr, Ecology Spills Preparedness Program) "The state of the art equipment (rapid response boom) that would be used in the event of a spill is an excellent mitigating measure offered by the proponent. Additional specificity on where it will be staged during transfers and how it will be deployed would be useful. Typically these types of response systems require multiple vessels and response crews to deploy and operate. It would also be useful to know what storage device would be used to	An illustration depicting conceptual deployment of the fence and floating booms has been added as Figure 2.10-2	Comment noted. See response to Reviewer's comment regarding Section 2.3.7 above. The staging of equipment will be developed in detail when the Applicant prepares its pre-transfer plans described in Section 2.10.3.2 of the ASC, prior to beginning oil transfers. Regulatory agencies will have the opportunity to review and comment on these plans prior to their approval by EFSEC.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			collect and transport recovered product." (Sean Orr, Ecology Spills Preparedness Program)		
79	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts	~~Section 2.10.3.2 Facility Operations - note communication with this plan's stakeholders to ensure appropriate coverage from local authorities, as this local plan was based in part on a 2005 Commodity Flow Study, and operations of this facility may substantially impact local commodity flow and therefore the local authorities' ability to respond. (John McCorkle~~		This Cardno Entrix comment was withdrawn, and inserted in the comment to Section 2.10.3.2 above.	
80	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts	Appendix B.2 SPCCP Preliminary Outline – Based on the preliminary design completed for the ASC, more detail on the SPCCP could be provided at this stage. (Jan Aarts)		Appendix B.2 SPCCP Preliminary Outline has been replaced with a Preliminary SPCCP.	
81	463-60-205: Proposal – Spillage prevention and control ASC Section: 2.10 Reviewers: Bill Graeber John McCorkle Eric Harlow Jan Aarts	We recommend Ecology review this section 2.10 of the ASC, including Appendix B.1 and B.2.		Comment noted.	
82	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Applicant provides surface-water runoff and erosion control methods in the SWPPP included in Section S3 in Attachment L (Port of Vancouver Industrial General Stormwater Permit) in Appendix F of the ASC. (Florin Braileanu)		Comment noted.	
83	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Section 2.11.1 Stormwater Erosion Control during Construction - "Water of hydrostatic testing be obtained from the City or Port systems and will be discharged through the onsite stormwater treatment systems for disposal through the existing stormwater systems. Water used for flushing and hydrostatic testing will be tested and treated to removal chlorination of other constituents if necessary prior to its discharge to ensure compliance with discharge limits. Testing water will be released at a controlled rate from onsite storage facilities and monitored to ensure safe conveyance through downstream system." Confirm statement that water used for flushing and hydrostatic testing can be discharged through the existing stormwater system rather than being considered process water that would need to be discharged to the municipal sewer. (Eric Harlow)		Construction Stormwater General Permit Section S1.C.3 "Authorized Non-Stormwater Discharge" specifically identifies "c. Potable water, including uncontaminated water line flushing", and "d. pipeline hydrostatic test water" as acceptable discharges allowed to the stormwater system in accordance with the Construction Stormwater General Permit for the State of Washington Department of Ecology.	
84	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Section 2.11.1 Stormwater Erosion Control during Construction- "A final SWPPP, which will be submitted to EFSEC prior to Construction, will meet the requirements of the NPDES Industrial Permit and State Construction Stormwater General Permit…" - A SWPPP is required for Construction and Industrial permits separately. Verify that two separate SWPPP's will be developed to address Construction activities of the project and Industrial activities of the project in two distinct SWPPP documents. (Sonia E. Bumpus)		Comment noted. The Application contains a preliminary SWPPP for operations at Appendix C. As noted in the quoted text, the Applicant will submit a separate SWPPP for construction activities.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
85	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Section 2.11.2 Permanent Stormwater Management - Paragraph 2: "The Port receives approximately 38.9 inches of rain per year measured at the Simmons Rain Gauge located at 16001 N. Simmons Road in Portland, Oregon and maintained by the City of Portland Bureau of Environmental Services as reported by the USGS Oregon Water Science Center." This is a different gage than the one used to describe the climate in section 3.2.1.7. It is not clear what the period of record is for the Portland gage or whether it is representative. Please clarify. (Eric Harlow)		The Simmons rain gauge is located at 16001 N. Simmons Road and is approximately 10,500 feet from the Rail Unloading Area. Data from the rain gauge has been recorded since January 13, 2010 and maintained by the City of Portland. This rain gauge provides representative data for the TSVEDT location. Data presented in section 3.2.1.7 is of a more general nature, and is representative of the general climate of the region.	
86	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Section 2.11.2.1 Source Control BMPs - 1 paragraph: "To the maximum extent possible, all industrial activities are protected from stormwater." Reword this statement to state that stormwater would be protected from exposure to industrial activity. 2nd paragraph: It is unclear why the pumps are manual on, automatic off. This seems problematic if personnel are not monitoring closely. Please explain. 4th paragraph: Does not explain how the wastewater pumped from secondary containment will be treated. Clarify whether the wastewater is treated as wastewater and discharged to the municipal sewer system. 5th paragraph: Describes spill containment measures only for small leaks. Explain measures to be taken in the event of a large leak or spill along the pipeline alignment. (Eric Harlow)		Section 2.11.2.1 Source Control BMPs – comment noted; stormwater would be protected from exposure to industrial activity. 2nd paragraph – Personnel will be present at the Storage Area 24-hours per day. Personnel will be monitoring the site continuously both by visual inspection during routine in-field inspections and by closed circuit television. Level alarms in the sumps will trigger a warning to control room staff to inspect for oil prior to operating and turning on pumps. Auto-off prevents pump and machinery damage. 4th paragraph - Wastewater generated by equipment and part wash will not be treated on-site. Wastewater will be pumped to the containment tanks located at the administration buildings, and the contents of such tanks will be hauled off-site and disposed of at an approved location capable and authorized to receive such waste. It is unknown if such an off-site location would treat the waste water and dispose of the resulting water to a publicly owned treatment works, or route the waste water to some other disposal option; nevertheless, the streams generated by the off-site location would be disposed of according to applicable regulations the off-site location is subject to. 5th paragraph – 40 CFR 112.7 (5)(c) states "…in determining the method, design, and capacity for secondary containment, you need only to address the typical failure mode, and the most likely quantity of oil that would be discharged….". Spill containment measures described in the text as written are therefore representative of the containment measures required. A large leak or spill along the pipeline alignment would represent a "loss of containment"; the Facility will develop and implement a SPCCP and Spill Contingency Plan to address this type of occurrence. Appendices B.2 and B.3 are preliminary versions of these plans.	
87	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin	Section 2.11.3 Permanent Waterways – Include a diagram (or reference to Appendix F) that clearly describes/shows the stormwater collection, treatment, and conveyance features described in this section. (Eric Harlow)		The stormwater collection, treatment and conveyance features are shown in Appendix F, Attachment I, Stormwater Site Plans.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Braileanu Eric Harlow Jan Aarts				
88	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Appendix C - Preliminary SWPPP – Revise section 2.2 to include the materials listed in table 2.11-3 in the ASC. The SWPPP is mostly complete; we anticipate additional details will be filled in when project is closer to completion, such as Spill Control Plan, training, etc. Provide assurances that all of the BMPs described in the SWPPP will be implemented, including structural source control BMPs. (Eric Harlow)		Appendix C - Preliminary SWPPP – comments noted; as indicated by the reviewer this is a preliminary SWPPP; the SWPPP submitted to EFSEC prior to operations will include a table listing stored materials and the appropriate assurances that appropriate BMPs have been selected based on the final site design.	
89	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	Table 2.11-2 Drainage Basin Areas - Correct the acreage figure in the total line of the "Existing Impervious Surface" column. (Jan Aarts)		The entry in Table 2.11-2 has been corrected.	
90	463-60-215: Proposal – Surface-water runoff ASC Section: 2.11 Reviewer: Florin Braileanu Eric Harlow Jan Aarts	We recommend Ecology review section 2.11 of the ASC.		Comment noted.	
91	463-60-225: Proposal – emission control ASC Section: 2.12 Reviewer: Julie Werner	(1) …describe and quantify all construction and operational air emissions..: Section 2.12.2.2 Operations Emissions - The ASC focuses on stationary sources. The applicant does not discuss emissions from locomotives, including locomotive engine idling, as locomotive engines technically are regulated under federal agencies for emissions control. Any locomotive engines purchased by the applicant for operation on-site (if applicable) may be required to meet the regulations (40 CFR 1033, 40 CFR 1065, 40 CFR 1068). The reviewer acknowledges that the railroad companies are primarily responsible for this compliance. However, idling rail cars could have impact on the total air pollutants emitted by the operations. For the Applicant-prepared EIS, it would be appropriate and necessary to include emissions from locomotive operations. Clarify that the "vapor combustor" is the MVCU. (Julie Werner)	Section 2.12.2.2 – "I agree with the comment…that the applicant must clarify that the "vapor combustor" is the MVCU. In addition, the applicant must provide as much detail about the equipment as possible. (Marc Crooks, P.E., Ecology's Air Quality Program)	The Applicant will purchase or lease two locomotives for use on-site. These locomotives will be used for switching out bad order cars A description of these locomotives has been added at Section 2.3.2. On-site locomotive emissions are not regulated under the air regulations adopted by EFSEC; however the impact of locomotive emissions will be analyzed as part of the Applicant-prepared DEIS. The MVCU is the vapor combustor.	The Applicant has clarified that that the vapor combustor is the MVCU. The applicant has provided the necessary information in the ASC to allow EFSEC and its Ecology contractor to make a determination that the emissions from the MVCU are in compliance with applicable state and federal air emission regulations and requirements. The Applicant will provide additional information as requested by Ecology air permit review staff (transmitted to the Applicant by EFSEC on December 3, 2013) under separate cover.
92	463-60-225: Proposal – emission control ASC Section: 2.12 Reviewer: Julie Werner	(3) …demonstrate that the highest and best practicable treatment for control of emissions …: See comments in (1) above regarding locomotive engines. The applicant should mention the types of locomotives intended to be used and if those locomotives will be equipped with the best practicable treatment for control of emissions. (Julie Werner)		The switching locomotives will be equipped with emission controls that meet federal emissions standards.	
93	463-60-225: Proposal – emission control ASC Section: 2.12 Reviewer: Julie Werner	(4) … identify all state and federal air emission permits…: Section 2.12.1 Regulatory Authority - references section 2.12.2 as the location where annual emissions are identified which require applicable permitting requirements (i.e., NOC, PSD, and Title V). Review of 2.12.2 indicates that not all information is listed in section 2.12.2 related to required permits (e.g. TAPS is section 2.12.3 and GHG section 2.12.4). In addition, section 2.12.1 (where the permits are listed) does not identify the	Section 2.12.1 – "….a (comment) is made for the applicant to include a timeline for submittal of the identified permits. It seems to me that the schedule would be subject to change, and therefore not very useful. If the comment is actually asking for a timeline for permit applications to be submitted, that would be helpful because it would give EFSEC an idea when to line up their contractors to do the permitting work." (Marc Crooks, P.E., Ecology's Air Quality Program)	Table 2.12-1 in Section 2.12.1 identifies annual emissions of criteria pollutants and GHGs. These emissions determine which permits are required. Timeline submittal for permits – comments noted; applications for NOC and PSD permits were included in the application for site certification. As noted in Section 2.12.1, relative to the Title V permit, "The application must be submitted within 1 year of commencing	Comment noted. See the Response to EFSEC Consultant's review comment regarding Section 2.12.1.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		timeline for submittal of the identified permits. Please make these corrections. (Julie Werner)		operation…". The Applicant would submit its Title V permit application in compliance with this requirement. No other air emissions permits are required for the Facility.	
94	463-60-225: Proposal – emission control ASC Section: 2.12 Reviewer: Julie Werner	(5) Not applicable. (6) Not applicable.		Comment noted.	
95	463-60-225: Proposal – emission control ASC Section: 2.12 Reviewer: Julie Werner	We recommend Ecology review section 2.12 of the ASC.		Comment noted.	
96	463-60-230: Proposal – Carbon dioxide mitigation. ASC Section: 2.13 Reviewer: N/A	The applicant has requested a waiver from this requirement.		Comment noted.	
97	463-60-232: Proposal – Greenhouse gases emissions performance standards. ASC Section: 2.14 Reviewer: N/A	The applicant has requested a waiver from this requirement.		Comment noted.	
98	463-60-235: Proposal – Construction and operation activities ASC Section: 2.15 Reviewers: Jim Reed John Gray	Section 2.15.1 Construction Schedule and Milestones – The project schedule does not reflect the two stage construction process described in Section 2.3.1.1. Please revise the schedule to show activities associated with both stages of construction. The project schedule provides no milestones between start of construction and project completion. Please identify major milestones. (Jan Aarts, Jim Reed)		As noted in Section 2.3.1.1 (see page 2-87), the construction of the additional two storage tanks, the west boiler building, and the third rail unloading line are contingent on market conditions. At this time the Applicant does not know when these elements would be constructed. It is therefore speculative to revise the schedule provided in Figure 2-15-1 to identify the timing of the second stage of construction. It is anticipated that the Site Certification Agreement would require the applicant to notify the Council in advance of beginning construction of the second stage elements. Prior to beginning construction, the Applicant will submit a detailed construction schedule to EFSEC, including important milestones.	
99	463-60-235: Proposal – Construction and operation activities ASC Section: 2.15 Reviewers: Jim Reed John Gray	Figure 2-15-1 Construction Milestones - All construction activities are shown starting on the same date and running concurrently. The start date is the day after the Decision is reached, and at the end of Bidding. These do not appear to be realistic assumptions. Will there be one major construction contract or several contracts? Show in-water work window on schedule. If construction is delayed, how will this impact in-water work and overall project schedule? Schedule appears to be missing initial activities such as site preparation and demolition, and later activities such as punch-lists, commissioning, and acceptance. Overall construction duration of 9+ months appears to be optimistic. Please verify. In addition, activity levels		Comments noted. The construction schedule presents the Applicant's best estimation of implementation of the project given the statutory mandate for the Council to make a recommendation to the Governor within one year of application submittal. Based on the Applicant's experience with implementing similar facilities, it is a fair estimate that the Facility can be constructed in nine months. Given the existing conditions at the sites (i.e. developed and graded Port Terminals) site preparation will be limited. There will be no demolition of existing structures.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		versus time are not clearly described in figure 2.15-1. Provide a more detailed schedule so manpower levels can be added or referenced. (John Gray)		Additional details requested by the reviewer (punch-lists, commissioning, and acceptance) will be provided to the Council prior to the beginning of construction activities, and are not germane to the sufficiency of the Application for EFSEC review. The in-water work window has been identified in Section 3.4.3.2 as November 1 to February 28.	
100			**Section 2.15 – "**WDFW recommends the applicant alter the schedule for in-water activities to October 15-January 1. This provides ample time, based on the estimates in the ASC and a window for weather flexibility, to conduct pile-driving. We would have to see what would be in-water work and what would not be. Include all temporary work and temporary structures, site prep, demolition, etc. Will the applicant be building any type of structure, permanent or temporary, that will block light?" (Justin Allegro, WDFW Energy Policy Lead)		The in-water work window has been identified in Section 3.4.3.2 as November 1 to February 28.As noted in previous responses, impacts to protected upland species due to temporary construction noise are not anticipated due to the distance to known species' occurrences and anticipated noise attenuation.
101	463-60-235: Proposal – Construction and operation activities ASC Section: 2.15 Reviewers: Jim Reed John Gray	Section 2.15.3 Operation – Text and table do not include any operational staffing for fire or spill protection, security personnel. Please add. (John Gray)		Table 2.15-2 identifies three personnel with specific safety work responsibilities. Many of the employees will have various levels of involvement with day-to-day spill preparedness responsibilities, including the two Tesoro employees conducting the marine vessel loading.	
102	463-60-245: Proposal – Construction management. ASC Section: 2.16 Reviewers: Jim Reed John Gray	The lists on pages 2-178 and 2-179 are nearly identical. What is the purpose of both lists? (Jim Reed)		The list on page 2-178 identifies the areas that will be addressed in the construction safety plan; the list on page 2-179 identifies the areas that will be addressed in the operations safety plan. The plans are expected to have overlapping content.	
103	463-60-245: Proposal – Construction management. ASC Section: 2.16 Reviewers: Jim Reed John Gray	Section 2.16.3 Environmental Protection Program - How will compliance be documented? Describe what type of monitoring will or may be required. (Jim Reed)	**Section 2.16** - "WDFW encourages more detail on compliance monitoring and encourages the applicant to consult with DFW to develop a fish, wildlife, and habitat compliance monitoring plan." (Justin Allegro, WDFW Energy Policy Lead)	The Applicant will comply with the monitoring requirements established by the Site Certification Agreement. EFSEC has typically required that a certificate holder implement a Construction Environmental Compliance Program which addresses the development and implementation of environmental monitoring and "stop-work" criteria, avoidance of sensitive areas during construction, waste handling and storage, stormwater management, spill prevention and control, and other mitigation measures required the Site Certificate and all other applicable state and federal environmental regulations. For example, but not limited to, as noted in Appendix D (HSSE Plan) the Applicant will implement measures to ensure operations will not harm people or the environment (p. 29); that all applicable permit conditions to operation of new equipment will be included in training materials (p. 29); that an environmental representative will be present onsite as needed during excavation to help distinguish between soils and to identify soils subject to restricted covenants (pp. 29-30); that the Project Management team will assure that all design and construction work for the Project considers the	Comment noted, see response to EFSEC review

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
				environmental compliance requirements (p.30); that regular performance reviews of each contractor will be conducted (p.32). Appendix D is a plan for a future comprehensive HSSE program that will cover all necessary environmental compliance aspects for the Facility. The Applicant will also develop and implement industry standard processes and procedures to ensure compliance with all permits and approvals for operation of the Facility.	
104	463-60-245: Proposal – Construction management. ASC Section: 2.16 Reviewers: Jim Reed John Gray	Section 2.16.5 Quality Control systems and Record Keeping - Will a QA/QC manual be prepared? Who will administer the program and who will this person report to in the organization? How will the program be documented? Will the QA/QC records be available for review by other independent sources? (Jim Reed)		This section of the application describes how the Applicant proposes to implement internal quality control processes. The Applicant will administer the QA/QC program. At this time specific individuals responsible for this responsibility have not been identified. QA/QC activities are commonly documented in writing. QA/QC activities are an internal activity, and have typically not been required to be submitted to regulators for review.	
105	463-60-255: Proposal – Construction methodology ASC Section: 2.17 Reviewers: Jim Reed John Gray	Section 2.17.5 Rail Improvements - Confirm material selections (e.g. ties) and construction tolerances. (Jim Reed)		The rail loops will be constructed to applicable industry standards, and are expected to be 115 lb. rail with either 8 feet-6 inch or 8 feet-3 inch" long ties. Exact specifications will be determined during final project design. Ties are expected to be concrete except at switchpoints and crossings where they will be treated timber.	
106	463-60-255: Proposal – Construction methodology ASC Section: 2.17 Reviewers: Jim Reed John Gray	Section 2.17.7 Dock Improvements - Identify the probable in-water work windows for this project in this section. (Jim Reed)		The anticipated in-water work period is identified as November 1st to February 28th.	
107	463-60-255: Proposal – Construction methodology ASC Section: 2.17 Reviewers: Jim Reed John Gray	Figure 2.17-1 Temporary Construction Boundary and Laydown Areas - Show construction access points from public roads on figure 2.17-1. (John Gray)		Figure 2.17-1 has been revised to identify anticipated construction access points.	
108	463-60-265: Proposal – Protection from natural hazards. ASC Section: 2.18 Reviewers: Kirt Hanson Eric Harlow Florin Braileanu	Section 2.18.1 Earthquake Hazard - Information included in the ASC with regard to earthquakes is apparently based on preliminary geotechnical information which is not presented. A final geotechnical investigation that provides site specific recommendations for mitigating liquefaction and lateral spreading potential should be included. In addition, the specific methods that will be implemented for ground improvements should be included. (Kirt Hanson)		The site specific geotechnical review has been included as Appendix L. As noted in the report, ground improvement is likely necessary in certain areas to ensure stability of Facility elements during seismic events. The Applicant has not yet selected a preferred ground improvement method. The Applicant will discuss ground improvement in further detail in the Applicant-prepared DEIS.	
109	463-60-265: Proposal – Protection from natural hazards. ASC Section: 2.18 Reviewers: Kirt	Section 2.18.2 Volcanic Eruption - Information included in the ASC for protection from volcanic eruptions, flood, tsunami, storms, avalanche and landslides is adequate. (Kirt Hanson		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Hanson Eric Harlow Florin Braileanu				
110	463-60-265: Proposal – Protection from natural hazards. ASC Section: 2.18 Reviewers: Kirt Hanson Eric Harlow Florin Braileanu	Section 2.18.3 Flooding – As currently described the facilities design will comply with City of Vancouver Frequently Flooded Areas provisions of the Shoreline Management Program: Base flood elevation – Provided Elevations of the lowest floor - Not provided, but stated that such elevations would be min. one foot above BFE. Elevation in relation to mean sea level to which any structure's lowest floor (including basement) is raised to be at least 1 foot above the base flood elevation or for non-residential flood-proofed structures – Not provided but stated. Location of the channel migration zone – Not Provided, not applicable due to armoring in the vicinity of the project site. (Florin Braileanu) Section 2.18.3 Flooding - Although not in the 100-year flood plain, the rail loading facility has trenches and containment systems 5 feet below grade. In the unlikely event of a 100+ year event, how will the facility be protected, and floodwaters be kept separate from oil in the containment system? There appears to be no analysis of how stormwater systems would function during a 100-year flood event combined with a 100-year storm event. Please address. (Eric Harlow)		Please refer to the response to Section 2.10.2.2 above. At the storage area, the inundation elevation at the 500-year flood will not overtop the containment barrier, and containment dike penetrating pipelines are equipped with backflow preventers. Storage Tanks are protected from 500-year flood inundation effects.	
111	463-60-265: Proposal – Protection from natural hazards. ASC Section: 2.18 Reviewers: Kirt Hanson Eric Harlow Florin Braileanu	Page 2-195, 1st full paragraph, second to last sentence is incomplete. Please revise. (Jan Aarts)		The text has been revised to state "from Mount St. Helens."	
112	463-60-275: Proposal – Security concerns. ASC Section: 2.19 Reviewer: John Gray	Section 2.19.2 Construction Phase Security Plan - states that during the construction phase "perimeter fencing, access gates, CCTV systems and security personnel may be employed." It is our opinion that all are necessary during construction, with the possible exception of CCTV, which would be necessary for operations. (John Gray)		Comment noted. The Applicant will select the appropriate security measures to meet applicable local, state and federal regulations, and to provide the required level of site security for the facility; the type of measures implemented may vary from one location to another; as noted in the application the Applicant will develop its security plan in coordination with Port security personnel.	
113	463-60-275: Proposal – Security concerns. ASC Section: 2.19 Reviewer: John Gray	Section 2.19.4 Federal Requirements Applicable to Area 400 - Describe how Area 400 will be segregated from the remaining facility (fencing, security gate, etc.) (John Gray)		Area 400 will be secured with fencing. An approximately 6-foot high fence, gated and keyed, mounted with barbed wire, will surround the entire Area 400. As noted in Section 2.19.4, final security arrangements will be approved by the USCG under 33 CFR 105 and 33 CFR 101.	
	463-60-285: Proposal – study schedules. ASC Section: 2.20 Reviewer: N/A	At the time the ASC was submitted the applicant had not identified any additional environmental studies necessary to support the ASC. This is subject to change following further agency consultation.	Per previous comments: A vessel risk analysis to determine or substantiate the level of risk associated with the types of vessel and volume of product they will be transporting should be conducted." (Sean Orr, Ecology Spills Preparedness Program)	Comment noted.	Comment noted. The analysis will be conducted as part of the Applicant-prepared DEIS.
114	463-60-295: Proposal – Potential for future activities at site. ASC	Section 2.21 Potential for Future Activities at the Site – Clarify in this section that the applicant is seeking EFSEC approval for two stages of construction: Stage 1 facilities would be capable of operating at a capacity up to		Section 2.3.1.1 has been updated to clarify that from the beginning, the facility will have the capacity to receive, store and load an average of 360,000 bbl per day. The Applicant may choose to defer construction of a portion	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Section: 2.21 Reviewer: Jan Aarts	approximately 120,000 barrels per day; Stage 2 would add additional facilities capable of increasing operations up to 360,000 barrels per day. (Jan Aarts)		of the Facility elements (as described in Section 2.3.1.1). These deferred facilities will allow the facility to receive heavier crudes that require some heating for conveyance during the handling process, will allow for additional segregated storage, but will not increase the capacity for receipt. The Application acknowledges that the actual volumes received at the Facility are likely to ramp-up over time in response to market demand. For purposes of estimating that ramp-up the Applicant indicated that during the first year of operations the facility could receive approximately a third of its annual capacity, i.e. 43.8 million bbl (averaging out receipts at 120,000 bbl/day) , However on any one day the Facility has the capacity to receive approximately 360,000 bbl. Similarly, the application estimates that vessel calls to the Facility are estimated to ramp-up from 140 per year the first year to 365 per year based on the volumes of crude being handled. The ASC correctly identifies that a site certification agreement is sought for a facility to handle an average of 360,000 barrels per day received at the Facility. In order to avoid segmentation of the analysis of the impacts under SEPA, the Applicant identified that the construction of some of the Facility elements could be deferred. The applicant will address the impacts of the construction of potentially deferred elements at a later date in time in the Applicant –prepared DEIS.	
115	463-60-296: Proposal – Analysis of alternatives. ASC Section: 2.22 Reviewer: Jan Aarts	Section 2.22.1 Analysis of Alternatives - This section should include a brief discussion and analysis of alternative sites. These could be alternative sites at the Port of Vancouver, on the Columbia River, or other west coast locations. (Jan Aarts)		The discussion in Section 2.22.1 has been revised to more specifically address the availability of other sites that could meet the Applicant's purpose and need.	
116	463-60-297: Proposal – Pertinent federal, state, and local requirements. ASC Section: 2.23 Reviewers: Bill Graeber Mike Kinder Julie Werner Jan Aarts	Section 2.23.1 Applicable Federal, State, and Local Permits and Requirements – We recommend that information conveyed in section 2.10 and Appendices B.1 and B.2 be carried through to the summarized descriptions of compliance in section 2.23 and table 2.23-1. At a minimum, a brief description, along the lines of section 2.10 and Appendix B.1, regarding delegated Federal authorities implemented through State and Local entities, should be reflected in the narrative and table 2.23-1. It should also be noted that compliance with the State and Local requirements achieves broader scale compliance with spill prevention and emergency response planning objectives in the event of a catastrophic spill. (Bill Graeber)		Section 2.23.1 has been updated to include federal authorities regarding spill prevention, control and planning, and emergency preparedness required under WAC 118-40.	
117	463-60-297: Proposal – Pertinent federal, state, and local requirements. ASC Section: 2.23 Reviewers: Bill	Section 2.23.3.5 NPDES Industrial Stormwater Permit- More information and details are requested concerning the Applicant's anticipated need for an individually tailored NPDES Stormwater permit as compared to General Stormwater permits. Identify how Stormwater Construction and Industrial permits are deficient in		In further consultation with EFSEC staff and its Assistant Attorney General it has been confirmed that the Facility will require an Individual NPDES permit to cover Facility stormwater discharges to surface water.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Graeber Mike Kinder Julie Werner Jan Aarts	providing coverage under the NPDES for project construction and operation activities. (Sonia E. Bumpus)			
118	463-60-297: Proposal – Pertinent federal, state, and local requirements. ASC Section: 2.23 Reviewers: Bill Graeber Mike Kinder Julie Werner Jan Aarts	Table 2.23-1 Applicable Federal, State, and Local Permits and Requirements – Add a description of the requirement for a State 401/404 Coastal Zone consistency determination (Ecology), as part of the USACE Section 10 permitting process. (Bill Graeber)		*Managing Washington's Coast,* Washington State's Coastal Zone Management (CZM) Program, lists counties that are subject to the CZM. Clark County, the location of the proposed Facility, is not part of the Coastal Zone and thus does not require a CZM consistency determination. 15 CFR Part 930.53 requires state agencies to list federal license or permit activities which affect coastal uses or resources and for those permit or license activities with reasonably foreseeable coastal effect but outside the CZM it must describe the general geographic location of the activities. The State CZM program does not list the geographic locations.	
119	463-60-297: Proposal – Pertinent federal, state, and local requirements. ASC Section: 2.23 Reviewers: Bill Graeber Mike Kinder Julie Werner Jan Aarts	Table 2.23-1 has a heading for Air Discharge Permit(s). This table lists a Title V air permit as a requirement, however, no Title V permit application is presented later, and the applicant indicates that a NOC will be filed for a minor source of pollutants, implying that a Title V is not necessary. The table also does not list the Prevention of Significant Deterioration (PSD) required (WAC 173-400). The table would be improved by directly listing the term BACT in the table (in addition to NSPS 40 CFR 60) to assist the reader later in the application. (Julie Werner)	Table 2.23-1 – "Comment on Table 2.23-1 notes that the table has a heading for Air Discharge Permit(s), the table lists a Title V air permit as a requirement, however, no Title V permit application is presented later, and the applicant indicates that a NOC will be filled for a minor source of pollutants, implying that a title V is not necessary. A Title V permit (which is sometimes referred to as an air operating permit or AOP) is a document that incorporates all the air requirements for a facility. The AOP does not create new permit limits, but only brings the other air emission requirements from the facility's existing air orders and PSD permit. The AOP permit requires the permittee to submit an application for renewal every five years from the AOP's issuance date. The project must be issued a Notice of Construction Approval order prior to the applicant beginning construction. If the project triggers the PSD permitting program, the project has to have a PSD permit issued prior to the applicant beginning construction. If the facility is a major source, the owner/operator of the facility must apply for an AOP within one year of receiving their NOC, and PSD permit if the project triggered PSD. The air regulatory agency responsible for the facility will process the AOP application, and write the AOP. This information could be added to the table. The reason the AOP is not listed currently in the table is because the NOC, and possibly a PSD permit, has to take place before construction may begin. This would be a good place to mention BACT because some readers of the application may be specifically looking for where BACT would come into the process." (Marc Crooks, P.E., Ecology's Air Quality Program)	Table 2.23-1 responds to WAC 463-60-297 (1) to provide "a list of all applicable federal, state and local statutes, ordinances, rules, permits … that would apply to the project if it were not under council jurisdiction." Table 2.23-1 correctly lists Title V air permits as a requirement because the facility will emit more than 100,000 tons per year of GHG (a regulated pollutant) which defines the Facility as a major source and triggers the threshold for a Title V permit. Were it not for EFSEC's jurisdiction of the Facility, Southwest Clean Air Agency would have been responsible for issuing this permit. Table 2.23-1 has been updated to include issuance of a PSD permit by Department of Ecology. A NOC permit application has been filed for criteria pollutants emitted in amounts less than PSD thresholds (all criteria pollutants except for GHGs); a PSD permit application has been filed for criteria pollutant emissions which do trigger PSD thresholds (GHGs). .Section 3.2.1.9 has been added to address the requirement for a Title V permit application. EFSEC's Application Guidelines at WAC 463-60 do not require an applicant to file an AOP application at the time of application for site certification. EFSEC adopts Ecology's WAC 173-401-500(3)(c) which requires the submittal of a Title V permit application within 12 months of commencing operation.	Comment noted. Please refer to the response to EFSEC's consultant's review regarding Table 2.23-1.
120	463-60-297: Proposal – Pertinent federal, state, and local requirements. ASC Section: 2.23 Reviewers: Bill Graeber Mike Kinder Julie Werner Jan Aarts	Table 2.23-1 - Add the Department of Labor and Industries Boiler/Pressure Vessel Water Heater Installation or Re-installation Permit to State Permits/Approvals (Jan Aarts)		The regulatory requirements for the installation of boilers have been added to Table 2.23-1.	
121	463-60-297: Proposal – Pertinent federal, state, and local requirements.	Section 2.23.2.10 Maritime Transportation Security Act (MTSA) - The MTSA should be rephrased to reflect the addition of the SAFE act in 2006. Same CFR references,		Please refer to the response to the review of Section 1.4.1.9. The Resource Conservation and Recovery Act	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	ASC Section: 2.23 Reviewers: Bill Graeber Mike Kinder Julie Werner Jan Aarts	however. (Mike Kinder) Add the following regulatory certification under Federal Permits/Approvals: Resource Conservation and Recovery Act (RCRA) 40 CFR Chapter I, Subchapter I (waste disposal) Rail Transportation Security Rule, 49 CFR Part 1580 (Mike Kinder)		(RCRA) 40 CFR Chapter I, Subchapter I has been added to the discussion in Section 2.23.	
122	463-60-297: Proposal – Pertinent federal, state, and local requirements. ASC Section: 2.23 Reviewers: Bill Graeber Mike Kinder Julie Werner Jan Aarts		"Ecology Facility Oil Spill Contingency Plan requirements (173-182 WAC) and Facility Oil Handling Standards - Operations Manual and Prevention Plan Requirements (173-180 WAC) are appropriately noted in previous sections." (Sean Orr, Ecology Spills Preparedness Program) Section 2.23.3.10: Spill Prevention and Contingency Plans The Spill Prevention Control and Countermeasure Plan (SPCC) is a federal requirement. The Oil Spill Contingency Plan is a state requirement under WAC 173-182. These are separate requirements and not interchangeable. They must be separate. The way the information is presented is confusing. (Sean Orr, Ecology Spills Preparedness Program) "Ecology would require the state required oil spill contingency plan under WAC 173-182 and operations manuals and prevention plans under 173-180 to be approved and be in place prior to operations." (Sean Orr, Ecology Spills Preparedness Program)		Comment noted An SPCC is also a requirement of NPDES storm water permits, issuance of which has been delegated to EFSEC. The SPCC plan in the context of NPDES permitting is therefore accurately cited-to as a state requirement in this context. The Applicant agrees that an SPCC plan will also be prepared to comply with federal regulations and submitted to federal authorities for review. Comment noted.
123	463-60-302: Natural environment – Earth ASC Section: 3.1 Reviewer: Kirt Hanson	(1) Detailed descriptions of the existing environment, project impacts, and mitigation measures: (a) Geology. The information in section 3.1 Earth is apparently based on preliminary geotechnical studies. The results of the final geotechnical report should be included in the ASC. Information regarding large scale discussion of geology and seismicity is adequate; however, site specific methods for mitigation that will be used to mitigate impacts are missing. Please add this information. (Kirt Hanson) Section 3.1.3.6 Mitigation provides alternatives for mitigating static and seismic settlements and lateral deformations; it does not indicate which methods are recommended in the final geotechnical report or the methods that will be used. Please add this information. (Kirt Hanson) (b) Soils. Information in section 3.1.4 is generally adequate, although additional information could be provided in this section. Site specific information from the final geotechnical report should be included to supplement the information presented from NRCS. (Kirt Hanson) (c) Topography. The information in section 3.1.5 provides a general description of the site and project components. Although the changes in topography would be relatively small, there will be changes. A topographic map showing original topography and any changes likely to occur should be included in this section. (Kirt Hanson) (d) Unique physical features. The information included in section 3.1.6 is adequate. (Kirt Hanson) (e) Erosion/enlargement of land area. The information included in section 3.1.7 and Appendix C Preliminary		The site-specific report has been added as Appendix L. Regarding topographic change, as noted by the reviewer, the topographic changes at the site would be "relatively small". The final topography of the site will be reflected in the final construction design of the Facility, which will be submitted to EFSEC prior to beginning of construction.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		Stormwater Pollution Prevention Plan is generally adequate. (Kirt Hanson) (2) The ASC adequately addresses these requirements. The applicant states, "The proposed facility would comply with the state building code provisions for seismic hazards applicable to the proposed location." (Kirt Hanson)			
124	463-60-312: Natural environment – Air. ASC Section: 3.2 Reviewer: Julie Werner	(1) Air quality. The ASC discusses humidity in section 3.2.1.7, however it does not give any values (such as percent relative humidity) that are input to/utilized in the dispersion modeling (AERMET/AERMOD). The monthly climate summary based on 157 years of data is referenced to be in table 3.2-5, but is not provided in table 3.2-5 (it is in table 3.2-4). There are inconsistencies in the text versus the table numbers. Please provide this information and correct the noted inconsistencies. (Julie Werner)	Section 3.2.1.7 – "The comments are accurate; there are gaps in the information, and AERMOD will probably be the model used for PSD permitting. (Marc Crooks, P.E., Ecology's Air Quality Program)	Section 3.2.1.7 – Humidity is not an input to AERMET or AERMOD and is not relevant to a discussion of dispersion. We have corrected the table reference to 3.2-4. We see no inconsistencies in the text versus table: the text refers to maximum and minimum values – the table presents monthly averages.	Please refer to the response to EFSEC review regarding this comment.
125	463-60-312: Natural environment – Air. ASC Section: 3.2 Reviewer: Julie Werner	2) Odor. Section 3.2.2 Odor - describes odors as either minimal and of short duration (construction) or non-discernible from background. All odorous vapors (H2S, petrochemical) are to be contained via vapor containment system. It is not clear in the emissions summary or in the remainder of the ASC which unit is this vapor combustor. Applicant should clarify if the vapor combustor mentioned in section 3.2.2 is the marine vapor combustion unit or another unit not explicitly stated. Section 3.2.2 also does not mention methyl mercaptan as it is mentioned in section 2.12.2.2. Please revise. (Julie Werner)	Section 3.2.2 – "In addition, details on the vapor recovery and destruction equipment must be provided for review. (Marc Crooks, P.E., Ecology's Air Quality Program).	2) The "vapor combustor" is the Marine Vapor Combustion Unit. We have replaced references to vapor combustors with MVCU We have copied the text from 2.12.2.2 to 3.2.2	The applicant has provided the necessary information in the ASC to allow EFSEC and its Ecology contractor to make a determination that the emissions from the MVCU are compliance with applicable state and federal air emission regulations and requirements. The comment above does not indicate which additional information the reviewer is requesting
126	463-60-312: Natural environment – Air. ASC Section: 3.2 Reviewer: Julie Werner	3) Climate. Explain in section 3.2.3 if impairment of visibility is anticipated. (Julie Werner)		(3) We have clarified that impairment of visibility is not anticipated.	
127	463-60-312: Natural environment – Air. ASC Section: 3.2 Reviewer: Julie Werner	4) Climate change. GHG calculations in section 3.2.4 do not include discussion of locomotive emissions from the operation of the facility. Non-road engines can contribute significantly to GHG emissions. No mitigation is discussed for mobile operations. Mobile sources do not require permitting as stationary sources do, however they still contribute to total emissions. Please revise this section to address these issues. (Julie Werner)	Section 3.2.4 – "The PSD and NOC will not be looking at mobile sources of greenhouse gases. I would like to know what regulatory authority covers any greenhouse gases from mobile sources such as locomotive emissions." (Marc Crooks, P.E., Ecology's Air Quality Program)	(4) As noted by the reviewer, mobile sources are not considered in the air emissions permitting process. The Applicant will address the emissions resulting from operation of mobile sources at the Facility site in the Applicant –prepared DEIS.	EFSEC has the authority to analyze the impact of mobile sources as part of the SEPA review for the facility.
128	463-60-312: Natural environment – Air. ASC Section: 3.2 Reviewer: Julie Werner	(5) Dust. Section 3.2.6 adequately addresses this requirement. (Julie Werner) We recommend Ecology review section 3.2 of the ASC.		Comment noted.	
129	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	(2) Surface water movement/quality/quantity - Applicant has included a comprehensive hydrology and drainage study concerning stormwater rates, collection, and movement, for both pre- and post-development conditions. (Appendix F: Preliminary Stormwater Report) (Florin Braileanu) Section 3.3.1 Surface Water Resources, 4th paragraph: Refers to the Simmons Rain Gage weather station in Portland - this is different from the data used in the climate section. The period of record is not disclosed, so it is unclear whether it is		Please refer to the response to the review of Section 2.11.2 above.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		representative. Table 3.2-4 indicates the average annual precipitation is 39.6 inches (as opposed to 38.9). Please address this discrepancy. (Eric Harlow)			
130	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	Section 3.3.1.1 Impacts to Surface Water, Mitigation Measures – Issues addressed in previous sections include potential flooding of the rail unloading area, a potential large leak in the pipeline alignment (the mitigation only seems to address small spills), and discharge of hydrostatic test water as stormwater (it may be process water). Make sure all mitigation measures related to surface water are identified in this section. (Eric Harlow)		Please refer to the responses to Sections 2.11.1 (hydrostatic testing water discharge), and Section 2.10.2.2 (flooding), Section 2.11.2.1 (transfer pipeline spills).	
131	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	Appendix F Preliminary Stormwater Report - The report does not include information on the receiving waters as described by (2) Surface water movement/quality/quantity. The report is missing a description of Columbia River (receiving waters) in terms of "Bottom configuration; minimum, average, and maximum water depths and velocities; water temperature and salinity profiles; anticipated effluent distribution, dilution, and plume characteristics under all discharge conditions; and other relevant characteristics which could influence the impact of any wastes discharged thereto." This information should be added to Appendix F. (Eric Harlow)		Please refer to the review comments to Section 2.8 above, regarding receiving water configuration. The reviewer of Section 2.8 believes this information is not applicable given that the discharge will occur to an existing conveyance.	
132	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	(3) Runoff/absorption – The applicant has provided a draft SWPPP as part of the Industrial Stormwater General Permit (Florin Braileanu)		Comment noted.	
133	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	(4) Floods – The ASC does not identify the 5- and 50-year flood impacts. The 100-year impacts are well documented. Include a statement in section 3.3.3.1 regarding the potential flood impacts for the 5- and 50-year flood. (Eric Harlow)		There are no impacts at 5 & 50-year because the site is not even affected by 100-year flood.	
134	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	Section 3.3.3.1 Existing Conditions – Is the Port planning to request a FEMA map revision to reflect the filling of Area 300 which is now above the 100-yr floodplain? (Jan Aarts)		The Port is not intending at this time to revise the FEMA maps to address the permitted and completed fill activities in Area 300. (Mary Mattix, Port of Vancouver, personal communication, December 2013)	
135	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	Section 3.3.3.2 Potential for Flooding and Protective Measures - Although unlikely, the unloading facility (200) is within the 500-year floodplain and could be flooded during an extreme event resulting in the secondary containment system getting flooded and a potential release of oil into the environment. Add discussion of this potential in this section. (Eric Harlow)		Please refer to the response to comment related to Section 2.10.2.2.	
136	463-60-322: Natural environment – Water. ASC Section: 3.3 Reviewers: Eric Harlow Florin Braileanu Jan Aarts	(5) Ground water movement/quantity/quality - Site is considered fully impervious due to prior development. Applicant does not use groundwater from the site as water supply. (Eric Harlow) (6) Public water supplies - The applicant will use water provided by existing municipal system. Description of sources and capacities is provided		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		in section 3.3.5. (Eric Harlow) We recommend Ecology review section 3.3 of the ASC.			
137	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	(1) Assessment of existing habitats and their use. (a) Habitat types and uses at the project site are defined and described in the ASC. A Biological Resources Report is included (Appendix H.1) where habitat types are clearly defined. The report is referred to throughout section 3.4. (Jenifer Weitkamp) Section 3.4.2.1 does not discuss "relative cover" of terrestrial habitat types as required in item (1). This information is also unclear for the habitat types discussed for the Project Vicinity. This information is also not provided in Appendix H.1. Impact acreages are included in Appendix H.1. Add a discussion of "relative cover" in section 3.4.2.1. (Sandy Slayton) Add the professional qualifications of the individuals who prepared the Biological Resources Report and completed the OHWM field work to Appendix H.1. (Sandy Slayton)	**Section: 3.4(1) (a)** – "WDFW concurs with comment by the reviewer." (Justin Allegro, WDFW Energy Policy Lead) **Section 3.4.2.1 – "**WDFW concurs with comment by the reviewer regarding 'relative cover'." (Justin Allegro, WDFW Energy Policy Lead)	Section 3.4.2.1 has been revised to address the approximate relative percent cover of each vegetation type at the project site. This is not practical to do at the project vicinity or shipping prism scales, as these project scales do not have clearly defined boundaries. Appendix H.1 has been revised with a statement of qualifications of the individuals who prepared the report and conducted the OHWM delineation	Comment noted, see response to EFSEC Review.
138	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	(b) We suggest that the applicant revise table 3.4-2 to contain aquatic species (fish AND marine mammals) instead of placing the marine mammals in the wildlife table (table 3.4-3). We also suggest that the wildlife table (table 3.4-3) title be revised to "Terrestrial Species" rather than wildlife. (Jenifer Weitkamp)	**Section: 3.4(1) (b)** – "WDFW concurs with revisions proposed by the reviewer regarding table 3.4-2, table 3.4-3, and table 3.4-3." (Justin Allegro, WDFW Energy Policy Lead)	(b) Comment noted – The Applicant has disclosed the species potentially present.	Comment noted, see response to EFSEC Review.
139	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.2.2, 3.4.3.2 and 3.4.4.2 - The assessment of the impacts from accidental spills on wetland, riparian, and aquatic habitats, including the fish and wildlife species dependent on those habitats, is incomplete and relies only on successful implementation of BMPs and SPCCCs. Page 76 of Appendix H.1 provides some discussion of this risk, but it needs to be developed further, and also included in the appropriate sections of the ASC. (Sandy Slayton)	**Section 3.4.2.2, 3.4.3.2, and 3.4.4.2** – Oil spill assessment -WDFW agrees with the reviewer that the ASC needs a better description of potential risks of a spill to fish and wildlife species." (Justin Allegro, WDFW Energy Policy Lead) **Section 3.4.2.2, 3.4.3.2, and 3.4.4.2** and **Appendix H.1** - "WDFW's Oil Spill Team (OST) is a key component of Washington State's oil spill response program. Since its formation in 1992, the OST has provided round-the-clock oil spill response capability to address the needs of fish and wildlife resources. The OST also provides extensive technical support to the State's oil spill planning and preparedness efforts. As a unit within WDFW, all of the team's resources are focused on the needs of fish and wildlife. While WDFW's OST's planning and preparedness efforts generally do not seek to identify upfront mitigation for indirect effects during a spill event without the benefit of a damage assessment, WDFW would encourage the applicant to communicate with OST and capitalize on some of their spill-planning tools for fish and wildlife species in this region of the state. In addition to utilizing WDFW PHS, NMFS, and USFWS resources to consider species with the potential for spill impacts, OST may have additional spill/species analysis relevant to this region of the state." (Justin Allegro, WDFW Energy Policy Lead)	Information has been added to the vegetation, wildlife, and fish (3.4.2.2, 3.4.3.2 and 3.4.4.2) impacts sections to provide some additional assessment of impacts associated with spills as well as the risk of a spill. Some additional information has also been added to Page 76 of Appendix H1 to further develop the risk of effects from a spill.	Comment noted, see response to EFSEC Review.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
140	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.2.3 - The mitigation measures section regarding "Direct Habitat Modification" does not address the 171 trees that would be removed for construction of the pipeline. (Sandy Slayton)	**Section 3.4.2.3** Direct habitat modification – "Recognizing that the project site's highly-developed and de-vegetated nature limit the value of the habitat severely, WDFW still suggests the applicant consider compensatory mitigation for the permanent and temporary impacts to foraging on-site caused by the removal of the upland cottonwood stands not already permitted for removal, as well as the riparian buffer. The WAC text for the ASC suggests, '(d) The ratios of replacement habitat to impacted habitat shall be greater than 1:1 to compensate for temporal losses, uncertainty of performance, and differences in functions and values.'" (Justin Allegro, WDFW Energy Policy Lead)	Text has been added to section 3.4.2.3 (that is also stated in section 4.2.1) regarding tree plantings required by the VMC that will mitigate for tree removal.	Comment noted, see response to EFSEC Review.
141	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.3.1 3rd para, 3rd sentence, second "than" should be "that".		Comment noted.	
142	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	c) The ASC did not contain management recommendations by WDFW, however, ESA and MMPA consultation is mentioned, particularly with respect to pile driving noise and injury/behavioral thresholds. We recommend further consultation with WDFW regarding management recommendations. (Jenifer Weitkamp)	**Section: 3.4(1) (c)** Consultation – "WDFW concurs with reviewer recommendation for further consultation with WDFW regarding management recommendations. Appendix H.1 addresses much of the WDFW PHS data, but does not include much of the management recommendations for individual species that are associated with the PHS." (Justin Allegro, WDFW Energy Policy Lead)	We agree with the recommendation that WDFW review the application for consistency with established management recommendations for Priority Habitats and Species. A reference has been added to the discussion of "Pertinent Federal, State , and Local Requirements" (Section 2.23)	As noted in Appendix H.1, the PHS database has listed occurrences only for Bald Eagle, Common Loon, Concentrations of Wintering Waterfowl, Shorebirds and Purple Martin. However, based on habitats located in the vicinity of the Facility, other PHS species may be present, as identified in Table 3.4-3. The PHS Management Recommendations were reviewed for upland species listed in Table 3.4-3 that are likely to occur in the vicinity of the Facility to determine if there are any specific management recommendations applicable to Facility construction or operations. Most of the recommendations focus on preservation or management of habitats on a wider geographical scale. Some recommendations focus on preservation of habitat from proposed development. Approximately 95% of the Facility footprint is being constructed at an already developed brownfield site that has been the historical location of industrial development. The Facility therefore has no direct impacts to any upland PHS species habitats. Many of the recommendations do not apply to the type of activity to be conducted at the Facility (e.g. the focus is on logging, wind energy development, residential land development). Many of the PHS recommendations focus on protecting species' food sources in potential foraging areas through avoidance of application of pesticides – as noted above approximately 95% of the Facility footprint is being proposed at an industrial brownfield, where pesticide application for any reason is highly unlikely. Some recommendations focus on minimizing direct disturbance of nests and roosts – no such occurrences are present at the Facility site. Finally,

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
					not all PHS species have specific PHS management recommendations. Only a small number of recommendations propose disturbance buffers to protect species during critical life stages (bald eagle, common loon, great blue heron and sandhill crane). Section 3.4.4.2 has been revised to reflect the consideration of these PHS recommendations.
143	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	(2) Identification of energy facility impacts (a – h): The applicant has addressed/included most information with the exception of the following comments/questions:		Comment noted.	
144	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.3.2 Impacts – Add a citation to page 3-288, paragraph 2, to back-up the statement regarding rapid recolonization of a benthic community following removal of temporary formwork piles. (Jenifer Weitkamp)		The text referred to in the comment has been edited. Please see section 3.4.3.2.	
145	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Add text to page 3-288, paragraph 4, explaining that deeper portions of the river do provide migratory habitat for returning adult ESA-listed salmon. (Jenifer Weitkamp)		This clarification has been added.	
146	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	It is stated earlier in the ASC (Ch.2) that piles would either be removed by vibratory extraction or direct pull method. Direct pull method language should be included in partial paragraph 1 on page 3-290. (Jenifer Weitkamp)	s	Text has been added to this paragraph clarifying that piles may also be removed through direct-pull methods, in which case a vibratory hammer would not be necessary.	
147	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.2, 3.4.3, 3.4.5 - The discussion required under item (2)(b) regarding nonnative species is not included. Any project effects, including incoming and outgoing terrestrial and marine traffic to the project facility should be considered. Add further information on impacts and mitigation related to nonnative species in sections addressing habitat and vegetation, fish, and wildlife. (Sandy Slayton) The discussion of impacts on wildlife, particularly fish species and marine mammals, is not quantified in terms of "numbers of individuals affected, threatened or removed" as required under item (2). (Sandy Slayton)	**Section 3.4.2, 3.4.3, 3.4.5 -** "WDFW concurs with reviewer's comment regarding nonnative species; this absence should be addressed. WDFW also concurs with the reviewer's comment that the applicant should work with WDFW and other agencies to develop quantitative descriptions of the area's fish and wildlife." (Justin Allegro, WDFW Energy Policy Lead) **Sections 3.4.2, 3.4.3, 3.4.5 – "**Regarding formal Mitigation plan, WDFW anticipates the ASC will be revised to include a formal 'mitigation plan' for both temporal and permanent impacts to fish, wildlife, and habitat. This should include compensatory mitigation. The applicant minimization measures are generally appropriate and effective, other than cases we have raised	Section 3.4.2 did not fully address introduction of nonnative species, and this information has been added. Sections 3.4.3 and 3.4.5 both address the potential introduction of nonnative species. Due to the nature of the fish and wildlife resources and the varying degree of use of the habitat by each species, it is not possible to meaningfully estimate the numbers of individuals that could potentially be affected. Instead, the extent of impacts to individuals have been evaluated based on an interpretation of the extent of impact to suitable or potentially suitable habitat.	Comment noted, see response to EFSEC Review. The Applicant has described the compensatory mitigation measures for the impacts to upland habitat in section 3.4.2.3. As described in Section 3.4.3.2, the project will result in a net decrease in impacts to aquatic habitat from the existing condition. No compensatory mitigation for aquatic habitat impacts is therefore required. Post construction monitoring is not typically required by regulatory agencies for impacts of the type described in this application. Unlike wind energy generation facilities, or electrical transmission facilities, the Facility will not cause mortality to any upland or aquatic species under normal anticipated operations (e.g. blade strike or

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			in this document. Impacts to fish, wildlife, and habitat are primarily temporal so cumulative impacts are less of an issue in the ASC. WDFW feels a construction and post-construction monitoring plan for fish, wildlife, and habitat is essential for ASC sufficiency." (Justin Allegro, WDFW Energy Policy Lead)		electrocution). The Applicant will ensure that the landscaped vegetated areas installed in accordance with City of Vancouver code are maintained in normal growing condition for the life of the Facility
148	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.3.3 Mitigation Measures - Is it likely that regular CFS flow would prevent much in the way of benthic establishment in the area? See statement on page 3-293: "Natural currents and flow patterns in the Lower Columbia River routinely disturb sediments." Please clarify. (Jenifer Weitkamp)		Comment noted. Regulatory agencies have established that benthic habitats on the Columbia River have value to biological resources. Natural currents do routinely disturb the substrate, but benthic habitat is still present. This mitigation section does not refer extensively to benthic habitat, only to re-suspension of benthic sediments.	
149	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	(3) Mitigation plan (a – j) - Sections 3.4.2, 3.4.3, 3.4.5 of the ASC do not appear to contain or referenced a "Mitigation Plan" or reference to a plan. Mitigation Measures discussed read more like "conservation or minimization measures" rather than the true definition of "mitigation" where the applicant is mitigating for a direct loss of habitat. Some mitigation was included with respect to removing overwater shade but not specific to mitigation sites, banking, or credits. Will the applicant be preparing a mitigation plan for impacts to habitat, vegetation, fish and wildlife? (Jenifer Weitkamp) (3) Mitigation Plan (3)(c) – Recommend evaluation by the Department of Fish and Wildlife and the Department of Ecology to review Cumulative impacts discussed in the ASC with regard to Habitat, Vegetation, and Fish, and Wildlife. Evaluate chosen mitigation measures in the ASC for appropriateness and efficacy. (Sonia E. Bumpus)		The project will not result in any permanent adverse impacts to vegetation, habitat, fish, or wildlife resources. The project will not result in any impacts that will require habitat mitigation in the form of habitat creation, enhancement, preservation, etc., and for this reason, a standalone mitigation plan has not been prepared for this project. We agree with the recommendation that WDFW and Ecology should review the application for consistency with applicable State guidelines regarding mitigation. The impact minimization measures that have been incorporated into the design of the project are the same measures that will reduce the potential for cumulative impacts. The project has been designed to minimize the extent of impacts to biological resources to the extent practicable, and this will reduce the potential for cumulative effects to biological resources as well. The project itself will not result in any cumulative impacts.	
150	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4.3.2 page 3-293, 2nd bullet, references to section 3.4.4.3 for ballast water practices. Instead, we recommend the text refer to section 2.23.3.3 Ballast Water Management. Please verify and revise accordingly. (Jenifer Weitkamp)		This edit has been made.	
151	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	Section 3.4 does not mention monitoring and/or maintenance programs that would protect habitat and species. Cumulative impacts are not discussed, as required in item (3)(c). (Jenifer Weitkamp) (4) Guidelines Review - Addressed with the exception of "mitigation plan". See comment under (3) above. (Jenifer Weitkamp)		The project will not result in any impacts that will require formal habitat mitigation in the form of habitat creation, enhancement, preservation, etc., and for this reason, no monitoring or maintenance programs have been prescribed.	
152	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC	(5) All relevant Federal Permits have been mentioned in section 3.4.5. (Jenifer Weitkamp)		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp				
153	463-60-332: Natural environment – Habitat, vegetation, fish, and wildlife. ASC Section: 3.4 Reviewers: Sandy Slayton Jennifer Weitkamp	We recommend WDFW review section 3.4 of the ASC.		Comment noted.	
154	463-60-333: Natural environment – Wetlands. ASC Section: 3.5 Reviewer: Sandy Slayton	Wetlands were not delineated at the site because NWI data suggested and a field visit confirmed that wetlands were not present. For this reason, the survey and reporting requirements in this section can be considered to be complete. (Sandy Slayton)	"WDFW supports the reviewer's conclusion." (Justin Allegro, WDFW Energy Policy Lead)	Comment noted.	Comment noted
155	463-60-342: Natural environment – Energy and natural resources. ASC Section: 3.6 Reviewer: Katie Clifford	(1) Amount required/rate of use/efficiency - Section 3.6.1.1 (Construction) lists the quantities of water and various construction materials that would be required, but lacks a similar quantified estimate for the amount of electricity and fuel that would be consumed during construction. Similarly, section 3.6.1.2 (Operation) quantifies the amount of water and natural gas that would be consumed during operation of the project, but lacks a similar quantified estimate for the amount of fuel and electricity that would be consumed. Please provide an estimate of the amount of electricity and fuel that would be consumed during construction and operation. (Katie Clifford)		The estimate of fuel use during operations has been updated in Section 3.6.1.2. The Applicant has not yet reached a level of project design to estimate the fuel usage during construction. This estimate will be provided in the Applicant-prepared DEIS. .	
156	463-60-342: Natural environment – Energy and natural resources. ASC Section: 3.6 Reviewer: Katie Clifford	(2) Source/availability - The sources of the energy and resources required are described in section 3.6.2 (Sources), while the availability of these sources is discussed separately under section 3.6.3 (Nonrenewable Resources). Section 3.6.2 should therefore disclose the name of the provider that would supply natural gas to the project, while section 3.6.3 should disclose whether or not the amount of natural gas required for construction and operation of the project would affect other users or locally available natural gas supplies. Similarly, section 3.6.3 should disclose whether or not the amount of water that would be consumed by the project would affect other users or locally available water supplies. (Katie Clifford)		Section 3.6.2 has been edited to provide the natural gas supplier (Northwest Natural Gas). Section 3.6.3 has been revised to indicate that natural gas supplies to other users will not be affected, and that the amount of water to be used at the Facility (to be provided by the City) will not affect other users or locally available water supplies.	
157	463-60-342: Natural environment – Energy and natural resources. ASC Section: 3.6 Reviewer: Katie Clifford	Section 3.6.1.1 - What are the contingency plans if substantial amounts of the 227,000 cubic yards of material needed for berm construction cannot be obtained onsite due to contamination? Would there be a substantial need for importing/exporting fill? Is transport of the 50,000 cubic yards of asphalt accounted for in the traffic analysis? (Jan Aarts)		Contingency plans for sourcing materials to construct the berm if on-site materials cannot be used have not been formulated. An error has been identified in Section 3.6.1.1, and corrected - approximately 1000 cubic yards of asphalt will be needed (corresponding to approximately 50,000 square feet of coverage). This error has been corrected. The transportation analysis included 83 daily construction truck trips, which is amply sufficient to accommodate	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
				asphalt deliveries of this amount, in addition to other deliveries to the site.	
158	463-60-342: Natural environment – Energy and natural resources. ASC Section: 3.6 Reviewer: Katie Clifford	(3) Nonrenewable resources - The recommended additions to section 3.6.3 are described above. (Katie Clifford) (4) Conservation and renewable resources - The ASC adequately addresses this requirement. (Katie Clifford)		Comment noted.	
159	463-60-342: Natural environment – Energy and natural resources. ASC Section: 3.6 Reviewer: Katie Clifford	(5) Scenic resources - Section 3.6.5, first sentence, include a citation for the definition of scenic resource. Last sentence, provide more detail for statement "The visual quality of the project area is consistent with the manmade conditions within the Port. I.e. "The buildings and facilities constructed for the Project will also be industrial and use similar materials to those already found in the area". (Jennifer Flathman)		Section 4.2.3.2, Inventory, describes the existing aesthetic context of the site within the port of Vancouver.	
160	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(1) Noise. (a) Describe and quantify the background noise environment…: In section 4.1.1.1 Affected Environment the applicant includes table 4.1-3 to describe and quantify the background noise environment. The table uses abbreviations in headings that are not defined for the reader and henceforth are not meaningful (e.g. Leq and Ldn) because there is no indication that the conventional definitions are used (Leq is a symbol that represents "Equivalent Continuous Noise Level" and Ldn as Day/Night average sound level are never discussed directly). The description of the noise sources ~~for~~ from the cited studies (1) West Vancouver Freight Access Project, Schedules 2 through 4, Port of Vancouver; Noise and Vibration Discipline Report; July 2009; ICF Jones & Stokes and (2) BHP-Billiton POV Terminal 5 Environmental Monitoring; July through October 2012; ENVIRON International Corporation) is inadequate to evaluate if the assessment of the existing noise is commensurate with the type of energy facility being proposed. Describe what the noise sources were from the cited studies (i.e., type of equipment, noise levels, etc.) and how those noise sources would be similar to or different from the noise sources anticipated at the new facility Background noise environment does not address or describe current background noise environment for all types of receptors (Class A, Class B, and Class C). The receptors identified in figure 4.1-1 as R1, R2, R3, etc. are not related to the table through description in the document for the background section and therefore it is unknown which Receptor type is present in each location. The receptors are later described on page 4-332; however this is not within the defined background noise section that the applicant has chosen to include in the document. Please revise section 4.1.1.1 to address these concerns. (Julie Werner)		Definitions for Leq and Ldn have been provided in the text. The existing sound level discussion has been consolidated and clarified. EDNAs for receptor locations have been clarified in the relevant tables. Figure 4.1.1 includes identifiers for both the existing sound level measurement locations discussed in section 4.1.1.1 and the modeled receptor locations identified in section 4.1.1.2. The data is provided, just in different sections.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
161	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(b) Section 4.1.1.2 Environmental Noise Impacts - Table 4.1.4 lists typical construction equipment noise sources, but it leaves out probably the most significant one of all, the impact pile driver. Vibratory pile drives are also significant sources of noise. Please add impact pile driver and vibratory pile drives to Table 4.1.4. (John Gray). It is unclear what the units are presented in table 4.1-8. Is this intended to be the described C-Weighted decibels as described on page 4-325? The term sound level is used, but not accompanied by dBC. The text uses dBC, but not the table. Please clarify. (Julie Werner)	**Section 4.1.1.2** Environmental Noise Impacts, **Table 4.1.4** – "WDFW concurs that this a notable absence in this section of the document. Appendix H.1 does note the maximum noise created by the impact hammers, but we recommend their inclusion in the ASC itself, and also would like to see the elevated noise of vibratory hammers clarified in the ASC as well." (Justin Allegro, WDFW Energy Policy Lead)	A discussion of noise impacts related to upland impact pile driving has been added to Section 4.1.1.2. The units in Table 4.1-8 have been identified as modeled sound levels as C-weighted levels.	As noted in responses above, impact pile driving below the OHWM is no longer needed to implement the dock modifications. Noise resulting from construction-related upland impact pile driving, and its potential effects on fish and wildlife has been addressed in Sections 3.4.3.2, 3.4.3.3, 3.4.4.2 and 3.4.4.3.
162	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(c) Noise impact guidelines have been satisfactorily identified. EFSEC approval of the 70 dBC threshold for low frequency noise threshold is required. (Julie Werner)		EFSEC has adopted Ecology noise standards by reference. These standards do not include consideration of low frequency noise. The information was provided as informational. The discussion in Section 4.1 has been edited to reflect that there is no state threshold for low frequency noise.	
163	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(d) Mitigation measures are satisfactory since modeled noise is below threshold impact levels. (Julie Werner)		Comment noted.	
164	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(e) Applicant does not discuss means to assure continued compliance with WAC 463-62-030. The applicant states in a footnote to Table 4.1-5 final engineering decisions related to noise-generation equipment have not been made, therefore the noise modeling is based on estimated expected equipment type. Applicant should discuss evaluation of final equipment type to assure continued compliance. (Julie Werner)		In association with the final design of the Facility, the procurement process for equipment contributing to noise emissions will take into consideration the estimates used in the analyses presented in the ASC so as to ensure the overall noise emissions from the facility do not exceed Washington state noise thresholds.	
165	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	2) Risk of fire or explosion - Section 4.1.2: LEL discussion needs to also discuss oxygen levels as mentioned in comments for section 1.4. Also, fire suppression system discussion mentions "activation" without providing the triggers that will activate the system automatically (i.e., temperature, smoke, etc.). Please address. (Mike Kinder)		Revisions have been incorporated regarding the thresholds for alarm of the LEL monitors. As described in pages 4-339 and following, different activation triggers will be installed in different Facility Areas, including linear heat activation, temperature sensors and smoke and gas sensors. Fire protection systems will be designed to industry and NFPA standards.	
166	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(3) Releases or potential releases to the environment affecting public health - Reviewer would like to verify with Ecology that the sediment cleanup referenced very briefly in section 4.1.3.1 will not be impacted by Area 400 development – applicant did not reference the location of that cleanup relative to Area 400 – and ensure that there are no engineering controls for the sediments that are in place. (John McCorkle)	Section 4.1.3: "Potential risk of oil spills at the facility should be included. A release of crude oil could generate vapors and contact issues that could quickly affect workers and other humans in the area. It could also be a risk of explosion and fire if ignited. If a spill were to reach surface water a variety of other concerns quickly arise. Full transparency on the risk of spills and potential impacts on public health should be included." (Sean Orr, Ecology Spills Preparedness Program) Section 4.1.3: "Potential risk of oil spills at the marine terminal should be included. Releases to surface water	The sediment cleanup identified in Section 4.1.3.1 occurred along the shoreline of terminal 5. The effort is detailed in the Project Completion Report Alcoa/Evergreen Vancouver Site prepared for the Washington State Department of Ecology (AnchorQEA December 2009). The area subject to the sediment cleanup is downstream of and is not part of Area 400	Please refer to the Response to EFSEC's Consultant's review of Section 4.1.3.1.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			(Columbia River) could present significant public health concerns for workers and humans in the area and downstream." (Sean Orr, Ecology Spills Preparedness Program)		
167	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	Section 4.1.3.1 Provide a map showing the location of the five areas on the site subject to Ecology Consent Decree and restrictive covenants relative to existing and proposed improvements. (Jan Aarts)		A figure has been added to Section 4.1.3.1.	
168	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	Section 4.1.3.2 – Applicant references sampling for PAHs and TPHs for soil excavated from areas within restrictive covenant areas. Will the other contaminants (such as PCBs, select metals and VOCs) referenced by applicant in section 4.1.3.1 be included as part of the sampling as appropriate, managed by the contaminated media management plan? (John McCorkle)		The contaminated materials management plan will identify the necessary screening parameters based on site history. If more than PAHs and TPHs are necessary they will be included.	
169	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	Applicant has provided a thorough list of Material Safety Data Sheets (MSDS) for incidental materials, but should ensure that MSDS are available to workers for contaminants (such as those noted above) that may be encountered during facility construction, as well as those that could occur under a release scenario (such as the H2S referenced in 2.10). (John McCorkle)		The Applicant will maintain MSDS on site in accordance with WISHA requirements.	
170	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	The applicant should update the Appendix G Material Safety Data Sheets to align with the new December 1 requirements to align with the revised Hazard Communication Standard and the Globally Harmonized System of Classification and Labeling of Chemicals. (John McCorkle)		The MSDS kept on-site at the Facility will meet applicable WISHA requirements.	
171	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	Describe the potential contaminants that could be encountered near Port Terminal 2 in the area where the 220 pilings will be removed. Include language on demolition activities as is described on page 2-188. (Jan Aarts)		The berth 13 and 14 modifications have been revised and no longer require the removal of piling at Terminal 2 as mitigation.	
172	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(6) Emergency plans - Homeland security not addressed – see comments from section 1.4. (Mike Kinder)		Please refer to the response to Section 1.4.1.9 above.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
173	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	(6) Emergency Plans- Section 4.1.6.2 Facility Emergency Plans- This passage of the ASC states that an emergency action plan will cover, "the designated actions employers and employees must take to ensure employee safety from fire and other emergencies." Per WAC 463-60-352 (6) ..."the application shall describe emergency plans which will be required to assure the public safety and environmental protection on and off the site…" The application must address the need for Emergency Response Plans which will address employee safety, public safety, and environmental protection both on and off the site, in the event of a natural disaster or major incident. Also, the application should include an outline of the applicants, "assumed" responsibilities in the event of a natural disaster or incident. (Sonia E. Bumpus)		Additional text has been added to Section 4.1.6.2 to address the Applicant's participation in emergency planning to assure public safety and environmental protection on off the site, including during natural disaster or major unanticipated events. Sections 2.10 and 4.1.2 through 4.1.6 address the actions the Facility will implement to prevent, control and respond to events that could lead to potential releases off-site. The public will not have access to any of the Facility elements within the Facility Site Boundary. As currently described in the ASC, the facility will be designed with mitigation measures and spill planning requirements to minimize the probability and risk of off-site releases.	
174	463-60-352: Built environment – Environmental health ASC Section: 4.1 Reviewers: Julie Werner Mike Kinder John McCorkle Jan Aarts	We recommend Ecology review sections 4.1.2 and 4.1.3 of the ASC.		Comment noted.	
	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	(1) Land use plans and zoning ordinances – The discussion in Section 4.2 and information presented in Appendices I.1 and I.2 adequately identify and describe the land use plans and zoning ordinances applicable to the project site. Section 4.2.1.2 presents a detailed discussion of the relationship of the proposed project to existing land use plans and policies; including the City of Vancouver's Comprehensive Plan, Shoreline Master Program, and applicable zoning requirements and development standards. Appendix I.1 includes a copy of the applicant's June 2013 Pre-Application Conference Request submitted to the City of Vancouver and the City's Pre-Application Conference Notes (dated June 27, 2013). Appendix I.2 includes an August 22, 2013 assessment (prepared by the applicant's consultant) regarding the consistency of the proposed project with the provisions of the City's Shoreline Master Program. We understand that additional information from the City of Vancouver will be submitted to EFSEC regarding the consistency of the proposed project with the City's applicable land use plans and regulations. (Jan Aarts)		Information will be submitted to EFSEC regarding compliance of the project with local land use plans as part of the Land Use Consistency Hearing process.	
175	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	The discussion of surrounding land use and zoning on page 4-364 and 4-365 should reference figures that clearly show the locations of the land uses and zoning discussed. Note figure 4.2-22 on page 4-406 is mistitled. (Jan Aarts)		Existing land uses are identified in Figure 2.3-2. As noted in the text in pages 4-364 and 4-365, all existing land uses are zoned IH, with the exception of the Columbia River Wetland Mitigation Bank located north of Lower River Road which is zoned Greenway (as shown in Figure 4.2-2). The reviewer is correct regarding Figure 4.2-22, which should be titled "Recreational Facilities and an updated figure has been provided.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
176	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	(2) Light and glare - Section 4.2.2.1 "Light from distant residential and commercial land sources is minimal, primarily, because of their distance from the site " – add approximate distance i.e. 1,000 feet" (Jennifer Flathman)		Comment noted.	
177	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	(3) Aesthetics – Section 4.2.3.2 Inventory – page 4-380 please clarify that the facility shown in figure 4.2.5 has been removed. It is useful to have the historical photo but there should also be a view showing the current condition. (Jennifer Flathman)		Comment noted – Language has been added to state the Alcoa/Evergreen facility has been removed and referenced the Bird's Eye View photo to show current conditions of the site.	
178	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	Page 4-382, Viewpoint 3 – "Because of the proximity of boaters to the Facility, recreational viewers have been assigned moderate viewer sensitivity rather than the high sensitivity typically associated with this viewer type". As written the text is confusing. The choice of proximity appears incorrect as it implies that the recreational boaters are close to the facility. The point being made appears to be that recreational boaters are far away. This section needs to be reworded in order to support assigning recreational viewers as low. (Jennifer Flathman)		Page 4-382, Viewpoint 3 – The text was revised to indicate recreational viewers are far from the facility.	
179	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	(4) Recreation - Discussion in the ASC (Section 4.2.4) adequately identifies recreational sites within the area and describes potential impacts from construction and operation of the facility. (Jan Aarts) (		Comment noted.	
180	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	5) Historic and cultural preservation - Please explain the protocols that will be followed to comply with Section 106 of the NHPA as they relate to the Section 10 permit from the USACE. When will the inadvertent discovery plan be submitted for review? Provide copies of correspondence with the SHPO including meeting notes from the July 30, 2013 meeting with Rob Whitlam at DAHP. Provide cultural resources information for the off-site mitigation area at Terminal 2 where the 220 pilings will be removed. Provide updated information regarding tribal coordination. (Jen Ferris)	(5) Historic and cultural preservation. Section 4.2.5 Archaeological, Historic and Cultural Resources - The following comments were provided by the Department of Archaeology and Historic Preservation (DAHP) State Archaeologist (Robert G. Whitlam, Ph.D.): "The Application provides a review of available historic, archaeological, and cultural resource information based upon existing documents, maps, and records for the Facility at the Port of Vancouver." "As noted in the review, the facility has a high potential for the occurrence of archaeological site and resources (section 4.2.5.6, page 4-411). However, as documented in the text and associated maps and photographs, substantial filling, alterations and construction has altered the original shoreline and buried original surfaces under substantial depths of fill in various areas. "Actual archaeological identification efforts as listed in table 4.2.8 reflect prior specific development project investigations spanning thirty years dating from 1982 thru	The Applicant will provide a copy of its USACE permit submittal to EFSEC when the application has been submitted to the USACE. The submittal will include a cultural resources report responsive to the USACE's Section 106 NHPA Consultation needs. The study protocols used will be in accordance with those required for Section 106 consultation by the Department of Archeology and Historic Preservation. It is anticipated that the inadvertent discovery plan would be submitted for EFSEC review prior to the beginning of project construction; this reflects the process EFSEC has employed for other projects that have received Site Certification approval. Correspondence with SHPO was limited to setting up the July 30, 2013 meeting. Topics discussed at the meeting included: the appropriateness of study methodologies for the proposal, and DAHP's concerns regarding the potential of impacts to cultural and historical resources related to rail and vessel transportation of crude oil to and from the Facility. The Applicant has modified the approach to dock	DAHP's recommendation is noted. The Applicant prepared DEIS will include a more detailed discussion of the potential for Facility related improvements to be located in native soils, the potential for presence of resources in these soils at those specific locations, whether the work required to install such improvements has the potential to adversely impact any cultural potentially present, and mitigation measures appropriately applied to minimize such impacts.

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			2012. However, a single comprehensive archaeological investigation of the Facility has not occurred. Thus figure 4.2.24 reveals a patchwork of investigations that may not entirely cover the proposed Facility (figure 2.17.1 & figure 4.2.24) employing a consistent and systematic sampling methodology." "The mitigation measure identified in section 1.4.1.10 (page 1-25) and section 4.2.5.7 (page 4-415) state archaeological monitoring if project construction encounters intact native soils. We believe this is not sufficient." "We offer the following recommendations for the phased identification of archaeological historic, and cultural resources at the Facility with actual on-site investigations and to assist in addressing the Section 106 compliance requirements of the National Historic Preservation Act identified in table 2.23-1 (page 2-210) and section 2.23.2.5 (page 2-214): 1. "Require a Facility Specific Archaeological, Historic and Cultural Resources Study (FCRS) that specifically plots out all prior subsurface sampling, probes and trenches referenced in table 4.2.8 at the Facility." 2. "In the FCRS provide the actual probe, trench, or subsurface sampling profiles and their spatial distribution across the Facility at a scale that allows the identification and depiction of the specific points in relationship to the proposed structures/elements for the Facility." 3. "Based upon that analysis and its spatial coverage create a Draft Facility Cultural Resources Sub Surface Sampling Plan in consultation with DAHP and the other consulting parties such as Tribal Cultural Resources Staff (section 4.2.5.2) to verify the current depth of fill and the stratigraphy of the Facility employing ground penetrating radar (GPR), coring, and other subsurface probes or trenches." 4. "Finalize the Sub Surface Sampling Plan following DAHP review and implement the Plan." 5. "Based upon the results of the Sub Surface Sampling Plan create a three dimensional model/map of the Facility including the time-shifting shorelines and history of fill episodes." 6. "Using the three dimensional model and the proposed actual ground disturbance for the structures/elements of the Facility create a specific archaeological investigation for any Facility structures/elements that will encounter native sediments and document all other Facility elements depth in fill."	modifications that will be required and no removal of piles as mitigation will be necessary or conducted. Terminal 2 is not within the project APE or study area. Updated information regarding tribal coordination will be included in the Applicant-prepared DEIS. In summary, the Applicant has conducted meetings with representatives of the Cowlitz Indian Tribe and the Confederated Tribes of Grand Ronde.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
			7. "Conduct on-site archaeological investigations for any areas of native sediments in the Facility and present the professional findings to DAHP and other consulting parties." 8. "Finalize the FCRS incorporating the results of the above work and include the results of other ongoing Tribal Coordination identified in section 4.2.5.2 in a Facility Specific Cultural Resources Treatment Plan for the life of the Facility that summarizes and implements any agreed upon mitigation efforts for cultural resources impacts at the Facility and provides for an agreed upon professional archaeological monitoring plan during Facility Construction, Operations and Emergency Responses."		
181	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	Section 4.2.5.2 Coordination – Include information on whether the representative from DAHP offered any guidance or recommendation on methodology and if this was followed in the development of the cultural resources study. (Jennifer Flathman)		Mr. Whitlam reviewed and agreed with the methodology and the data collected for site specific project impacts.	
182	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	4.2.5.3 Study Area - Need to indicate whether the study area includes the mitigation areas where the pilings will be removed near Terminal 2 as shown in figure 9 of the JARPA permit. If this is not included, provide a rationale for why not and how potential impacts would be treated. (Jennifer Flathman)		Regarding Section 4.2.5.3 Study Area, as noted above, the mitigation area is no longer part of the proposal, and the Terminal 2 piling are not within the study area.	
183	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	4.2.5.6 Cultural Resources Assessment – Include an introduction at the beginning or a summary at the end that distinguishes between archaeological and historical resources and clarifies that there are no historic resources (buildings and structures) that would be impacted. The previous surveys have been heavily focused on archaeology so a short summary on each major resource type would be valuable to confirming that the investigations are complete. While it appears that the majority of the study area has been surveyed previously, there are several pockets such as those along the water at Terminal 4 that have not. These areas need to be covered in a survey. (Jennifer Flathman)		Text has been added at Section 4.2.5.6, subsection "Impacts", to clarify the lack of impacts to historical resources. Regarding the potential need to survey the pocket at Terminal 4, the small areas within the Facility study area that have not been previously surveyed are covered by dredge fill, and the subsection entitled "additional surveys" provides the justification as to the lack of need for the small areas that have not yet undergone survey, as follows: As described above, several studies within the study area and in the vicinity have noted that dredge fill deposits from 4 to 20 feet thick cover the area. Based on the historical evidence of extensive fill deposits and the fact that several archaeological surveys and subsurface testing projects have found no evidence of intact archaeological deposits within or adjacent to the project area, an archaeological survey was not necessary for this project." In addition the Applicant proposes to provide mitigation in Section 4.2.5.7 as follows: "Because of the possibility of encountering intact soils beneath the fill in some areas of the study area, and because the study area has been included in previous surveys, if project construction reaches the depth of intact native soils, archaeological	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
				monitoring will be conducted if soils are excavated to the surface". Also refer to the response to the Agency comment to Section 4.2.5 above.	
184	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	Page 4-414, Terminal 5 Area - Paragraph 5 "Remnants of buildings and structures associated with the former Alcoa plant were observed, but none were older than 50 years in age." Need to provide an approximate age for these structures to validate that the statement that none were older than 50 years in age. (Given that the study is now 3 years old it is possible they are now more than 50 years old). (Jennifer Flathman)		Text has been revised to clarify the age of the remnants of buildings and structures.	
185	463-60-362: Built environment – Land and shoreline use ASC Section: 4.2 Reviewers: Jan Aarts Jim Reed Jennifer Flathman Jen Ferris	(6) Agricultural crops/animals - Section 4.2.6 Agricultural Crops/Animals does not include sufficient information to support the finding that "the proposed Facility will not result in any impacts to agricultural crops or animals". The existing conditions section identifies that farming occurs near the project area so there needs to be some indication as to why the new facilities will not impact crops or animals that may be located in those areas. (Jen Ferris)		Text has been added to Section 4.2.6.2 to clarify that there are no agricultural activities at the Facility site.	
186	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	(1) Transportation systems - The requirements for this section have been adequately met, except as noted: Page 4-423, River Transportation - Tabulate or summarize vessel traffic to show historical, current, and projected ship calls to the Port. Identify anticipated size of vessels. (Jim Reed)	Page 4-423: "Agree with Jim Reed." (Sean Orr, Ecology Spills Preparedness Program) "The project application indicates that there will be 140 new tank vessel calls at the marine terminal by year 2016 and up to 365 new tank vessel calls at full build out. This equates to an additional 280 inbound and outbound tank ship transits by year 2016 and 730 inbound and outbound tank ship transits at full build-out. This is a substantial change in the river vessel traffic and ship calls at this terminal. The application does not clearly indicate the size and cargo carrying capacity of vessels but it is assumed they will be Panamax size tank ships with a capacity to carry upwards of 500,000 barrels (21 million gallons) of crude oil. Currently there are no large tank ships that carry crude oil on the Columbia River the 105 mile distance to the Vancouver/Portland Terminals. This new operation involving the transport of crude oil will result in a significant change in the volume and type of oil moved on the Columbia River. Laden tank ships represent one of the highest risks for a catastrophic oil spill in Washington waters. Discussion should be added. Suggest read of RCW 90.56.005 to view legislative findings and zero spills policy for the state." (Sean Orr, Ecology Spills Preparedness Program) Please refer to the responses to the reviewer's comments regarding Section 2.10 above.	A table of Port vessel calls has been added at Section 4.3.3.3. Section 4.3.3.3 has been updated to include vessel sizes.	Please refer to the Response to EFSEC's Consultant's review of Section 4.3 Page 4-423. Please refer to the responses to the reviewer's comments regarding Section 2.10 above.
187	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Cite reference in section 4.3.2.2, paragraph 4. (Jim Reed)		The citation has been added.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
188	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Construction traffic volume is not explicitly treated as a function of work force residence. Please address or explain. (Tony Roos)		Construction traffic is a function of two variables: 1) construction worker traffic and 2) truck deliveries. Because the study area is limited to the industrial area west of Fourth Plain/Mill Plain Boulevard, the study does not ascertain where these construction workers live. It only considers the magnitude of the vehicle trips these workers generate and base the distribution and assignment of those trips on current traffic patterns observed from counts, as well as a general review of surrounding land uses, which considering the density and transportation infrastructure, all trips were assigned east of the site towards the downtown Vancouver area.	
189	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Discussion of the potential for hazardous material transport on roads is not explicit and should be included. (Tony Roos)		Text has been added to Section 4.3.4, Movement/Circulation of People and Goods, to address the limited transportation of hazardous materials by road.	
190	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Mitigation section may need revision subject to hazardous material transportation risk. Continue to monitor this issue. (Tony Roos)		As noted in the clarifications added to Section 4.3.4, Movement/Circulation of People and Goods, hazardous materials removed from the Facility site will be transported in accordance with applicable federal, state, and local regulations. The Applicant-prepared DEIS will address the shipment of crude oil by train and vessel to and from the facility.	
191	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Figure 4.3-1 should be improved to clearly show and label the SR 501, NW Lower River Road and Mill Plain Boulevard on the left side image (Vicinity Map) and Old Alcoa Facility Access Road on right site image (Local Map). (Jan Aarts)		The requested revisions have been made to figure 4.3-1. The intersections analyzed have also been added to this figure.	
192	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Add the figure from traffic report showing locations of intersections analyzed in the traffic analysis. (Jan Aarts) Explain why was a light industrial land use code used to estimate trip generation rates as described in section 4.3.3.1.		The locations of intersections analyzed in the traffic analysis have been added to Figure 4.3-1. The light industrial land use code was used because it is the one that best represents the type of activity at the Facility for this traffic analysis: "Light industrial facilities are free-standing facilities devoted to a single use. The facilities have an emphasis on activities other than manufacturing and typically have minimal office space. Typical light industrial activities include printing, material testing and assembly of data processing equipment."	
193	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	Section 4.3.3.2 - Explain how up to 12 train trips per day could occur at the facility based on max of 4 train arrivals per day. (Jan Aarts)		Section 4.3.3.2, has been revised to clarify the number trains associated with the Facility. The Facility operations will accommodate an average of 4 train arrivals per day.	
194	463-60-372: Built environment – Transportation ASC Section: 4.3	There does not appear to be sufficient information in section 4.3.3.3 to justify the statement "no impacts to river traffic are anticipated." Support that conclusion with further documentation, including consultation with the USCG. (Jan Aarts)		The statement in Section 4.3.3.3 has been revised to reflect that in the context of historical transit data, the transits due to Facility operation can be handled.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Reviewers: Tony Roos Jim Reed Jan Aarts /				
195	463-60-372: Built environment – Transportation ASC Section: 4.3 Reviewers: Tony Roos Jim Reed Jan Aarts /	How does section 4.3.3.5 account for the two distinct construction phases? Does the number of truck trips reflect peak volumes when asphalt or import/export of fill activities would occur? Is it known whether the construction of the BHP Billiton project would occur concurrently with the applicant's project? How might concurrent construction affect the traffic analysis in the ASC? (Jan Aarts) See also last sentence in 2nd para of Section 4.3.3.2 for missing word at letter "t".		Section 4.3.3.5 – The analysis is based on peak traffic resulting from contemporaneous build out of the entire facility, i.e. the worst case scenario. If elements of the project were to be built at a later date, construction traffic occurring during delayed building would be less than that for the scenario considered, and the impacts would therefore be less also. Regarding the missing word – it is a typographical error, there is no missing word. The "t" has been removed.	
196	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Discussion of Columbia and Hood River County should be included in list of counties outlined in section 4.4.1 Existing Conditions.		The text has been edited.	
197	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	The text describing table 4.4 -26 in section 4.4.2.1 should be changed to table 4.4-25.		The text has been edited.	
198	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Table 4.4-15 title should be modified to be "annual payroll" rather than "wage".		The text has been edited.	
199	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Cite table 4.4-6 below the table.		The text has been edited.	
200	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Cite table 4.4-18 below the table.		The text has been edited.	
201	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Cite table 4.4-25 below the table. (Lee Elder)		The text has been edited.	
202	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	It is unclear as to what direct changes are driving the IMPLAN analysis. The existing Appendix K adds little to the analysis since it is the exact same information as provided within section 4.4. Recommend removing existing information provided in Appendix K and replacing with an IMPLAN methodology section. This section should include a brief overview of the IMPLAN model for the reader and also provide a detailed table illustrating the IMPLAN inputs by sector and the proportion of the total direct impacts that are expected to be local. It is unclear as to how non-Washington based employees were accounted for in the IMPLAN model. Given that the model estimates impacts for the State of Washington, income for Oregon residents should be excluded as a direct impact for modeling income effects, but it is unclear if this occurred. Provided the non-Washington employees have been excluded from the existing model, these non-Washington employees will		The text has been edited, and Appendix K revised.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		spend some portion of their income in Washington, which should also be modeled in IMPLAN.			
203	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Please cite the source as to why approximately 90% of the capital costs were assumed to be for goods/services sourced from Washington for the IMPLAN model. With the Project so close to Oregon, a seemingly higher proportion of goods could potentially be sourced from Oregon. (Lee Elder)		The text has been edited.	
204	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	ASC stipulates the use of a prevailing wage to estimate annual average construction payroll of $82,400 for Project related construction employment. This is 55% higher than annual average construction payroll per construction employee provided in table 4.4-15. Please cite the source for the prevailing wage used in the model as it seems to overstate income effects. Similarly, the average annual income for operational employees is $108,900 per employee, while average annual income for transportation and warehousing sector in Clark County is $43,200 per person. This is 150% higher than the average income for transportation and warehousing employees in Clark County. Please cite the source of the operation employee income used in the model. (Lee Elder)		Text has been added to reflect the clarifications requested.	
205	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Tables 4.4-26 and 4.4-27 should include "Washington State Economic Impacts" within the table titles. Also provide the year of the IMPLAN data used in the analysis within the IMPLAN methodology section in Appendix K (e.g. 2010 or 2011 IMPLAN data). (Lee Elder)		Updating the Table titles to state "Washington State" is not warranted as the data provided also includes impacts for Oregon locations included in the Study Area.	
206	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(1) The analysis shall include: (Lee Elder) (a) WAC requires that population and growth rate data for incorporated cities within the study area be provided. While this has been provided for the incorporated cities within Clark County, data for incorporated cities within Skamania and Cowlitz counties in Washington and the incorporated cities in Clackamas, Columbia, Hood River, Marion, Multnomah, Polk, Washington, and Yamhill are not provided in the ACS. This should be included.		The text has been edited.	
207	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(b) The ASC adequately provides the required information.		Comment noted.	
208	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(c) WAC requires race/ethnicity composition of cities within the study area be provided. While this has been provided for the counties within the Study Area, race/ethnicity characteristics for cities within these counties are not provided within the ASC. The most current data available for communities within the Study Area are available through American Community Survey 5-year data (2007-2011). Please add this data.		The text has been edited.	
209	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(d) The average per capita income and household income are not provided for the cities or counties within the Study Area. Further, the number and percentage of the population below the poverty level for Study Area communities are not provided in the ASC. This data is available through American Community Survey 5-year data (2007-2011). Please add this data.		The text has been edited.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
210	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(e) Analysis of Project impacts upon disadvantaged populations is not included in the ASC impacts section 4.4.2. Fair treatment discussion/analysis provided in section 1.4.2 should be moved into section 4.4.2.		The text has been edited.	
211	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(f) Tables 4.4-10 and 4.4-11 are incorrectly titled.		The text has been edited.	
212	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Data for table 4.4-10 is representative of employment for each county in the Study Area and is labeled as workforce.		The text has been edited.	
213	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Table 4.4-11 is labeled as employment and is workforce.		The text has been edited.	
214	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Furthermore, data in table 4.4-10 is incorrect, e.g. Yamhill County labor force in 2002 is 43,745 while it is referenced in the table as being 48,611 (per BLS Local Area Unemployment data).		The text has been edited.	
215	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Lastly, workforce in the Study Area did not increase over the 2002 – 2012 period as described in Workforce section description. Rather workforce has decreased over this timeframe. Please make needed corrections.		The text has been edited.	
216	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(g) The ASC adequately provides the required information.		Comment noted.	
217	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(h) The ASC adequately provides the required information.		Comment noted.	
218	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(i) The ASC adequately provides the required information.		Comment noted.	
219	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(j) ASC stipulates that a small number of management employees will be from outside of the area, however no estimates are provided.		The Applicant will attempt to source its management employees from the local area to the degree that workers can meet the necessary qualifications. The Applicant cannot estimate what percentage of employees will be hired from inside or outside the area at this time.	
220	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(k) ASC does not provide an estimate of the number of project employees that would commute on a daily basis nor does it provide where these employees would originate from. Table 4.4-18 identifies results from previous research regarding Port of Vancouver employee place of residence, but fails to provide Project employee place of residence. Please address.		The text has been edited.	
221	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	Section 4.4.1.1 – Should the last word in the third paragraph read "study area" rather than "County"? Correct if necessary. (Jan Aarts)		The text has been edited.	
222	463-60-535: Socio-economic impact	Section 4.4.1.2 first sentence should read "…between 2002 and 2011." (Jan Aarts)		The text has been edited.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	ASC Section: 4.4 Reviewer: Lee Elder				
223	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(2) The application shall describe…..(Lee Elder) (a) Median gross rent for the Study Area has not been provided in the ASC. Please provide.		The text has been edited.	
224	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(b) Project impacts on housing have not been discussed in the impact section (section 4.4.2). Project impacts upon housing should be incorporated into section 4.4.2. Discussion of how direct and indirect construction workforce is to be housed; including impacts on area hotels, motels, bed and breakfasts, camping grounds and recreational facilities should be included in this section.		The text has been edited.	
225	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(c) Housing impact section is not provided in the ASC section 4.4.2. This section should be incorporated and should include discussion on whether or not increased direct and indirect construction employment housing needs would or would not affect median housing values, median gross rents, and new housing construction. If required, mitigation plans should be included to address shortfalls in housing need for Project workforce.		The text has been edited.	
226	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(3) The application shall have an analysis of the economic factors…..(Lee Elder) (a) The ASC provides annual average payroll by sector for each county in the Study Area; however, it does not highlight average construction and operational employee hourly pay (wages). Nor does it provide a comparison of this hourly pay for the study area. Additionally, the ASC does not provide an estimate of expendable income that direct construction employees would likely spend in the Study Area. Please provide the missing information.		The text has been edited.	
227	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(b) Oregon income tax should be included for construction and operations Project employees that reside in Oregon.		The new Appendix K includes all state and local taxes associated with the project, as estimated by IMPLAN. Because the study area includes Oregon as well as Washington counties, the Oregon income taxes are part of what IMPLAN calculates but does not break out separately. Therefore, they are not reported separately.	
228	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(c) The ASC adequately provides the required information.		Comment noted.	
229	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(4) The application shall describe the impacts…. Section 4.4.2 - Impact section should include if and how the Project will utilize public services including fire, police, schools, parks/recreational facilities, utilities, maintenance, communications, water/storm water, sewer/solid waste, and other government services. Mitigation should be addressed if found necessary. (Lee Elder)		The Facility will have minimal use of public services. As noted in Section 2.6, Water Supply System, the Facility will purchase water from the City of Vancouver. Law enforcement services at the Port of Vancouver (distinct from security services) will be provided by the City of Vancouver, as will be fire and emergency response. The City will provide sewer service. The Facility will not directly utilize schools or parks, however its employees residing in the vicinity could. The Port of Vancouver will provide utilities such as stormwater conveyance. Electricity will be obtained from Clark Public Utilities.	
230	463-60-535: Socio-economic impact	(5) The application shall compare local government revenues……		An analysis was performed to determine if gaps in Clark County expenditures would arise, and determined that no	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	ASC Section: 4.4 Reviewer: Lee Elder	Section 4.4.2 - The impact section should include a comparison of Clark County public service costs due to the Project and the tax revenue generated by the Project. Any gaps in County expenditures and revenues should be addressed. (Lee Elder)		gaps are expected. The analysis was incorporated into Section 4.4.3.2 of the ASC.	
231	463-60-535: Socio-economic impact ASC Section: 4.4 Reviewer: Lee Elder	(6) …the applicant is encouraged to work with local governments to avoid, minimize, or compensate for the negative impact.		Comment noted.	
232	463-60-536: Air emissions permits and authorizations ASC Section: 5.1 Reviewer: Julie Werner	Section 4.4.2 of the ASC should expand the existing mitigation section to include findings for disproportionate effects upon disadvantaged populations, housing, public cost of service, and other findings resulting from addressing recommendations from the initial completeness determination provided above. (Lee Elder)		No findings of disproportionate effects upon disadvantaged populations, housing, public cost of service were made as a result of the text revisions included in response to the comments to Section 4.4.2.	
233	463-60-537: Wastewater/ storm water discharge permit applications ASC Sections: 5.2 and 5.3 Reviewer: Florin Braileanu Jan Aarts	(1) Section 5.1 constitutes a combined NOC and PSD permit application. PSD applications do not require the use of an application form. The PSD portions do not indicate if the Washington State Department of Ecology has been contacted prior to preparation of the permit application materials. For PSD applications, Ecology recommends the source schedule a pre-application meeting to provide guidance on what specifically needs to be included in the PSD application for the proposed project. Please update this section as appropriate. (Julie Werner) Overall, operational times assumed in the application are not well defined because when the results tables are reviewed, the value of operational time shown in Attachment 2 Emission Calculations does not match mathematically with the results tables. For example, table 5.1-9 Emergency Diesel Fire Water Pump Emission Rates lists the same emission rates for lb/hr as for lb/day with no explanation of how they are the same. Leading paragraph indicates a half hour operation per week. Recommend adding information that 1 hour/week is assumed and substantiating. Table 5.1-5 MVCU Emissions indicates 5.18 lb/hr of NOx emissions. The Attachment 2 corresponding table indicates a 24 hour/day operation; however, 58.29 lb/day is indicative of only a 11.25 hour operation. However, VOC emissions appear to utilize a 24-hour operation per day value (4.21 lb/Hour *24 hours/day = 100.98 lb/day). Please address these discrepancies. (Julie Werner)		(1) Section 5.1 – The Applicant notified EFSEC staff of their availability to meet. The applicant continues to be available for such a meeting, should there still be a need. Although Ecology issues most PSD permits in Washington, EFSEC has jurisdiction over this project. Consequently, it was not appropriate to meet with Ecology in the absence of EFSEC participation. A coordination meeting with EFSEC and EPA is planned. The text above Table 5.1-9 indicates that non-emergency operation of the diesel fire water pumps will be limited to a half-an-hour per week for readiness testing. The hourly and daily emission rates in Table 5.1-9 are both based on one hour of operation over the period of interests. Annual emissions are based on a half hour of operation every week, and one eight-hour annual test. The daily emission rate for VOC should have been 47.3 lb/day instead of 101 lb/day. Instead of being based on the hourly rate times 24 hours per day, the daily rate should have been based on the annual emission rate divided by 365 days. The hourly emission rate is based on a maximum hour crude oil throughput of 32,000 bbl/hr, but the daily and annual emission rates are based on a maximum daily crude oil throughput of 360,000 bbl/day. The Tables in Section 5.1 have been updated to reflect these revisions.	
234	463-60-537: Wastewater/ storm water discharge permit applications ASC Sections: 5.2 and 5.3 Reviewer: Florin Braileanu Jan Aarts	(2) In the ASC section 2.12.1, the applicant lists that a Title V air permit will be applied for and obtained. Section 5.1 which details the permit applications for a combined NOC and PSD permit application does not mention a Title V permit application. The applicants identify themselves as a minor source for all pollutants that are not GHG. Please clarify. (Julie Werner) NOC permit applications require the use of Ecology form 070-410 (Rev. 1/2013) for the application. The ASC does not include a completed ECY 070-410 (Rev. 1/2013) form.		(2) As noted in Section 2.12.1, relative to the Title V permit, "The application must be submitted within 1 year of commencing operation…". The Applicant would submit its Title V permit application in compliance with this requirement. . Specifically for the Title V permit program, the facility is considered a major source of GHG emissions. All other criteria air pollutant are less than the Title V major source thresholds. Table 2.12-1, Projected Annual Emissions (Tons),	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
		(Julie Werner) We recommend Ecology review section 5.1 of the ASC.		compares the estimated annual emissions of criteria pollutants to the "PSD Threshold" and the "PSD Significant Emissions Rates". With the exception of GHG emissions, the annual Facility emission rates are less than each of these thresholds; the Facility is therefore not defined as a Major Source, does not require a PSD permit, and must obtain a NOC permit. The GHG emissions exceed the thresholds and therefore require a PSD permit. Ecology Form 070-410 (Rev. 1/2013) is recommended by Ecology for applicants seeking a permit from Ecology. Ecology's web-site at http://www.ecy.wa.gov/programs/air/permit_register/noc.html#how (accessed November 8, 2013) states: "If another agency is your permitting agency, contact them for details. Other agencies use different application forms." EFSEC is listed as one of these other agencies. The format in which the air emissions information was presented in the ASC is consistent with previous applications submitted to EFSEC, and all information required by EFSEC for review of the Facility in regards to the issuance of air emissions permits was included.	
235	463-60-537: Wastewater/ storm water discharge permit applications ASC Sections: 5.2 and 5.3 Reviewer: Florin Braileanu Jan Aarts	(1) National Pollutant Discharge Elimination System (NPDES) permit - A state waste discharge application has been included in the ASC. (Florin Braileanu)		Comment noted.	
236	463-60-537: Wastewater/ storm water discharge permit applications ASC Sections: 5.2 and 5.3 Reviewer: Florin Braileanu Jan Aarts	(2) State waste discharge application - A state waste discharge application has been included in the ASC. (Florin Braileanu)		Comment noted.	
237	463-62-010: Purpose ASC Section: All Reviewer: Jan Aarts	(3) Statewide general permit for storm water discharge - Section 5.3 includes the NOI for the Construction Stormwater General Permit. Note – The groundwater at Terminal 5 has been shown to be contaminated throughout the site (see ASC page 4-347). In addition, construction activities in areas on the site with restrictive covenants could disturb contaminated soils. This information needs to be reflected in Section VI of the NOI for the Construction Stormwater General Permit. Also Section X should be updates to report that EFSEC issued a SEPA DS on Oct 1, 2013. (Jan Aarts) We recommend Ecology review sections 5.2 and 5.3 of the ASC.		The second page of the NOI has been edited to acknowledge the potential presence of contaminated groundwater at the Facility site. Section 4.1.3 of the Application addresses the presence of contaminated soils at the site and potential impacts resulting therefrom during construction and operation of the Facility. The NOI included in the ASC correctly states the status of the SEPA process on the date the ASC was submitted.	
238	463-62-020: Seismicity. ASC Section: 3.1.3 Reviewer: Kirt Hanson	N/A		Comment noted.	
239	463-62-030: Noise standards. ASC	The ASC adequately addresses these requirements. The applicant states, "The proposed facility would comply		Comment noted.	

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
	Section: 4.1.1 Reviewer: Julie Werner	with the state building code provisions for seismic hazards applicable to the proposed location." (Kirt Hanson)			
240	463-62-040: Fish and Wildlife ASC Section: 3.4 Reviewers: Jennifer Weitkamp Sandy Slayton	The ASC includes the required elements. (WAC 463-62-030 is referenced in section 4.1.1.1 on page 4-324 of the ASC). (Julie Werner)		Comment noted.	
241	463-62-040: Fish and Wildlife ASC Section: 3.4 Reviewers: Jennifer Weitkamp Sandy Slayton	(2) Standards (a – f) - The ASC included/discussed by way of WVFA project (planting large woody debris along the shoreline of Terminal 4, upriver from project site). Not clear if mitigation site is needed for this action as some vegetation for removal is either previously permitted (i.e., cottonwood trees) or not suitable habitat. Would adjacent sites already labeled as mitigation sites for other actions be considered if need be? (Jen Weitkamp)		The project will not result in any permanent adverse impacts to vegetation, habitat, fish, or wildlife resources resulting from construction. The project will not result in any impacts that will require habitat mitigation in the form of habitat creation, enhancement, preservation, etc., and for this reason, a standalone mitigation plan has not been prepared for this project.	
242	463-62-050: Impact and mitigation standards for wetlands. ASC Section: 3.4.4 Reviewer: Sandy Slayton	Section 3.4.4.3 does not contain plans for future fish and wildlife surveys to augment the recent surveys provided in Appendix H.1. Are future fish and wildlife surveys anticipated? (Jen Weitkamp) We recommend WDFW review section 3.4 of the ASC.		We do not anticipate the need for any future fish or wildlife surveys associated with the project. Conditions at the site and within the vicinity have been characterized, and the project does not propose any activities that would require additional surveys or post-project monitoring. We agree with the recommendation that WDFW and Ecology should review the application for consistency with applicable State guidelines.	
243			Section 3.4 – "WDFW supports the minimization efforts proposed by the applicant, specifically seasonal restrictions, vibratory hammer for permanent and temporary piling, and use of a bubble curtain when an impact hammer is used. Additional compensation for the temporary habitat impacts of the impact hammer includes the removal of 56 piles below the high water mark and 220 timber piles." (Justin Allegro, WDFW Energy Policy Lead) Section 3.4 – "WDFW recommends establishing an exclusion zone to monitor for species protected under the Marine Mammal Protection Act." (Justin Allegro, WDFW Energy Policy Lead) Section 3.4 – "WDFW recommends the ASC support post-construction monitoring of fish, wildlife, and habitat resources during all seasons of the year. Upon determination of new breeding, summer, winter, migratory usage, and habitat condition of the site, and reviewing as compared to pre-construction estimated levels of impacts, the applicant will report the results of post-construction monitoring to relevant state and federal agencies to determine potential courses of action." (Justin Allegro, WDFW Energy Policy Lead)		As noted previously, the Applicant has modified the dock modifications and impact driving of piling below the OHWM has been eliminated. However, a marine mammal monitoring plan will be developed and implemented to minimize the effect of elevated underwater noise during in-water and upland pile driving activities on marine mammals that utilize the Columbia River. Post construction monitoring of fish, wildlife and habitat resources at the site is not typical of this type of development, nor is it required. Habitat impacts will be permanent for the life of the facility. The upland area of the facility will be entirely located within "vegetated industrial" habitat. This habitat may allow incidental use for species but is not conducive to long term wildlife use, nor would attracting wildlife to an area zoned industrial be desirable. As noted in the response to the reviewer's comments to Sections 3.4.2, 3.4.3 and 3.4.5 above, the areas landscaped in accordance with City of Vancouver code will be maintained throughout the life of the Facility. These landscaped areas will provide wildlife habitat typical in an urban environment. The site is not used as a migratory corridor. Impacts to aquatic habitats and species have been mitigated in accordance with accepted regulatory practices. To the applicant's knowledge, for the type of

	WAC Section	Initial Completeness Determination	Agency Comment	Response to EFSEC Review	Response to Agency Review
					impacts incurred as a result of normal Facility operations as to be regulated by EFSEC, it is not the practice to require post construction monitoring of aquatic species use or habitat conditions in the areas under or in vicinity of the dock structures below the OHWM.
244	463-62-060: Water quality ASC Sections: 2.9, 2.10, 2.11, 3.3, 5.2, 5.3 Reviewers: Florin Braileanu Eric Harlow Bill Graeber John McCorkle	Discussion in ASC is adequate and complete. (Sandy Slayton)		Comment noted.	
245	463-62-070: Air quality ASC Sections: 2.12, 3.2, 5.1 Reviewer: Julie Werner	Waste water discharges are subject to municipal treatment. Application for publicly owned treatment works was included. (Florin Braileanu) Hydrostatic testing water is proposed to be discharged as stormwater, pending testing. It may quality as wastewater and need to be discharged to the municipal sewer system. (Eric Harlow) We recommend Ecology review the ASC for compliance with WAC 463-62-060.		Comment noted. See the response to comment on Section 2.11.1 regarding the discharge of hydrostatic test water.	
246	463-62-070: Air quality ASC Sections: 2.12, 3.2, 5.1 Reviewer: Julie Werner	See comments above for WAC 463-60-225, WAC 463-60-230, and WAC 463-60-232. (Julie Werner) We recommend Ecology review the ASC for compliance with WAC 463-62-060.		Comment noted. The comments have been responded to.	