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**ENERGY FACILITY SITE EVALUATION COUNCIL
STATE OF WASHINGTON**

In the Matter of:

NO. 15-001

Application No. 2013-01

**PRELIMINARY LIST OF
PROPOSED ISSUES, WITNESSES
AND EXHIBITS OF THE COUNSEL
FOR THE ENVIRONMENT**

TESORO SAVAGE, LLC

VANCOUVER ENERGY
DISTRIBUTION TERMINAL

I. INTRODUCTION

Pursuant to the Energy Facility Site Evaluation Council (EFSEC) pre-hearing order letter of March 30, 2009, the Counsel for the Environment submits the following preliminary list of issues, witnesses and exhibits. The Counsel for the Environment has an independent, statutorily created role to represent the public's broad interest in protecting the quality of the environment. *See* RCW 80.50.080. Because the public comment period on the Draft Environmental Impact Statement for this project is still in progress, the Counsel for the Environment may provide only initial information at this time.

II. PRELIMINARY ISSUES

1. Does the proposed project protect the public's interest in protecting the quality of the environment, particularly with respect the following areas:

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- 1 a. Greenhouse gas emissions associated with all aspects of the project,
2 including, but not limited to, project construction and crude oil
3 transportation;
4
5 b. Air quality effects on the area surrounding the project location related to the
6 construction and operation of the terminal;
7
8 c. Impacts on water quality and aquatic life from diesel emissions and
9 potential oil spills and/or train derailments at the project location and along
10 the rail route;
11
12 d. The potential effects of increased wildlife collisions and potential impacts to
13 wildlife movement/migration as a result of additional rail traffic along the
14 train route;
15
16 e. Risks from geological hazards, including but not limited to, earthquake and
17 landslide risks, associated with the proposed project, and the transportation
18 of crude oil to and from the proposed facility;
19
20 f. Oil spill response including, but not limited to, public resources necessary to
21 effectively clean an oil spill in the Columbia River;
22
23 g. Public safety including but not limited to, train safety at the project location
24 and along the rail route and crude oil explosion risks; and
25
26 h. Any other issues that may negatively impact the public's interest in the
quality of the environment.

III. PRELIMINARY WITNESSES

In order to avoid duplication of expert testimony, CFE reserves the right to call as a primary witness any persons designated or identified by another party as a possible witness and incorporates by reference any witnesses so designated or identified in any witness disclosures of other parties. In addition, CFE reserves the right to supplement this disclosure.

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IV. PRELIMINARY EXHIBITS

1. Tesoro Savage Vancouver Energy Distribution Terminal Facility Draft Environmental Impact Statement, and associated Appendixes as found at <http://www.efsec.wa.gov/Tesoro%20Savage/SEPA%20-%20DEIS/DEIS%20PAGE.shtml>.
2. Tesoro Savage Vancouver Energy Distribution Terminal Application for Site Certification Agreement No. 2013-01 as found at <http://www.efsec.wa.gov/Tesoro%20Savage/Application/Tesoro%20Savage%20Application%20Page.shtml>.
3. CFE reserves the right to submit any written public comment and/or transcripts of oral public comment submitted to EFSEC as a result of the Tesoro Savage Vancouver Energy Distribution Terminal Application for Site Certification Agreement and the Draft Environmental Impact Statement as published on the EFSEC website.

The information submitted in this Statement is preliminary only. CFE further reserves the right to supplement this preliminary list of witnesses, issues and exhibits with any other witness, exhibit, or issue identified by any other party or in future discovery that may provide information pertinent to the siting of the proposed facility and the protection of the public's interest in the quality of the environment.

DATED this 8th day of January, 2016.

ROBERT W. FERGUSON
Attorney General



MATTHEW KERNUTT, WSBA# 35702
Assistant Attorney General
Counsel for the Environment

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**BEFORE THE STATE OF WASHINGTON
ENERGY FACILITY SITE EVALUATION COUNCIL**

In the Matter of:
Application No. 2013-01

TESORO SAVAGE, LLC

VANCOUVER ENERGY
DISTRIBUTION TERMINAL

NO. 15-001

CERTIFICATE OF SERVICE

I, Jeanne Roth, certify that I served a copy of the **Preliminary List of Proposed Issues, Witnesses and Exhibits of the Counsel for the Environment** on all parties on the date below as follows:

Service To:

Service Perfected By:

Kelly J. Flint
Tesoro Savage Petroleum Terminal, LLC
901 W. Legacy Center Way
Midvale, UT 84047

By United States Mail
 By Legal Messenger Service
 By Facsimile
 Email: kelly@savageservices.com

Jay Derr, Counsel
Van Ness Feldman, LLP
719 Second Ave Ste 1150
Seattle, WA 98104-1728

By United States Mail
 By Legal Messenger Service
 By Facsimile
 By Email: jpd@vnf.com

Brian Bonlender, Director
Department of Commerce
1011 Plum Street SE
Olympia, WA 98504-2525

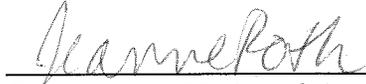
By United States Mail
 By Legal Messenger Service
 By Hand Delivery
 By Email:
Brian.Bonlender@commerce.wa.gov

1	Maia D. Bellon, Director Department of Ecology PO Box 47600 Olympia, WA 98504-7600	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] Email: maib461@ECY.WA.GOV
2	3	
4	Jim Unsworth, Director Department of Fish and Wildlife 600 Capitol Way North Olympia, WA 98501-1091	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: Jim.Unsworth@dfw.wa.gov
5	6	
6	Dave Danner Utilities and Transportation Commission 1300 S. Evergreen Park Drive SW PO Box 47250 Olympia, WA 98504-7250	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: ddanner@utc.wa.gov
7	8	
8	9	
9	Department of Natural Resources c/o Terence A. Pruitt, Assistant Attorney General Natural Resources Division PO Box 40100 Olympia, WA 98504-0100	[X] By United States Mail [] By Legal Messenger Service [] By Hand Delivery [] By Facsimile [X] By Campus Mail
10	11	
11	12	
12	Lynn Peterson Department of Transportation 310 Maple Park Avenue SE PO Box 47300 Olympia, WA 98504-7300	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: lynnp@wsdot.wa.gov
13	14	
14	15	
15	Taylor Hallvik, Deputy Prosecuting Attorney Clark County Board of Commissioners PO Box 5000 Vancouver, WA 98666-5000	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: taylor.hallvik@clark.wa.gov
16	17	
17	18	
18	David F. Bartz, Jr. Schwabe, Williamson & Wyatt, P.C. 1211 SW Fifth Avenue, Suite 1900 Portland, OR 97204	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: dbartz@schwabe.com
19	20	
20	21	
21	Terence A. Pruitt, Assistant Attorney General Natural Resources Division PO Box 40100 Olympia, WA 98504	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: TerryP@ATG.WA.GOV
22	23	
23	Energy Facility Site Evaluation Council 1300 S Evergreen Park Dr SW PO Box 43172 Olympia, WA 98504-3172	[X] By United States Mail [] By Legal Messenger Service [] By Facsimile [X] By Email: EFSEC@utc.wa.gov
24	25	
25	26	

1	Kristen L. Boyles Earthjustice 705 Second Avenue, Suite 203 Seattle, WA 98104	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: kboyles@earthjustice.org
3	Linda R. Larson Marten Law, PLLC 1191 Second Ave, Suite 220 Seattle, WA 98101	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: llarson@martenlaw.com
6	Julie A. Carter Columbia River Inter-Tribal Fish Commission 700 NE Multnomah St, Suite 1200 Portland, OR 97213	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: carj@critfc.org
8	Cager Clabaugh International Longshore Warehouse Union Local 4 1205 Ingalls Road Vancouver, WA 98660	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: cagerclabaugh@aol.com
11	Michael J. Piccolo, Assistant City Attorney City of Spokane W. 808 Spokane Falls Blvd Spokane, WA 99201	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: mpiccolo@spokanecity.org
13	Brent H. Hall Confederated Tribes of the Umatilla Indian Res. 46411 Timine Way Pendleton, OR 97801	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: brenthall@ctuir.org
16	Joe Sexton Galanda Broadman PLLC PO Box 15146 Seattle, WA 98115	<input type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: joe@galandabroadman.com
18	Donald English, City Attorney City of Washougal 12204 SE Mill Plain, Suite 500 Vancouver, WA 98684	<input checked="" type="checkbox"/> By United States Mail <input type="checkbox"/> By Legal Messenger Service <input type="checkbox"/> By Facsimile <input checked="" type="checkbox"/> By Email: English@elmbsv.com

22 I certify under penalty of perjury under the laws of the state of Washington that the
 23 foregoing is true and correct.

24 DATED this 8th day of January, 2016.



 JEANNE ROTH, Legal Assistant