



Docket EF-131590

Tesoro Savage CBR
Agency Scoping Comment
#016

COLUMBIA RIVER INTER-TRIBAL FISH COMMISSION

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VIA Email and U.S. Post

December 18, 2013

Stephen Posner
EFSEC Interim Manager
Energy Facility Site Evaluation Council
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ENERGY FACILITY SITE
EVALUATION COUNCIL

RE: Tesoro – Savage Vancouver Energy Distribution Terminal; Application No. 2013-01;
Docket #EF – 131590

Dear Mr. Posner:

The Columbia River Inter-Tribal Fish Commission (CRITFC) appreciates this opportunity to provide some brief comments on the scope of the state environmental impact statement (EIS) for the Tesoro-Savage Terminal oil export project (Tesoro – Savage Project). This project raises some significant questions and concerns that must be carefully evaluated, particularly in light of the numerous other fossil fuel projects being considered in the region.

In 2003, CRITFC and its member tribes drafted the Energy Vision of the Columbia River to help guide the tribes in their comprehensive management decisions. The primary tenet of this vision is to take energy policy decision-making and energy development in the Columbia River Basin off the backs of salmon and other aquatic resources. Over the past decade, a variety of energy projects – particularly for energy import/export – have been proposed for the Columbia River Basin; each of these projects would pose significant threats to the river, its fish, and the tribes. The Tesoro – Savage Project, which arose unexpectedly this summer, also has the potential for significant adverse effects. CRITFC is very concerned about this risk to fish, the river, and tribal treaty rights.

CRITFC and its member tribes recently filed comments on the Millennium Bulk coal export terminal proposal planned for Longview, Washington. The Tesoro – Savage Project will pose many of the same issues as the Longview proposal with a few exceptions. For the Tesoro – Savage Project, the transport and handling of crude oil near fragile riparian habitat and a flowing river that supports significant aquatic life is a risk that may be too high for the perceived benefits of approving the project.

Transportation

Unquestionably the highest risk and greatest danger posed by the Tesoro – Savage Project is the transport of crude oil through the Columbia River Gorge. The rail lines that could serve several oil and coal export projects run directly next to the Columbia River and will directly and disproportionately affect tribal people along the river.

Trains that transport oil have had significant safety problems, some catastrophic, that have not been remedied. A train derailment and oil spill in the Columbia River Gorge would be the ultimate disaster to the region, the river, and tribal people. An analysis of the effects from the Exxon-Valdez oil spill in Alaska on aquatic life would be an appropriate comparison for the effects of an oil spill in the Columbia River.

Currently, rail traffic on both sides of the Columbia River is at high volume. During fishing season, tribal fishers are faced with extremely dangerous conditions as they cross rail tracks, usually without the benefit of an overpass or lighted crossing signal, in order to reach their usual and accustomed fishing sites along the river bank. This proposal will increase this traffic by an order of magnitude and will further exacerbate this situation. Burlington Northern Santa Fe (BNSF), which owns the rail lines, has planned to pay for crossing improvements to decrease the danger.

Tribal fishers are very concerned about the potential for expansion of the railway adjacent to the river. In fact, Union Pacific on the Oregon side of the river is proposing an expansion of its railway, and BNSF has claimed publically that it expects to expand capacity. At many points along the Columbia River Gorge, there is no land available between the mountains, highway, train tracks, and the river to allow for railway expansion. Where there is physical space that might allow for expansion, known issues associated with railway expansion would include:

- Construction and operating impacts on access to and use of Treaty Fishing Access Sites developed pursuant to P.L. 100-581. Seventeen of these sites are located on the Washington side of the Columbia River between Bonneville and McNary dams. Fifteen are accessed by grade-level crossings.
- Construction and operating impacts on access to and use of In-lieu Fishing sites developed pursuant to P.L. 79-14.
- Impacts to Columbia River ecosystem functions associated with construction impacts, fill, and railroad operations associated with an expanded footprint.
- Impacts to tribal cultural resources along the Columbia River, including impacts to tribal cultural properties, associated with land disturbing activities, restrictions on access, and other changes to properties affecting the Columbia River shoreline.
- Impacts to the scenic values of the Columbia River Gorge, the centerpiece of the Columbia River Gorge National Scenic Area.

In summary, EFSEC should analyze the role transportation plays in this project and the risks and dangers posed by that transport as well as consider the multiplying effects of other similar (oil and coal) projects operating within the same region using the same transportation resources. These risks include (but are not limited to):

- An increase of large Panamax ships in the estuary that could damage fragile habitat and strand aquatic species;
- A substantial increase in current train traffic, impeding economic activity along the river, and increasing train-strike danger to tribal members accessing their treaty-supported fishing sites;
- More trains increase other risks such as derailments and crashes, which, if occurred, could devastate tribal fisheries and create serious dangers to tribal fishers along the river;
- Expansion of rail in the Gorge and along the river that could include filling the river, impeding or displacing access to treaty fishing;

General Site Concerns

- Dock expansion: Any additional development needs to be comprehensively evaluated as to its effects on wetlands and aquatic habitat. Other issues related to dock expansion include providing in-water refugia for aquatic predators and resting spots for birds that feed on out-migrating salmonid smolts. Construction of the docks diminish rearing habitat and create water quality concerns.
- Storage and handling of crude oil on site.
- Polluted Stormwater Runoff: This issue must be examined and any opportunities to devise means to avoid these sources of pollution should be examined.
- Dredging for Construction and Operations and Maintenance: Most projects that support large ships require extensive dredging of the riverbed throughout the life of the project. Dredging will contribute long-term impacts to river flow and degrade benthic health. Repeated actions such as this will result in cumulative effects.
- Dredge Spoils: All dredge spoils should be carefully analyzed for potential contaminants before being placed back in the riverine system. If contaminants are found, they should be properly disposed. General concerns with dredge spoil placement should also be analyzed, including the creation or expansion of avian predator habitat.
- Increase in Large-sized Ship Traffic: All of the proposed projects (coal and oil export) will rely on substantial numbers of very large ships. If one project is approved, the impact to the Columbia River estuary will be felt. Studies have shown that large ships cause huge disturbances in the system, including causing wake stranding of out-migrating smolts, bank erosion, and disturbance of nearshore habitats. Adding this project to the river will increase ship traffic dramatically and will have significant negative effects on ESA-listed salmonids.

Cumulatively these activities will affect the estuarine ecosystem. As more is learned about the high value of estuarine habitat, a greater understanding is being gained of the hydrodynamic impacts of various developments within the estuary. At a minimum, the analysis needs to determine a baseline bathymetry value and conduct a hydrodynamic modeling study of the effects of all these activities on the estuary, including effects on water flow, velocity, and sediment transport. The study should include various water quality parameters, including temperature.

An analysis of the Tesoro-Savage Project must include a comprehensive evaluation of all the direct, indirect, and cumulative effects of this project. Likewise, the analysis should be comprehensive enough to incorporate ancillary and synergistic effects from similar projects, such as the coal export projects proposed for the Ports of Morrow and Longview, and the oil export project being considered at Port Westward. If any or all of these projects are developed, there will be profound impacts to the region, to the Columbia River Gorge, and the tribal people who depend on or live near the river.

We appreciate this opportunity to provide scoping comments for this process. If you have any questions, please contact CRITFC Policy Analyst, Julie Carter, at (503) 238-0667.

Sincerely,

A handwritten signature in blue ink that reads "Babtist Paul Lumley". The signature is written in a cursive style with a large initial "B" and a long horizontal stroke at the end.

Babtist Paul Lumley
Executive Director

References attached

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