
From: Scott Schroder <terra.enigmae@gmail.com>
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To: EFSEC (UTC)
Subject: Tesoro Savage Vancouver Energy Distribution Terminal

Categories: Comment, Blue Category

Scott Schroder

2105 NE Junior St.

Portland, OR 97211

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Stephen Posner, EFSEC Interim Manager,

Energy Facility Site Evaluation Council

1300 S. Evergreen Park Dr. S.W. Olympia, WA 98504

Re: Tesoro Savage Vancouver Energy Distribution Terminal

I am pleased, in a sense, to see that the EFSEC has opted in their scoping notification to include effects on global climate as a likely subject of analysis in the Tesoro Savage EIS; however, I would like to suggest that the effects are already so eminently clear as to preclude any real need for analysis. Certainly, there must be some threshold of absurdity or abhorrence beyond which a project is simply considered not to warrant analysis under the State Environmental Policy Act. Three well-established facts converge to make this energy distribution terminal such a project:

1. Atmospheric concentrations of greenhouse gases have reached levels such that an irreversible regime change in global climate is imminent if GHG emissions do not rapidly decline. The effects of this change are difficult to overstate—assessments of likely impacts from entities such as the Intergovernmental Panel on Climate Change read much like the Book of Revelations rewritten with confidence intervals and standard deviations—and include a mass extinction event to rival any of the previous five in Earth's history, the exacerbation of inequalities between rich and poor, resource wars, chronic food insecurity, and the collapse of complex civilization.
2. The sole purpose of storing and transporting fossil fuels, as in the case of the proposed Tesoro Savage terminal, is to eventually burn them.
3. Burning said fossil fuels will increase atmospheric concentrations of greenhouse gases.

There are many other reasons, such as the inevitability of accidents (as evinced by the alarming increase in oil train explosions and fires in recent times as oil-by-rail transport becomes increasingly common in the United

States), that this project is a horrible idea. But the effects on global climate of burning the 360,000 barrels of oil per day that the facility would process are so manifestly clear and so terrible as to decisively render the project unworthy of serious consideration by EFSEC.

SEPA implementing regulations at WAC 197-11-060(4)(b) state that: "In assessing the significance of an impact, a lead agency shall not limit its consideration of a proposal's impacts only to those aspects within its jurisdiction, including local or state boundaries . . ."

Ergo, the impact of burning 360,000 barrels of oil per day, in concert with the world's existing greenhouse gas emissions, is well within the scope of the EIS. The combustion of these fossil fuels will result, assuming the Bakken Shale oil the terminal is intended to distribute has the average crude oil emissions coefficient of .43 metric tons of CO₂ per barrel (EPA, <http://www.epa.gov/cleanenergy/energy-resources/refs.html>), in the emission of 154,800 metric tons of CO₂ per day.

EFSEC cannot plausibly claim that these emissions are inevitable, i.e. that if the agency does not approve this particular facility in Vancouver the oil will simply be transported and ultimately burned by some other means. As fossil fuel extraction in North America has rapidly increased with the advent of ever more extreme, previously unheard of methods, such as hydraulic fracturing with horizontal wells, infrastructure for the distribution of fossil fuels has become the critical, limiting factor in their exploitation. Attempts at a global agreement on climate change have failed spectacularly and repeatedly, thanks in large part to the consistent recalcitrance of the United States; legislation to address the issue at the national level is a non-prospect in the current political climate; and federal action to date has been tentative, piecemeal, and thoroughly inadequate. As a result, those wishing to preserve conditions on earth accommodating of life as we know it have increasingly turned to more local efforts, and in particular to resistance to new fossil fuel extraction and distribution projects.

I am writing this on Sunday, November 10th. To present a cursory list, which I have every confidence is incomplete, in the past week anti-fossil fuel extraction and infrastructure actions have included:

1. The smashing of Royal Bank of Canada ATMs by saboteurs for its role in funding the extraction of bitumen from Alberta.
2. The smashing of a Chevron station's gas pumps by the same saboteurs for its role in the Pacific Trail Pipeline.
3. The announcement by members of the Elsipogtog First Nation that they would resume their blockade of hydraulic fracturing for natural gas in New Brunswick, following the violent eviction of their initial blockade by the RCMP a few weeks previous.
4. A flotilla deployed from New Zealand to protest offshore oil drilling.
5. An anti-pipeline protest at the Kentucky state capitol organized by nuns.
6. A camp convened in Nebraska by the Ponca tribe in resistance to the Keystone XL pipeline.
7. A banner hung from an overpass of I-180 in Pennsylvania protesting shale gas extraction.
8. A pledge of resistance by Earth First! to hydraulic fracturing in the lower Eel River in northern California.
9. A conference on fighting coal extraction in West Virginia.
10. A mock fracking rig set up on British Columbia Premier Christy Clark's front lawn in protest of hydraulic fracturing.
11. The partial shutdown of the Port of Vancouver in protest of the very Tesoro Savage project on which I am presently offering comments.

From the list above, it should be clear that fossil fuel extraction and infrastructure is currently the subject of a massive worldwide opposition movement; or, to phrase it in slightly different terms, if the EFSEC rejects this proposal and Tesoro Savage seeks to replicate it in some other place, it is a certainty that they will face fierce opposition there, as well.

The logic that fossil fuels will inevitably be burned somewhere—i.e. a refusal to prevent an infrastructure project in Washington because some other, less responsible jurisdiction will simply accommodate the proposal, resulting in no reduction in emissions and economic losses for Washington—is precisely the logic which has allowed collective inaction by the governments of the world as climate change has progressed to the brink of irreversible catastrophe. As Michael Liebreich states in his 2007 paper “How to Save the Planet: Be Nice, Retaliatory, Forgiving and Clear” (<http://about.bnef.com/white-papers/how-to-save-the-planet-be-nice-retaliatory-forgiving-and-clear/>):

The US, with its expanding population, relatively consistent economic growth and extensive domestic coal reserves, sees a cap on carbon emissions as a threat to its competitiveness, and hence to its global hegemony. The developing world – led by China and India – denounces any calls for a cap on emissions as an effort by former colonial powers to hold back development. At a recent debate organized by the UN General Assembly, delegate after delegate stood up to insist that the developed world caused the problem, and the developed world must solve the problem– this despite the fact that China will this year become the world’s largest emitter of greenhouse gases.

If Washington defers its responsibility to address climate change to some other entity, such as the federal government, it can be assured this responsibility will be deferred in turn. No doubt, the level of GHGs in the atmosphere is an issue that transcends the state of Washington's regulatory capacities: it would be far preferable if there existed a national and international framework for addressing climate change in which the state could function with some assurances that, as it met its obligations to reduce emissions, other entities around the country and around the world would be doing the same. Alas, no such framework exists, nor does it seem particularly likely to exist. One does not have the privilege of choosing the times into which one is born: onerous as the burden may be, the state of Washington cannot avoid the fact that the federal government has abrogated its responsibility with respect to climate change, leaving Washington with the complicated and inconvenient task of taking as great a role as possible in averting global catastrophe.

The essential message of Liebreich's paper, which utilizes the tenets of game theory, is that smaller-scale, unilateral action likely represents a more plausible path toward global GHG reductions than a broad international agreement. In other words, while rejecting proposals such as the Tesoro Savage distribution facility can be considered a minimal responsibility, such decisive action on the part of individual states and other jurisdictions can have broad-reaching global effects. Because international attempts to address climate change have largely failed owing to collective mistrust on the part of negotiating parties, the remedy is, quite simply, for decisive action to be taken unilaterally, at whatever regional scale is possible—action such as the rejection of a fossil fuel distribution terminal by the state of Washington. Bold, good faith efforts on the part of states, counties, and cities to curb GHG emissions have the capacity to send a signal to their counterparts around the country and around the world that action on climate will be reciprocated—in short, to create an atmosphere of trust of proactivity.

Finally, WAC-11-444(2) makes clear that analysis under SEPA should take into account effects on elements of the built environment, or human environment, including noise (a)(i), transportation (c), and public services and utilities (d) such as firefighters (i) and police (ii). As a resident of northeast Portland, the site of the proposed facility is a shorter commute by bicycle than my daily commute to work. In the context of the global movement against fossil fuels, approval of a massive infrastructure project such as this one in the immediate vicinity of a city known for its vigorous environmental and social justice movements will inevitably engender large-scale protests and civil disobedience. Considering the scale of protests in places such as Oklahoma and Texas against the Keystone XL pipeline, it can be assumed that opposition to any attempted construction of the facility would constitute a significant civil disturbance, potentially disrupting business and straining local governmental resources. Should EFSEC make the—in my opinion dubious—decision to proceed with analysis of the project under SEPA, these impacts should be included.

With Love for All Life on Earth and a Promise of Resistance,

Scott Schroder