From: Sierra Club <information@sierraclub.org> on behalf of Marcia Guderian <marcia@entendremusic.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

If approved, the plan would result in 380,000 barrels of oil each day being shipped through Spokane, the Columbia River Gorge National Scenic Area, Vancouver and other Northwest communities. Oil-by-rail is a bad deal for Washington State. The project comes at a steep price for rail communities and the Columbia River, yet offers few jobs in return.
Based on the far reaching impacts of this project, I urge you to recommend the rejection of Tesoro-Savage's proposal.

The public safety and environmental impacts of this proposal deserve close scrutiny. For example, EFSEC must assess:

1) The potential safety and environmental impacts of a large train-related oil spill or explosion along the rail route in Washington and beyond. Recent derailment disasters in Lac-Mégantic, Quebec and Alabama have shown that these risks are far too real. The tragedy in Quebec, in particular, highlighted the extreme danger of the same type of oil and tankers that would be traveling through our communities.
Forty-seven people died in that explosion, which also devastated the town.

2) The increased risk of an oil tanker spill on Washington State waters and along the shipping route.

3) The transportation and public health impacts of additional unit train traffic through communities along the proposed oil-by-rail route.
This includes evaluating emergency response capabilities in Vancouver, where oil trains would deliver and store oil, and other communities along the rail and shipping route.

4) The project's impact on climate change. This analysis should include climate change impacts from crude oil as well as tar sands oil from cradle to grave.

5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Marcia Guderian
PO Box 1569
Bellingham, WA 98227-1569

From: Sierra Club <information@sierraclub.org> on behalf of Corey Holly <coreyholly@gmail.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Corey Holly
313 N 143rd St
Seattle, WA 98133-6830
(206) 729-4949

From: Sierra Club <information@sierraclub.org> on behalf of Ruth Weedman <ruthleew@gmail.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. Ruth Weedman
103 Janice Ave
Longview, WA 98632-9409

From: Sierra Club <information@sierraclub.org> on behalf of Joe Brazie <jbrazie@jps.net>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Joe Brazie
PO Box 669
Cottage Grove, OR 97424-0029
(541) 942-5068

From: Sierra Club <information@sierraclub.org> on behalf of George Scott <geoinmarshall@yahoo.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

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P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. George Scott
717 SW Kenyon St
Seattle, WA 98106-4008

Docket EF-131590

Tesoro Savage CBR
Scoping Comment
#2356

From: Sierra Club <information@sierraclub.org> on behalf of Mike Thor <mathor@jeffnet.org>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Mike Thor
107 Suncrest Rd
Talent, OR 97540-8686

From: Sierra Club <information@sierraclub.org> on behalf of Steven Dodson <steven@epochdesign.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Steven Dodson
810 NW Wallula Ave
Gresham, OR 97030-5456
(503) 667-4100

From: Sierra Club <information@sierraclub.org> on behalf of Darlene Townsend <dr.dtownsend@gmail.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Dr. Darlene Townsend
2803 E 11th Ave
Spokane, WA 99202-4306
(000) 000-0000

From: Sierra Club <information@sierraclub.org> on behalf of Sheila Spencer <sheraspencer@earthlink.net>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

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P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Sheila Spencer
2212 SW 4th St
Gresham, OR 97080-6416
(503) 555-1212

From: Sierra Club <information@sierraclub.org> on behalf of Alden And Carol Quimby <cquimby4@q.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. Alden And Carol Quimby
4101 Samish Way
Bellingham, WA 98229-3495
(360) 671-9228

From: Sierra Club <information@sierraclub.org> on behalf of Edward Van Aelstyn <vaelstyn@gmail.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

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P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Dr. Edward Van Aelstyn
15 NW Brook St
Newport, OR 97365-3740
(541) 574-0090

From: Sierra Club <information@sierraclub.org> on behalf of Marcie Usselman <marcie1.uss@gmail.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

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P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Marcie Usselman
1734 SE 56th Ave
Portland, OR 97215-3356

From: Sierra Club <information@sierraclub.org> on behalf of Dale Walhood <dalewalhood@comcast.net>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Dale Walhood
1554 N Wygant St
Portland, OR 97217-3643
(503) 284-3184

From: Sierra Club <information@sierraclub.org> on behalf of Lena Glaskova <boydlena@earthlink.net>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

If approved, the plan would result in 380,000 barrels of oil each day being shipped through Spokane, the Columbia River Gorge National Scenic Area, Vancouver and other Northwest communities. Oil-by-rail is a bad deal for Washington State. The project comes at a steep price for rail communities and the Columbia River, yet offers few jobs in return.
Based on the far reaching impacts of this project, I urge you to recommend the rejection of Tesoro-Savage's proposal.

The public safety and environmental impacts of this proposal deserve close scrutiny. For example, EFSEC must assess:

1) The potential safety and environmental impacts of a large train-related oil spill or explosion along the rail route in Washington and beyond. Recent derailment disasters in Lac-Mégantic, Quebec and Alabama have shown that these risks are far too real. The tragedy in Quebec, in particular, highlighted the extreme danger of the same type of oil and tankers that would be traveling through our communities.
Forty-seven people died in that explosion, which also devastated the town.

2) The increased risk of an oil tanker spill on Washington State waters and along the shipping route.

3) The transportation and public health impacts of additional unit train traffic through communities along the proposed oil-by-rail route.
This includes evaluating emergency response capabilities in Vancouver, where oil trains would deliver and store oil, and other communities along the rail and shipping route.

4) The project's impact on climate change. This analysis should include climate change impacts from crude oil as well as tar sands oil from cradle to grave.

5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. Lena Glaskova
16532 21st Ave NE
Shoreline, WA 98155-6105
(206) 420-1995

From: Sierra Club <information@sierraclub.org> on behalf of Milton Schulman <miltonschulman@yahoo.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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The public safety and environmental impacts of this proposal deserve close scrutiny. For example, EFSEC must assess:

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Milton Schulman
4601 Phinney Ave N Apt 206
Seattle, WA 98103-6386

From: Sierra Club <information@sierraclub.org> on behalf of Megan DeSantis <megan.desantis@gmail.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. Megan DeSantis
19145 NE 151st St
Woodinville, WA 98072-9346

From: Sierra Club <information@sierraclub.org> on behalf of Jack West <jpwest@teleport.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Jack West
3914 SE Licyntra Ln
Milwaukie, OR 97222-8835
(503) 659-7922

From: Sierra Club <information@sierraclub.org> on behalf of Baker Smith <bakerjsmith@comcast.net>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Baker Smith
11416 10th Ave S
Seattle, WA 98168-2114
(206) 242-1940

From: Sierra Club <information@sierraclub.org> on behalf of Debra Morgenstern <dawnflower58@aol.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Debra Morgenstern
1845 Leslie Rd
Richland, WA 99352-7679

From: Sierra Club <information@sierraclub.org> on behalf of Carol Baldwin <cbaldwin@pacaccess.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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The public safety and environmental impacts of this proposal deserve close scrutiny. For example, EFSEC must assess:

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Carol Baldwin
2554 155th Ave SE
Bellevue, WA 98007-6519
(425) 649-1881

From: Sierra Club <information@sierraclub.org> on behalf of Margot Haggard <haggard-mk@clear.net>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Margot Haggard
1401 5th Ave W Apt 203
Seattle, WA 98119-3265
(206) 325-5036

From: Sierra Club <information@sierraclub.org> on behalf of Greta Rizzuti <gretarizzuti@gmail.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. Greta Rizzuti
613 W Greta Ave
Spokane, WA 99208-6121

From: Sierra Club <information@sierraclub.org> on behalf of Craig Randleman <vwcrutch@hotmail.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Craig Randleman
1808 E Courtland Ave
Spokane, WA 99207-4621
(480) 290-3593

From: Sierra Club <information@sierraclub.org> on behalf of Tina Mansfield <journey8918@yahoo.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Miss Tina Mansfield
2730 10th Ct SE
Olympia, WA 98501-2701

From: Sierra Club <information@sierraclub.org> on behalf of Lynda Chick <pranawave@aol.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Lynda Chick
10750 Neptune Way
Nehalem, OR 97131-9782

From: Sierra Club <information@sierraclub.org> on behalf of Brent Jensen <brentj30@gmail.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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Forty-seven people died in that explosion, which also devastated the town.

2) The increased risk of an oil tanker spill on Washington State waters and along the shipping route.

3) The transportation and public health impacts of additional unit train traffic through communities along the proposed oil-by-rail route.
This includes evaluating emergency response capabilities in Vancouver, where oil trains would deliver and store oil, and other communities along the rail and shipping route.

4) The project's impact on climate change. This analysis should include climate change impacts from crude oil as well as tar sands oil from cradle to grave.

5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Brent Jensen
4197 SE Hemlock St
Hillsboro, OR 97123-7572
(503) 645-6883

From: Sierra Club <information@sierraclub.org> on behalf of Keela Marshall <healing@mkwellness.net>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

If approved, the plan would result in 380,000 barrels of oil each day being shipped through Spokane, the Columbia River Gorge National Scenic Area, Vancouver and other Northwest communities. Oil-by-rail is a bad deal for Washington State. The project comes at a steep price for rail communities and the Columbia River, yet offers few jobs in return.
Based on the far reaching impacts of this project, I urge you to recommend the rejection of Tesoro-Savage's proposal.

The public safety and environmental impacts of this proposal deserve close scrutiny. For example, EFSEC must assess:

1) The potential safety and environmental impacts of a large train-related oil spill or explosion along the rail route in Washington and beyond. Recent derailment disasters in Lac-Mégantic, Quebec and Alabama have shown that these risks are far too real. The tragedy in Quebec, in particular, highlighted the extreme danger of the same type of oil and tankers that would be traveling through our communities.
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3) The transportation and public health impacts of additional unit train traffic through communities along the proposed oil-by-rail route.
This includes evaluating emergency response capabilities in Vancouver, where oil trains would deliver and store oil, and other communities along the rail and shipping route.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Keela Marshall
6525 California Ave SW Apt 207
Seattle, WA 98136-1875
(206) 545-7387

From: Sierra Club <information@sierraclub.org> on behalf of Carole Yano <caroleyano7@yahoo.com>
Sent: Wednesday, November 13, 2013 4:48 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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The public safety and environmental impacts of this proposal deserve close scrutiny. For example, EFSEC must assess:

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Carole Yano
17739 N Beachside Dr SE
Yelm, WA 98597-9375
(360) 894-6397

From: Sierra Club <information@sierraclub.org> on behalf of Tracy Fleming <tlfleming@aol.com>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Tracy Fleming
2516 NE 148th St
Vancouver, WA 98686-2123
(360) 609-3412

From: Sierra Club <information@sierraclub.org> on behalf of Douglas Morton <dugmorton@charter.net>
Sent: Wednesday, November 13, 2013 4:49 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Douglas Morton
204 Newell St
Walla Walla, WA 99362-3110

From: Sierra Club <information@sierraclub.org> on behalf of Betty Girsch <bettyg@easystreet.net>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. Betty Girsch
8228 SW 33rd Ave
Portland, OR 97219-3715

From: Sierra Club <information@sierraclub.org> on behalf of Sherril Gerell <sherril@dshwebart.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Sherril Gerell
15705 SE 157th St
Renton, WA 98058-6345
(425) 227-7054

From: Sierra Club <information@sierraclub.org> on behalf of Matthew Ward <mabewa@yahoo.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Matthew Ward
75 Bluff Rd
Lopez Island, WA 98261-8242

From: Sierra Club <information@sierraclub.org> on behalf of Jerome Onufer <jerryonufer@gmail.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Jerome Onufer
16129 Tiger Mountain Rd SE
Issaquah, WA 98027-8341

From: Sierra Club <information@sierraclub.org> on behalf of David Drabkin <windspired@gorge.net>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mrs. David Drabkin
3480 Guignard Dr
Hood River, OR 97031-8602
(541) 716-5562

From: Sierra Club <information@sierraclub.org> on behalf of Bill Siebler <bisiebler@yahoo.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Bill Siebler
7215 NW Somerset Dr
Corvallis, OR 97330-9520
(541) 745-7184

From: Sierra Club <information@sierraclub.org> on behalf of Gary & Esther Sorensen <garrysorensen@gmail.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Gary & Esther Sorensen
PO Box 248
Oroville, WA 98844-0248
(509) 476-2288

From: Sierra Club <information@sierraclub.org> on behalf of Ramona Crocker <sage33@comcast.net>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Ramona Crocker
9720 SW Robbins Dr
Beaverton, OR 97008-7943

From: Sierra Club <information@sierraclub.org> on behalf of Stephen Garratt <stephenrgarratt@gmail.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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5) The impact of the project's cradle-to-grave CO2 emissions on the viability of the large oyster industry in Washington State.

After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Stephen Garratt
19247 40th Pl NE
Lake Forest Park, WA 98155-2815
(425) 361-0873

From: Sierra Club <information@sierraclub.org> on behalf of Jules And Renee Elias <verdilovers@comcast.net>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

I'm writing regarding Docket No. EF-131590, Application No. 2013-01 to urge the Washington Energy Facility Site Evaluation Council (EFSEC) to assess the full environmental and public safety impact of the joint Tesoro-Savage proposal to turn the Port of Vancouver into a major crude oil export terminal.

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Dr. Jules And Renee Elias
6435 SE Yamhill St
Portland, OR 97215-2027
(503) 236-1695

Docket EF-131590

Tesoro Savage CBR
Scoping Comment
#2391

From: Sierra Club <information@sierraclub.org> on behalf of Judi Warner <jwarner1354@gmail.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

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P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Judi Warner
Thornton Dr
Wilsonville, OR 97070-6550

From: Sierra Club <information@sierraclub.org> on behalf of Michael Hall <micahall1@yahoo.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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Sincerely,

Mr. Michael Hall
16 Churchill Downs
Lake Oswego, OR 97035-1424
(971) 678-1671

From: Sierra Club <information@sierraclub.org> on behalf of Byron W <byronw44@gmail.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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Sincerely,

Mr. Byron W
5123 24th Ave NE
Seattle, WA 98105-3232

From: Sierra Club <information@sierraclub.org> on behalf of Irene Mills <missirene@live.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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Sincerely,

Miss Irene Mills
2174 NW Davis St Apt 402
Portland, OR 97210-3581
(503) 525-2287

From: Sierra Club <information@sierraclub.org> on behalf of Bridget Johnston <bridgetjzabel@yahoo.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

Dear Mr. Posner,

What is wrong with you people?Smell the damn cheese already!

Sincerely,

Ms. Bridget Johnston
22522 Dockton Rd SW
Vashon, WA 98070-7170
(714) 333-0564

From: Sierra Club <information@sierraclub.org> on behalf of Barbara Jurgens <bpjurgens@aol.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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Sincerely,

Ms. Barbara Jurgens
NE 71st St
Kirkland, WA 98033-8345

From: Sierra Club <information@sierraclub.org> on behalf of Sherry Sprayberry <sspray_2000@yahoo.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Sherry Sprayberry
PO Box 1383
La Pine, OR 97739-1383
(541) 536-3743

Docket EF-131590

Tesoro Savage CBR
Scoping Comment
#2398

From: Sierra Club <information@sierraclub.org> on behalf of Jerahmeel Rueben Males <jerahmeel37@yahoo.com>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Mr. Jerahmeel Rueben Males
715 Foote St NW
Olympia, WA 98502-4810
(360) 402-3823

From: Sierra Club <information@sierraclub.org> on behalf of Terry Ebersoleq <washtyme@comcast.net>
Sent: Wednesday, November 13, 2013 5:17 PM
To: EFSEC (UTC)
Subject: Comment on Docket No. EF-131590, Application No. 2013-01

Nov 13, 2013

Mr. Stephen Posner
P.O. Box 43172
Olympia, WA 98504-3172

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After carefully considering the safety, environmental, and climate risks associated with the proposed oil terminal, I respectfully ask you to recommend the rejection of Tesoro-Savage's application.

Sincerely,

Ms. Terry Ebersoleq
151 Monticello Dr
Longview, WA 98632-9543
(360) 414-1234

From: John Karpinski <karpjd@comcast.net>
Sent: Wednesday, November 13, 2013 5:06 PM
To: EFSEC (UTC); John Karpinski (home)
Subject: EFSEC scoping comments of John Karpinski 11/13/13

John S. Karpinski
2808 E. 8th Street
Vancouver, WA 98661
360.694.0283 home
karpjd@comcast.net

Energy Facility Site Evaluation Council
re Port of Vancouver/Tesoro Savage Vancouver energy distribution terminal
re: introductory and scoping comments
re: application number 2013 -- 01
re: Docket number EF --131590

I Introductory Comments

Thank you for the opportunity to provide comments on this issue of local, statewide national and international importance. Also thank you very much for your reasonable accommodation of my disability at the Vancouver hearing.

For those of you who are not familiar with me, I'm a (now retired) Vancouver attorney whose practice focused on protecting the environment for over 20 years. My CV is below.

As it is difficult for me to prepare formal legal documents anymore, please accept this more refined outline as my testimony in this case. Hopefully, it will be sufficiently clear.

II Objections/scoping comments for the record

- My comments focus on SEPA, but equally relevant to NEPA

A) PORT CANNOT TAKE ANY ACTION THAT WILL LIMIT THE CHOICE OF REASONABLE ALTERNATIVES DURING SEPA REVIEW

I) object to the Port of Vancouver entering into a lease with Tesoro prior to final EIS as a violation of WAC 197 -- 11 -- 070

WAC 197-11-070 Limitations on actions during SEPA process

(1) Until the responsible official issues a final determination of nonsignificance or final environmental impact statement, **no action concerning the proposal shall be taken** by a governmental agency that would:

(a) Have an adverse environmental impact; or

(b) **Limit the choice of reasonable alternatives**.

B) LEASES NOT EXEMPT FROM SEPA

WAC 197 -- 11 -- 800 (5)(c)Categorical exemptions

(5) **Purchase or sale of real property.** The following real property transactions by an agency shall be exempt:

(c) The lease of real property **when the use of the property for the term of the lease will remain essentially the same as the existing use**, or when the use under the lease is otherwise exempted by this chapter.

C) PORT LEASE IS AN ACTION UNDER SEPA...A *PUBLIC* ACTION.

1) lease is an action under WAC 197-11-704

(1) "Actions" include, *as further specified below*:

(a) New and continuing activities (including projects and programs) entirely or partly financed, assisted, conducted, regulated, licensed, or approved by agencies;

(b) New or revised agency rules, regulations, plans, policies, or procedures; and

(c) Legislative proposals.

(2) Actions fall within one of two categories:

(a) **Project actions.** A project action involves a decision on a specific project, such as a construction or management activity located in a defined geographic area. Projects include and are limited to **agency decisions to**:

(i) License, fund, or undertake any activity that will directly modify the environment, whether the activity will be conducted by the agency, an applicant, or under contract.

(ii) Purchase, sell, **lease,** transfer, or exchange natural resources, including **publicly owned land, whether or not the environment is directly modified**.

2) Lease is a *public* proposal under WAC 197-11-784

"Proposal" means a proposed action. A proposal includes both **actions** and regulatory decisions **of agencies** as well as any actions proposed by applicants.

D) NO ACTION ALTERNATIVE REQUIRED BY SEPA; obviated by lease

WAC 197-11-440 EIS contents

(5) **Alternatives including the proposed action.**

(a) This section of the EIS describes and presents the proposal (or preferred alternative, if one or more exists) and alternative courses of action.

(b) Reasonable alternatives shall include actions that could feasibly attain or approximate a proposal's objectives, but at a lower environmental cost or decreased level of environmental degradation.

(i) The word "reasonable" is intended to limit the number and range of alternatives, as well as the amount of detailed analysis for each alternative.

(ii) The "no-action" alternative shall be evaluated and compared to other alternatives.

(iii) Reasonable alternatives may be those over which an agency with jurisdiction has authority to control impacts either directly, or indirectly through requirement of mitigation measures.

(c) This section of the EIS shall:

(i) Describe the objective(s), proponent(s), and principal features of reasonable alternatives. Include the proposed action, including mitigation measures that are part of the proposal.

(ii) Describe the location of the alternatives including the proposed action, so that a lay person can understand it. Include a map, street address, if any, and legal description (unless long or in metes and bounds).

(iii) Identify any phases of the proposal, their timing, and previous or future environmental analysis on this or related proposals, if known.

(iv) Tailor the level of detail of descriptions to the significance of environmental impacts. The lead agency should retain any detailed engineering drawings and technical data, that have been submitted, in agency files and make them available on request.

(v) Devote sufficiently detailed analysis to each reasonable alternative to permit a comparative evaluation of the alternatives including the proposed action. The amount of space devoted to each alternative may vary. One alternative (including the proposed action) may be used as a benchmark for comparing alternatives. The EIS may indicate the main reasons for eliminating alternatives from detailed study.

(vi) Present a comparison of the environmental impacts of the reasonable alternatives, and **include the no action alternative.** Although graphics may be helpful, a matrix or chart is not required. A range of alternatives or a few representative alternatives, rather than every possible reasonable variation, may be discussed.

(vii) Discuss the benefits and disadvantages of reserving for some future time the implementation of the proposal, as compared with possible approval at this time. The agency perspective should be that each generation is, in effect, a trustee of the environment for succeeding generations. Particular attention should be given to the possibility of **foreclosing future options by implementing the proposal**.

E) Lease in violation of SEPA is an *Ultra vires* act

Noel v. Cole, 98 Wash. 2d 375, 655 P.2d 245 (1982) Gov't approval issued in violation of SEPA is *ultra vires*

F) SCOPING NOTICE FROM EFSEC FAILS TO REQUIRE COMPREHENSIVE REVIEW

1)**fails to** include **impacts including**, but not limited to

- Exporting oil impacts
  - Only need for a deep water port is for oil export
  - In the alternative, if project claims only domestic use of the shale oil, EFSEC should put condition of approval that any change to allow export of the oil must go through another full EFSEC review, as well as a SEPA and NEPA EIS

- Extra jurisdictional impacts
- WAC 197 -- 11 -- 060 4 b
  - Includes entire transportation system

- indirect impacts including the precedent of future dirty energy related projects
- WAC 197 -- 11 -- 060 4 d

- cumulative impacts
- WAC 197 -- 11 -- 060 4 d

- catastrophic impacts...like explosions/dead people/spills who live everywhere the rail line, and river/ocean spills
- WAC 197- 11 -794
  -

    (1) "Significant" as used in SEPA means a **reasonable likelihood of more than a moderate adverse impact on environmental quality**.

    (2) Significance involves context and intensity (WAC 197-11-330) and does not lend itself to a formula or quantifiable test. The context may vary with the physical setting. Intensity depends on the magnitude and duration of an impact.

    The severity of an impact should be weighed along with the likelihood of its occurrence. An **impact may be significant if its chance of occurrence is not great, but the resulting environmental impact would be severe if it occurred.**

2) fails to discuss required alternatives

- No action/no lease alternative

- Other potential uses that create equal or greater # jobs at a lesser environmental impact

G.Object to the failure to circulate the EFSEC scoping notice to the mailing list the port of Vancouver

I am on the SEPA mailing list for the Port of Vancouver, and for the record I believe that EFSEC should've circulated its SEPA scoping notice to all interested parties on the Port of Vancouver's SEPA mailing list. If this was indeed circulated to the Port list, and I somehow did not get it, my apologies and I withdraw this objection.

III Conclusion

The environmental impact statement (EIS) in this case must be broadly scoped in terms of impacts and alternatives as humanly possible. It also must be deemed a public project and subject to a public projects alternatives and impacts analysis. On this crucial issue of international proportion, getting the best available knowledge in terms of impacts and alternatives is not only legally required, but it's in the best public interest.

Thank you again for the opportunity to comment.

Sincerely yours,

John S Karpinski

John S. Karpinski

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Summary Statement

The Law Office of John Karpinski represents neighbors, neighborhoods, and environmental groups regarding the impacts of development since 1985.
My practice area is in southwest Washington, but I have been fortunate to also have the opportunity to help preserve the environment in the San Juan's. **I am on an indefinite health sabbatical**.

About John S. Karpinski

Law School:
1982 University of Oregon School of Law
Advanced Certificate-Natural Resources Law: University of Oregon 1982

Honors and Awards:
Who's Who in American Law 2004-present
Sammy (Salmon protection award) award, Clark County 2008
Clark Skamania Fly Fishers Conservationist of the Year 2000
Outstanding Contributions Award from Audubon, Sierra Club, Clark County Water Quality Resources Council 1992

Special Licenses/Certifications:
WA Supreme Court 1983
US District Court-Western WA 1983
US Court of Appeals- 9th Cir. 1994

Bar/Professional Activity:
Current WA State Bar Assn. member #13142.
Former member of Clark Co. Bar Assn. Superior Court Bench/Bar Committee.

Pro bono/Community Service:
1998-2003 Vice President, WEC (Washington Environmental Council)
Former Chair and co-founder, Clark County Natural Resources Council

Clark College Paralegal Advisory Committee-former
Sierra Club- President/Chair Loo Wit Group (Vancouver) 1984-1986
Clark County Democratic Party Parliamentarian - former
Clark County's Project Habitek (Environmental Chair) which help protect the northern Vancouver Lake Lowlands from industrial development
Clark County Project TIPIT (Co Chair) 6 year road plan... recommended reserving road capacity on 192nd for jobs. (1993-5)
Clark County "Blue Ribbon" committee
Clark County Freeholder - 2nd highest # of votes
Vancouver Critical areas and water committees -numerous

Scholarly Lectures and Writings:
CLE WSBA-14th Annual Criminal Justice Institute "PUBLIC DISCLOSURE DISCOVERY STRATEGIES" 2007
CLE Univ of Oregon Law School: LAND USE AS A (PAYING) CAREER TO PROTECT THE ENVIRONMENT 2008
CLE Univ of Oregon Law School Baby NEPAs Grow Teeth: Adding Bite to Environmental Review SEPA 2010
CLE Univ of Oregon Law School COMMON LAW ENVIRONMENTAL REMEDIES 2000
CLE Univ of Oregon Law School Strategic Lawsuits Against Public Participation (SLAPPs) 2003
CLE Univ of Oregon Law School Local Science, Local Protection 2003
CLE Univ of Oregon Law School LAND USE STRATEGIES FOR ENVIRONMENTAL PRESERVATION 1990
CLE Univ of Oregon Law School HOW TO START YOUR OWN ENVIRONMENTAL LAW PRACTICE 1990
CLE Clark Co Bar Assn :Public Records Act
CLE Clark Co Bar Assn Growth Management Act

Verdicts and Settlements:

- Won two Washington Supreme Court cases on the same day 9/9/9 *Currens* and *CRA (see below)*

- *Currens v. Sleek, et al.*, 138 Wn.2d 858, 983 P.2d 626 (1999) changed the common law of Washington. It now protects neighbors from drainage damage by creating an exception to the "common enemy" rule.

- *Concerned Ratepayers Ass'n v. Public Util Dist. No. 1,* 138 Wn.2d 950, 983 P.2d 635 (1999). This Public Records Act case required the release of documents "used" by the CPU even if not currently "retained" in the CPU's possession.

- Got "3 strikes" attorney fees to a neighbor under RCW 4.84.370 as well as significant conditions on a Storedahl proposed expansion of gravel pit operations in .*J.L. Storedahl & Sons, Inc. v. Cowlitz County,* 125 Wn.App. 1 (2005).

- In *CCNRC v Clark Co.*, 96-2-0017 the Western Growth Board helped set "Best available Science" as a substantive GMA requirement.

- Filed first GMA appeal in WA history, *CCNRC v Clark Co.*92-2-0001 (1992)

- Won numerous favorable rulings regarding Clark Co. and its City's GMA compliance in *CCNRC v Clark Co,* 96-2-0017 and *Achen v Clark Co* (Consolidated case) 95-2-0067

- *Lawrence v City of Camas*, 35592-2-II (2008) Division 2 Court of Appeals supported appeal for more tree protections

Other Outstanding Achievements:

Projects not built that Karpinski was involved in include:

- A Union Carbide Toxic Gas production facility in Washougal, WA,(1986-87)
- The "Pioneer Airport", a proposed Clark County Jet airport between 2 wildlife refuges (1989-91)
- The Circle C landfill, the County buying a Superfund site and using it for the County's garbage, just 5' above our drinking water supplies (1990-1992)
- Protected a salmon spawning bed from development, now the site of the Columbia Environmental Learning Center

Projects that Karpinski lost the legal proceedings, but the projects have not (YET) been built ,or the offending part has not been built:

- The power lines blocking the views of Prune Hills outside Camas, Wa (power lines on Prune Hills portion buried)
- The Lakeside Asphalt Batch Plant in Brush Prairie, WA (1999-2009)
- The Salmon Creek Walmart in Vancouver, WA

Projects that Karpinski had some notable results in other counties.

- Stopped the proposed GSX (Georgia Strait Crossing) natural gas Pipeline through a underwater nature preserve in the San Juan County 2004
- Getting the first EIS in Kelso history... on Geological stability (1994; about a year before the infamous Aldercrest landslide)
- Stopping a trade of a State Park in Long Beach for a sensitive area, the Bolstad dunes; helped get Dunes protected
- Got the 2nd and 3rd EIS's in Skamania County history, on 2 gravel pits (gravel pits not "built")

Other notable cases Karpinski was involved in:

- Spotted Owl Case. opposed the release of Old Growth Timber Cutting Moratorium before Judge Dwyer (1994-6)
- Co-Counseled the 4D regulations case regarding the federal salmon protection rules.(2000-2001)
- Co-Counseled various clean water act cases against the Clark Co and the City of Vancouver.

Educational Background:

JD Univ. of Oregon Law school 1982

Advanced Certificate-Natural Resources Law: University of Oregon 1982,

BS Biology and Environmental Sciences (Dual Majors) Northern Ill. Univ. 1978

Talented Student Scholarship-debate

National Merit Scholar