

# Safe Energy Leadership Alliance

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July 31, 2015

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Dear Colonel Buck, Ms. Walker, Mr. Manlow, and Ms. Bumpus:

We are jointly commenting on USACE and EFSEC review of the proposal for the Tesoro-Savage Petroleum Terminal (LLC NWS-2013-962) in accordance with the Rivers and Harbors Act and Clean Water Act.

As members of the Safe Energy Leadership Alliance (SELA), a coalition of 165 local, tribal, and state leaders from across Washington, Oregon, Idaho, Montana, California, and British Columbia, we are working to raise awareness of the health, safety, environmental, and economic risks of oil transport and coal export. SELA represents a broad range of urban and rural areas with different interests but a shared mission—to protect the health and safety of our communities. Many members of our coalition have passed resolutions or ordinances expressing their concern with and opposition to trains of crude oil moving through their communities.

The proposed Tesoro-Savage Project poses unprecedented threats and impacts to the Columbia River and our region. Until recently, the Columbia River rail and marine corridor was virtually devoid of rail and vessel traffic transporting large volumes of crude oil. The proposed Tesoro-Savage Petroleum Terminal would receive, store, and transfer an average of 360,000 barrels of crude oil a day, transforming the Columbia into one of the nation's highest volume corridors for crude oil transport.

Oil would travel via rail through Spokane, along 230 miles of Columbia River shoreline, through Vancouver, and then by barge or tanker out the Columbia River and along our ocean coast. With historical development patterns along rail lines and rivers, these oil trains pass through densely

populated city centers, business districts, and recreation areas. Additional rail and vessel traffic comes with increased risks of oil leaks, spills, and catastrophic explosions like the recent disaster in West Virginia or the 2013 Lac Megantic tragedy. Potential oil spills into the Columbia threaten to undo the billions of dollars invested in salmon recovery in the Columbia Basin and damage treaty resource areas.

As part of the permit review, the USACE will also consider the public interest, based on a review that balances the benefits which reasonably may be expected to accrue from the proposal with “its reasonably foreseeable detriments.” Risk of oil spill, fire, and explosion along rail lines, at the terminal site, and along the Columbia River and coastal waters are reasonably foreseeable detriments resulting from the proposed construction and operation of a petroleum terminal that would transfer and ship an average of 360,000 barrels of crude oil a day. The scope of review for the permit must be adequate to allow such consideration.

On June 8, 2015, SELA requested that the USACE exercise its authority to require a more rigorous individual Section 10 permit and prepare an Environmental Impact Statement (EIS) for the proposed Tesoro-Savage Project. We appreciate that the USACE has proceeded with an individual permit process for this project. However, the USACE’s proposed scope of review appears to be limited narrowly to pier improvements and does not reflect the risks and impacts associated with the ultimate use of what would be the largest crude oil-by-rail to marine vessel facility in the United States. We continue to urge USACE to broaden the geographic and functional scope of review and prepare an EIS to assess the wide-reaching and cumulative impacts of the proposed petroleum terminal prior to making decisions on permits for the project.

This expanded scope of review would better match the current project application available through EFSEC, which defines a broader area of impact, the project’s “shipping prism,” in which effects associated with increased shipping could occur. This shipping prism is defined as the entirety of the Lower Columbia River downstream of the site, as well as marine habitat off the coasts of Washington, Oregon, and California. At a minimum, the EIS should assess impacts on public safety, water quality, listed species, tribal treaty rights, recreation, and commerce along rail lines within the shipping prism defined in the application.

The USACE announcement of this comment opportunity noted that consultation is underway with the Washington Department of Archaeology & Historic Preservation, Tribes, and others under Section 106 of the National Historic Preservation Act, and with National Marine Fisheries Service and U. S. Fish and Wildlife Service under Section 7 of the Endangered Species Act (ESA) to evaluate the project’s potential impacts to ESA-listed species and designated critical habitat. The potential risks impacts to listed species, cultural resources, and treaty resource area harvest rights are fundamentally more extensive, permanent, and detrimental for operation of a petroleum terminal than for other potential industrial uses at this site. We urge you to expand the scope of action subject to consultation to reflect the reasonably foreseeable impacts of both construction and operation of the petroleum terminal, including associated risks for oil transport by rail and barge.

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Steve Manlow, Sonia Bumpus  
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SELA appreciates the USACE and EFSEC consideration of our input as part of the review process for the Tesoro-Savage Project.

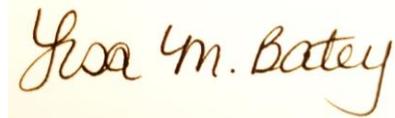
Sincerely,



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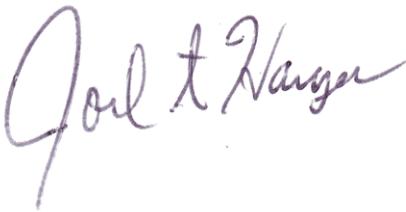
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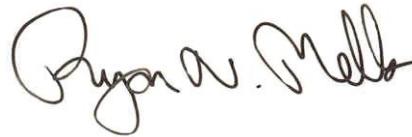
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