Emails pertaining to Gateway Pacific Project for April 28 – May 4, 2012
Hi All.

This week's Weekly Update (#69) has now been posted to https://secureaccess.wa.gov/ofm/iprmt24/DesktopModules/Articles/ArticlesView.aspx?tabID=0&alias=1357&ItemID=191&mid=38796&wversion=Staging.

Highlights include:

* Co-lead agencies are continuing to complete contract negotiations for third party contractor assistance for the NEPA/SEPA environmental review process.

* Quarterly Report for January through March 2012 has been posted.

* Critical Path Tracking tool has been posted.

Please contact either Jane or Scott with any questions or issues.

Thanks.

Jane and Scott

_________________________________________________

Scott Boettcher
SBGH-Partners, LLC
219 - 20th Ave SE
Oliver,

I hope that I have addressed your concerns and questions regarding GPT site below in red text.

Rich Sluss, NW Region Forest Practices and I will make ourselves available to discuss Forest Practices responsibility and interactions with local governments and landowners regarding the conversion of forest land.

Additional: RCW's 76.09.060(3)(b), 76.09.460 and 470 detail the current interaction between DNR, landowners, counties and DOE.

Sue Casey

Operations Support Manager

Forest Practices Division

Washington State Department of Natural Resources

360-902-1406

I apologize for not getting back to you on this important issue in a more timely manner. Again, we appreciate your willingness to inform us on the basis for DNR's determination that unpermitted clearing and grading activities at the GPT site was not conversion. Although we have a better understanding of DNR's decision-making process in this case, the interpretations appear not to "square" with 1) definitions that dictate/guide DNR in processing forest practices and 2) other DNR actions involving conversions I have observed. A little more detail:

1) Why didn't DNR use the definition of "conversion activities" in processing this case (WAC 222-16-010)? Certainly, the unpermitted activities were "in preparation for nonforestry use..." and preparation for "any structure requiring local government approval." The WAC definition is more specific to how DNR conducts business while the RCW (76.09.020(8) is more legislative, less regulatory. Isn't the WAC definition more in line with the DNR regulatory program than the RCW definition?

The definition of "conversion activities" in WAC 222-16-010, provides a list of items that MAY be associated with a conversion. The list is not concrete nor is it complete. The definition of "conversion to a use other than commercial timber operation" states a bona fide conversion to an active use which is incompatible with timber growing (the same definition is located in RCW 76.09.020(8) and WAC 222-16-010).

Further, there are two valid development permits for the GPT project applied for in 1992 and issued in 1998. I understand from Whatcom County PDS that GPT could act on the permits, but choose to reapply for permits for a larger development project. Doesn't the fact that there are two active valid development permits on the property connected with the recent applications submitted and the geotechnical activities that are preparation for, or construction of, any structure requiring local government approval equate to conversion activities? It is interesting to note that the definition of forest land is inconsistent with the definition of conversion activities (WAC 222-16-010). The forest land definition including "...not being actively used..." is not consistent with "activities in preparation for nonforestry use" and "preparation for, or construction of, any structure requiring local government approval" in the WAC definitions. Can you cite or direct us to specific DNR policies or guidance on how such unpermitted clearing and grading activities are not considered conversion?

As stated in my earlier email - staff use a combination of observations, landowner provided information regarding their current plans for the property, and any other information the DNR can obtain to determine if activities that have taken place or are currently taking place are converting the forest land to another use.
2) I formerly was the Natural Resources Manager for Whatcom County Planning and Development Services where I would routinely process development moratoriums based on DNR's declaration of unpermitted forest land conversion. As such, I am somewhat familiar with DNR's past consistency of interpretation of conversion activities. DNR's interpretation of the GPT case appears inconsistent with past cases that were of greatly reduced scope from, but of similar context to, the GPT case, but were nevertheless prosecuted as conversions (e.g., the County's action on the Rader Farms case based on DNR's determination of conversion was recently upheld in the courts system). As such, our concerns about DNR's interpretations on the GPT case also relate to consistency of DNR's interpretations and decisions, and the transparency of such decisions.

I am not familiar with the Rader Farm case nor the timing of when the activity took place. DNR strives to be consistent and transparent with our decisions. If you have specific examples that you can share for discussion with NW Region where contradictions occurred that would be helpful in our goal to be consistent and transparent.

Another concern we have is the apparent ease at which a landowner can convince DNR that unpermitted clearing and grading activities in forest land do not constitute conversion. In your email message dated February 29, 2012, you state that "If a landowner conveys to DNR that their activity is not part of a conversion of their property from forest land to non-forest land, a Notice of Conversion to Nonforestry Use is not issued." This suggests that all a land owner has to do is state that the unpermitted clearing and grading activities in forest land were not pursuant to conversion and/or development and DNR simply declares that the actions were not conversion. Certainly DNR must use a more rigorous test for conversion than what is represented by a landowner. Can you provide us with a better understanding of this process?

You are correct, if a landowner states that they do not intend to convert their property, DNR moves forward on decisions.

Finally, why would an interpretation and decision about whether unpermitted clearing and grading occurs and the important ramifications of such be documented in an Informal Conference Note? I have been told by DNR staff that the notes in an ICN are non-binding. Is this correct?

Informal Conference Notes are used to document conversations that are taking place between DNR and a landowner, timber owner and/or operator.
You are correct that ICNs are non-binding.

Is there an appeal process for a non-binding declaration such as conversion?

There is no appeal period for an Informal Conference Note. In this particular case a Notice to Comply (NTC) was issued immediately after the ICN. The NTC is an appealable document.

Any further enlightenment you can provide us on this case would be greatly appreciated so that we can report back to the MAP team on this issue as I was tasked to do.

Oliver John Grah
Water Resources Program Manager
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ograh@nooksack-nsn.gov
Excellent fact check paper on the question of whether or not GPT would cause additional coal train traffic. For possible inclusion on your GPT website?

Thanks.

Julie

www.coaltrainfacts.org
Fact Check:

Will the Coal Trains Come Anyway, Without the Proposed Gateway Pacific Terminal?

1. Introduction.

The debate rages on about whether to construct new ports on the West Coast of the United States, for shipment of coal from the Powder River Basin to Asia. One of the key epicenters for this debate is a proposed coal export facility for Cherry Point, north of Ferndale and just south of the Canadian border, close to the San Juan Islands. As proposed, this facility would be the largest coal export facility on the continent.

One of the principal arguments advanced by SSA Marine (SSA), the proponent for the Gateway Pacific Terminal (GPT) at Cherry Point, is that Washington State and particularly the Puget Sound corridor will suffer the impacts of increased coal train traffic, regardless of whether SSA is allowed to build the GPT coal terminal. SSA claims that in light of this inevitable influx of trains, GPT would not be responsible for causing harmful impacts to communities along the rail line, from increased coal train traffic.

Because of the intense market demand to export coal to China, India and other Asian markets, proponents of GPT suggest that Canadian ports will respond by exporting coal for U.S. companies, i.e., if the U.S. does not provide adequate export facility capacity. SSA has encouraged the public and decision makers to accept the logic that the U.S. might as well have these trains “take a left turn” at Cherry Point, rather than allow the escape of jobs and revenues over the Canadian border.

This paper is intended to “fact-check” those fundamental claims. It analyzes current train traffic, coal-export demand in the U.S. and Canada, coal-export contracts at Canadian ports, and expansion plans at these ports. We conclude that SSA’s claims are not supported by the facts. Our research supports the following facts and conclusions:

- At present, three coal trains daily (six roundtrip) travel on the Burlington Northern Santa Fe (BNSF) main line from the Powder River Basin (eastern Montana/Wyoming) to Canada, through the Columbia Gorge and the Salish Sea corridor of Washington into B.C.

- Although B.C. ports are in the process of expanding their capacity, it is well documented that the increased capacity will be absorbed by current export contracts with those ports.

- The planned expansions will not be able to solve the high demand for Powder River Basin exports and thus will not attract new train traffic from the U.S.

- In recognition of this shortage of Canadian capacity, these U.S. coal companies are investing heavily in the permitting for at least six new U.S. West Coast port proposals.

Our analysis of these facts is set out in the following summary, in question and answer form.
2. Questions Framed by SSA’s Position, and Our Research Answers.

The Questions: Will the Puget Sound region suffer the same projected future increases in coal train traffic, regardless of whether the Gateway Pacific Terminal is permitted at Cherry Point? If so, would the region be better off building the coal export facility at Cherry Point to capture jobs and tax revenues that would otherwise go to Canada?

The Answers: Based on extensive research, reflected in the endnotes, our findings are:

- Regardless of whether GPT is built, and regardless of planned port expansions in Canada, train trips to Canada through Washington likely will not increase substantially in the future if at all;
- GPT is not capturing jobs and revenues that would otherwise be lost to Canada;
- Regardless of whether GPT is built, six trains per day likely will continue going to and from Canada, due to a long-term contract between Cloud Peak Energy and the Westshore port in B.C. These trains are highly unlikely to be diverted to Cherry Point, as Cloud Peak is paying to ship from Westshore; and
- Cherry Point at full operation will actually add up to 18 trains to the current six coal trains per day, through Western Washington communities, including Snohomish, Skagit and Whatcom Counties.  

3. The Consequence: The EIS Must Study Impacts of 18 New Coal Trains Per Day, as a Direct Cause of the Cherry Point Coal Terminal.

Under the facts and analysis in this paper, the premise of SSA’s position is factually wrong. Our research concludes that there will be substantial rail traffic impacts caused directly by the Cherry Point proposal. The fact is, there will not be an inevitable increase of trains to Canada due to mining in the Powder River Basin. The capacity in expanded Canadian ports is already allocated, as analyzed below. The Cherry Point facility alone will create these new impacts to communities along the rail line, due to a quantum leap in the number of daily coal trains. The collateral impacts of the GPT coal trains must be studied as part of the EIS for the project. The EIS should study the cumulative impacts of at least 24 coal trains per day (6 currently going to and from Canada and up to 18 new GPT trains per day).

4. A Basic Description of British Columbia Coal Export Terminals.

British Columbia’s ability to export U.S. coal to Asia is limited to three ports:

(a) Westshore/Roberts Bank (west of Vancouver);
(b) Neptune (north of Vancouver); and
(c) Ridley/Prince Rupert (northern British Columbia).

Two of these coal terminals are unlikely to handle substantial quantities of U.S. Powder River coal exports in the foreseeable future, for the following reasons.

- The Neptune terminal exports coal and other bulk products, but a single Canadian coal mining company (Teck Resources, Ltd.) has exclusive rights to ship coal from the Neptune terminal.
- The Ridley Terminal is on the northern coast of B.C., at Prince Rupert. U.S. companies mining coal at Powder River are finding it uneconomical to ship the longer distance to Prince Rupert, from eastern Montana and Wyoming. The price of exported coal in the international market

Fact Check: Will the Trains Come Anyway?  

would have to rise sharply to change the economics of that equation. Even if that change occurred, U.S. companies would likely use the shorter route from Montana (Sweetgrass) directly north to Ridley.  

The third B.C. port available for coal exports is the Westshore Terminal at Roberts Bank, west of Vancouver, B.C. BNSF Railway reported shipping six million tons of coal from the Powder River Basin to Westshore, through Washington State, with up to three trains daily (six trains round trip). One of the U.S. coal companies utilizing the BNSF line, Cloud Peak Energy, has rights to ship coal to Westshore for ten more years, under a new long-term contract through 2023. It would not be economically rational for Cloud Peak to pay for this shipping contract (“take or pay”) at Westshore without using it, and instead ship from Cherry Point, thus paying twice. Cloud Peak has no announced contracts with SSA for future shipping from Cherry Point.


SSA Marine suggests that if the Gateway Pacific Terminal is not built, Washington’s coastal cities along the Salish Sea will still see a quantum increase in coal trains heading to Canada in place of going to a U.S. port. Our research of the proposed expansion plans for B.C. ports shows that an increase in the number of coal trains traveling through Washington State is highly unlikely, regardless of whether the Cherry Point terminal is built.

Canadian ports cannot handle additional U.S. trains, even with planned expansions. Those expansions are already spoken for with existing contracts, the lion’s share with Canadian coal companies. The conduct of U.S. coal exporters investing heavily in new U.S. West Coast coal terminals is itself a strong market-proof that new Canadian port capacity is limited.

Without GPT, Washington coal train traffic will more than likely remain at today’s levels.

(a) **Demand for U.S. coal exports to Asia is high, for now.**

It is well understood that there is increasing demand to export U.S. coal to Asia. In 2011, the U.S. exported over 107 million short tons of all types of coal around the world. Exports to Asia accounted for 27.5 million short tons (26%) of that total. Of the exports to Asia in 2011, only 7.8 million short tons were for “thermal” coal used in steam power plants (metallurgical coal is used to make steel). China’s demand for imports of steam/thermal coal alone is expected to rise to over 150 million tons by 2015. U.S. coal exporters compete with Australian, African, Indonesian, Canadian and other exporters for market share. The viability of exports from the Powder River Basin depends on whether it is cheaper for China to purchase coal from the U.S. interior than other countries, some of which are closer.

The issue for U.S. exporters is price, during revolving economic cycles. Although presently the demand for coal on the international coal market is high, caution by U.S. West Coast port investors is advised. The international coal market has proven to be volatile in the past. In 1997 a coal terminal was proposed and built at the Port of Los Angeles, California. By 2003, however, the facility stopped shipping coal. Similarly, a coal export terminal at the Port of Portland was constructed and shut down in the 1980’s without ever shipping any coal. In the words of Westshore’s Vice President/General Manager, “The reason there’s no coal terminal on the U.S. West Coast is because there’s never been an economic cycle that’s sustained it.”
(b) U.S. companies are banking on ports in the U.S., not Canada.

If U.S. companies believed Canadian port expansions would allow them to ship additional quantities of coal to Asia via Canadian ports, they could be expected to have contracts in place with Canadian ports already. We could find no evidence of such plans, other than Cloud Peak’s relatively small contract with Westshore to export 2.3 million tons annually, and two similar small contracts to export from Ridley (see below). Instead, U.S. exporters are investing hundreds of millions of dollars to create new U.S. ports.18 Expenditures of dollars generally reflect the truth of economics and capacity. Absent Canadian port capacity to handle Powder River coal, U.S. firms have no choice but to seek difficult-to-obtain permits along the West Coast of the U.S.19

Remarkably, there are now six proposed West Coast coal terminals, all put forward in the last year: Cherry Point, Longview, Grays Harbor/Hoquiam, Project Westward at Port Morrow/Boardman, Kinder-Morgan at the Port of St. Helens, and the Port of Coos Bay, the latter three in Oregon. Combined, these terminals would ship an estimated 157 million tons of coal to Asia.20 Given the relatively high cost, delay and uncertainties involved in permitting large industrial facilities in coastal Washington and Oregon, the profitability of the intensive dollar investments in new U.S. West Coast terminals involves substantial risk.21 Nonetheless, U.S. coal exporters have chosen this direction, due to the absence of capacity in Canada, even taking into account planned Canadian expansions.

(c) An influx of trains to Canada is not expected because future capacity at Canada’s west coast coal ports is already fully committed

SSA Marine claims that its proposed Cherry Point coal terminal will alleviate an influx of coal trains heading to Canadian ports from U.S. mines, following major expansions of Canadian terminals. The facts show – and Canadian coal export experts agree -- Canadian ports cannot accommodate this U.S. demand for increasing coal exports, even with the planned expansions in Canadian coal export capacity, as one seasoned commentator observed:

Bottom line is that, while Ridley and Westshore are rapidly expanding, a good portion of what throughput space is being created actually won’t be available on the open market. Much of the new capacity is already owned. . . . And despite whatever hopes are raised by the prospect of new capacity, most U.S. producers are going to have to keep hoping new west coast ports can finally figure a way to open up.

Lee Bauchsbaum, While Canadian Terminals Expand Export Capacities, Many U.S. Producers are Still Going to be Short of Space. 22

Total export capacity for U.S. coal at B.C. ports is limited. Present expansion plans for all three B.C. ports combined will add only a theoretical capacity of 28.3 million metric tons, far below the 157 million tons of proposed export capacity for the new U.S. ports.23 That new capacity is “theoretical” because contracts already in place are expected to absorb all of the new capacity. For example, Teck Resources Ltd., Arch Coal (U.S.) and Cloud Peak Energy (U.S.) have announced agreements to export coal from Ridley, as it expands capacity.24 Ridley’s President, Richard Dorsey, recently confirmed that, Ridley’s existing Canadian and U.S. contracts will use up its planned additional capacity.25

Even if Canada someday expanded coal export capacity beyond what is planned today, U.S. coal companies must compete with Canadian coal mining companies with plans to expand their exports to Asia through Canadian ports.26 Canadian coal companies are actively working to ensure shipments of Canadian coal from Canadian ports get priority. Ridley is owned by the Canadian Government and B.C. producers have expressed concerns about U.S. exports displacing their access to markets.27
6. **Conclusion:** **SSA Marine’s Proposed Cherry Point Terminal Will Increase Daily Coal Train Traffic to a Total of 24 Trips per Day. It Will not Divert Trains or Capture Jobs That Might Otherwise go to Canada.**

The above research shows that an influx of coal trains are not “going to Canada anyway,” as SSA contends. Instead, exporting coal through Cherry Point will directly cause an exponential increase in the number of coal trains on the BNSF mainline to 24 trains per day, by adding 18 trains to the current six trains per day. SSA’s project will not divert even these six trains currently on the mainline, which serve ongoing contracts with Canadian ports. Based on these facts, an important conclusion emerges: SSA Marine is responsible for exponential increases in train traffic in coastal communities.

SSA Marine has suggested that, without GPT, the expansion of Canadian ports will result in a substantial influx of trains to Canada anyway through Washington State and that SSA’s project is merely diverting these trains to benefit the U.S. economy. SSA’s suggestion of a future Canadian coal export boom is unsubstantiated. Instead, the experts on Canadian coal terminals agree there is limited export capability in Canada and planned additional capacity is already allocated. Thus, there is very little chance if any that the suggested future influx of coal trains to Canada will materialize. (U.S. producers must have known of this limited capacity in Canada before investing millions of dollars in plans for six new U.S. coal ports).

In the absence of any proof that GPT coal trains would take the place of trains already going to Canada, SSA is left with the problem of mitigating the impacts of the increased train traffic for which it is directly responsible. It is also unable to substantiate its most attractive claim -- that the GPT project will divert jobs and revenues otherwise heading to Canada. SSA’s arguments for the Cherry Point coal terminal seem persuasive at first glance. Upon careful analysis, the facts simply do not support the claims. The public needs to know.

Environmental review for the Gateway Pacific Project will begin in 2012. It should reveal that SSA Marine’s exports at Cherry Point will cause a quantum increase in train traffic through our Salish Sea coastal communities. At that point, the public and the agencies will have to focus on the central public policy decision SSA’s position seems calculated to ignore:

> Should the public subsidize construction of overpasses and underpasses necessary to mitigate GPT’s railroad impacts on dozens if not hundreds of at-grade railroad crossings in communities along the BNSF rail line?

During scoping for the EIS, cities and counties along the rail line can assist in assessing the potential cost of these railroad improvements, by identifying the improvements necessary to maintain “concurrency,” i.e., the existing levels of service under adopted local transportation plans.

A robust examination of cumulative costs directly tied to the project will assist federal, state and local officials to decide the merits of a proposal that may be offering unfunded public costs.
1 Salish Law, PLLC was commissioned by a group of local Bellingham business and property owners to research the validity of SSA Marine’s claims regarding impacts from its planned Gateway Pacific Terminal at Cherry Point. Salish Law, PLLC, www.salislaw.com, strives to provide accurate, concise information on West Coast coal terminal projects, as an aide to decision makers and the public as they assess the relative strengths and weaknesses of policy arguments on both sides.

Author’s Note: This paper would not have been possible without the hard work and diligent assistance of Mary Ruth Holder, researcher and retired attorney from Mt. Vernon, Washington. The authors also gratefully acknowledge the groundbreaking work of Eric DePlace and the Sightline Institute on the subject of coal train traffic to Canada and Canadian port expansions. http://www.sightline.org/research/energy/coal/canada-coal.pdf. Our sincere thanks to colleagues who offered suggestions on this paper.

2 Many communities along the BNSF railroad tracks throughout the state are voicing concerns that the Gateway Pacific Terminal proposal would be a likely source of major local traffic congestion, because of the large number of projected increases in trains – 9 trains north and 9 trains south for a total of 18 new trains per day – and because of the extreme car length (125 to 150 cars long, up to 1.6 miles long), http://gatewaypcpacificterminal.com/wp-content/uploads/2011/09/GPT%20PI%20DOCUMENT.pdf (Table 4-5). These communities are voicing those concerns in writing to the three co-lead environmental agencies (federal, state and County), identifying their at-grade railroad crossings. See www.coaltrainfacts.org for a complete set of these letters. Other potentially significant impacts raised by various groups include impacts to human health from coal dust and diesel emissions, toxins leaching into waterways, and conflicts with shipping, fishing and crabbing livelihoods on the Salish Sea (GPT proposes to add 974 ships per year to current traffic). Id.

On the flip side, SSA Marine argues that impacts of its proposal on local communities will be minimal. For example, SSA Marine’s chief public spokesperson at public discussions on the Cherry Point terminal, testified recently to a city council that the proposed Cherry Point terminal would not increase current coal trains on the BNSF line by 18 trains per day, contrary to what the applicant’s website contends. http://gatewaypcpacificterminal.com/the-project/F-a-q/#RailTraffic. He contended the calculation should subtract the six trains per day currently going to and from Canada. Alternatively, the spokesperson argued that, whatever the increase, the increase will happen anyway without approval of SSA’s CherryPoint terminal, because the trains will go to Canada. SSA’s underlying argument appears to be that its proposal is not responsible for rail line impacts that would occur anyway.


4 Currently, U.S. coal companies mining coal in the Powder River Basin in Montana and Wyoming are supporting at least six new proposed coal export terminals in the northwest. These planned terminals include:

- Gateway Pacific Terminal at Cherry Point, by SSA Marine (Peabody Coal, BNSF, Goldman Sachs).
This sudden rash in proposals for new terminals prompted Oregon’s Governor, John H. Kitzhaber, on April 25, 2012 to write a letter calling for programmatic review of cumulative impacts for the proposals as a whole. All of these proposals share a common element – long and heavy coal trains traversing the Columbia Gorge National Scenic Area. The governor estimates that as many as 63 trains per day could be added to current loads on that railway segment.  

One commentator reviewing a draft of this report suggested the correct planning number would be 17 coal trains instead of 18. That is technically correct, as proposed by SSA, but does not change the fact that 18 trains per day total will be on the main line. SSA is proposing 18 trains per day, and does suggest in its Planning Information Document that one of those trains will be for other bulk commodtities.  

In terms of impact analysis, the total number of trains per day remains the same. The impact analysis should utilize the 18-train per day total. Table 4-5 indicates that the one train per day for bulk commodities will actually carry greater weight per car than the coal trains.  

Westshore and Neptune Terminals are part of the Port Metro Vancouver system. Teck Resources, Ltd. has a small contingency arrangement to export coal one week per month (one ship per month) during shutdowns at other B.C. ports, from a fourth terminal at Pacific Coast Terminal located at Burrard Inlet used primarily for sulfur exports.  

Teck Resources, Ltd., a Canadian coal mining company, owns exclusive rights to ship coal from Neptune for export of its metallurgical coal mined in Alberta. Teck owns a 46% interest in the terminal. Teck's coal shipments through Westshore account for 55% of the total exports at that port.  

Ridley is not considered a steady export outlet for U.S. coal, according to the Western Organization of Resource Councils, Exporting Powder River Basin Coal, Risks and Costs (updated September 2011).
rules may push coal companies to boost exports (March 28, 2012),

“We currently have no additional shipments planned through the Ridley terminal as prevailing international prices and the long multi-line rail haul make new sales uneconomic.”


Even if economics one day supported the increased costs of going through Ridley, it is unlikely Powder River coal companies would come through Washington and Vancouver, up through British Columbia. This route is much longer and more circuitous than a route through Montana, Alberta, and Northern B.C. to the terminal.


Following are definitions of the various ton measurements used in the U.S. and Canada.

- **Short Ton.** Short Tons. “MMst” is the abbreviation used by the U.S. Department of Energy to signify “Million Tons.” The “short ton” is the weight measure used in the U.S. (a.k.a. “ton”) and equals 2,000 pounds.

- **Metric Ton.** A “metric ton” or “tonne” is the weight of measure used in Canada for coal and equals 2204.6 pounds.


Generally, financial forecasters have predicted China’s import demand for thermal coal to increase to over 1200 Mt by 2020.

Fact Check: Will the Trains Come Anyway?

15 http://www.blackgoldglobal.net/upload/CLSA%20Nov%2010%20Full_report.pdf at Figure 48. Demand is, of course, determined by price. Coal export markets are historically unpredictable, as was the case involving abandonment of the newly built LA International coal terminal in 2003. Thus, some researchers urge caution and extensive market research before considering the $150 -200 million investment needed for a new coal port. See, Logisticon’s Dave Gambrel’s thoughtful analysis of risk factors, at: http://www.coalage.com/index.php/features/763-building-a-coal-terminal-on-the-west-coast.html.


17 Quote from Dennis Horgan, Vice President and General Manager of the Westshore Terminal, in an article by Lee Buchsbaum, Associate Editor and Photographer of Coalage.com, an online journal. From: While Canadian Terminals Expand Export Capacities, Many U.S. Producers are Still Going to be Short of Space at http://www.coalage.com/index.php/features/1808-while-canadian-terminals-expand-export-capacities-many-us-producers-are-still-going-to-be-short-of-space.html.


21 The degree of organization, sophistication and funding of opposition these proposed West Coast coal terminals by environmental groups, conservation groups and Tribes is unprecedented, except possibly with the exception of the days of nuclear power opposition in the 1970s.

During 2011, a “Power Past Coal” coalition formed, comprised of several dozen environmental organizations in the northwestern states. Attorneys for Earth Justice represent the coalition and are already challenging aspects of some coal terminal proposals in federal and state courts. A lengthy permitting process is expected.

Up until recently, the volumes of coal exported from British Columbia largely operated under the radar of many local environmental and conservation groups for years. Recently, however, that situation appears to have changed. BC environmental groups such as The Dogwood Initiative and the Wilderness Committee have set a goal of stopping expansions of coal export facilities, as one of their major priorities. These groups have joined with the U.S.-based Power Past Coal coalition. Thus, investments in additional future B.C. port expansions for coal exports will have to take into account risks of delay and litigation similar to those in the U.S.

Fact Check: Will the Trains Come Anyway?

The future capacity to be added to B.C. coal ports is already spoken for in existing contracts. The amounts of theoretical capacity to be utilized by those contracts is shown in the last column on the right in the following table:

<table>
<thead>
<tr>
<th>B.C. Coal Terminals</th>
<th>2011 Total Actual Export Volume</th>
<th>2011 Unused Capacity/Max. Capacity</th>
<th>Planned Additional Capacity</th>
<th>Theoretical Future Capacity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ridley (Prince Rupert)</td>
<td>8.8</td>
<td>3.2 Unused out of 12 Max.</td>
<td>12</td>
<td>15.2 (by 2014)</td>
</tr>
<tr>
<td>Neptune (North Vancouver)</td>
<td>5.2</td>
<td>3.8 Unused out of 9 Max.</td>
<td>3.5</td>
<td>7.3 (fall of 2012)</td>
</tr>
<tr>
<td>Westshore (Roberts Bank)</td>
<td>27.1</td>
<td>1.8 Unused out of 29 Max.</td>
<td>4</td>
<td>5.8 (end of 2012)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>41.1</td>
<td>8.8 Unused Capacity</td>
<td>19.5 Planned Increases</td>
<td><strong>28.3 Future Theoretical Capacity</strong></td>
</tr>
</tbody>
</table>

Note that Westshore’s theoretical expanded capacity is only 5.8 million tons per year. With Neptune’s coal export dedicated to Teck, and Ridley uneconomical at the present time, Canada’s net capacity is very low.

[A similar chart was originally prepared by Eric DePlace at the Sightline Institute, Seattle, WA and we gratefully acknowledge their seminal work. We assume full responsibility for our modifications to the original concept.]

Sources:


News releases about new long-term contracts for shipment of Canadian coal from Ridley Terminal include:

- Other news releases about such long term leases can be found on Ridley’s website, [http://www.rti.ca/en_importantno_tices.html](http://www.rti.ca/en_importantno_tices.html).

George Dorsey, President of Ridley Terminals, Inc. confirms that the current and future expansion capacity for Ridley is already spoken for by existing contracts with Canadian and U.S. companies. While there may be capacity to expand Ridley in “Area A,” substantial increases in coal prices would be needed to overcome the
expensive rail rates for shipment of Powder River Coal to Ridley. Illinois basin coal may also take up future Ridley capacity expansion, due to the more direct rail routes serviced by the Canadian National Railroad. *Id.*


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Dear Mr. Novak:

Thank you for your email. I will ensure that your comments become part of the record by copying our lead planner for the project, Tyler Schroeder. The county has a website with all of the information related to the Gateway Pacific project and it is updated regularly. Please refer to http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp for the complete application submitted by SSA Marine, in which the determination of completeness was issued upon.

The County will strive for a transparent and open process through the project review of the Gateway Pacific Terminal project. Your comments are appreciated.

Sincerely,

Jack Louws

>>> "Steve Novak" <stephenovak@comcast.net> 4/25/2012 12:37 PM >>>
To All It May Concern:

Add my wife and I to the long list of Whatcom County taxpayers who are totally opposed to the development of Gateway Pacific Terminal. Any benefit that might be gained by such a facility are far outweighed by the long, long list of negatives.

Certain Environmental Damage - Land & Water

Traffic is already an issue with lack of overpasses over the rail line

Property Values

The list goes on and on.

Forget the fact that we shouldn't be selling coal to Asia only to have the ensuing air pollution drift our way. If we can't stop it entirely, then someone have some common sense and build the port somewhere down near the
Columbia which is where the coal trains would be coming from anyway.

Please don't allow our county to be subjected to such a travesty.

Respectfully,

Stephen and Dana Novak
9085 Chickadee Way
Blaine, WA 98230
Tyler,

Thank you for yesterday's meeting to discuss the draft final contracts. For the reimbursement contract please revise all the citations for 'Pacific International Terminal, Inc.' to be 'Pacific International Terminals, Inc.' Also on the signature page for Pacific International Terminals, Inc., Mark is a Vice President (he is a VP, Business Development for SSA Marine only).

We are working to get the escrow account set up. There will likely be questions from our finance department, should they contact you to coordinate bank details?

Thanks,

Ari
From: Royce Buckingham
To: Tyler Schroeder
CC: Jack Louws
Date: 5/2/2012 11:11 AM
Subject: Gateway Pacific Terminal Memo of Agreement

Tyler,

I spoke with Joshua Osborne-Klein. He indicated that the County can wait for the other agencies and parties to sign the document before reviewing it. He will send us the memo with the other signatures affixed when it is ready.

Thank you,

rsb
Tyler:

Is the Traffic Impact Analysis in a digital format that I can get?

Thanks
Roger
Here is an interesting article that gives some background to the PRB coal issue. Published last year but still very interesting

http://www.onearth.org/article/coal-on-a-roll?page=1
Stephanie,

I talked to Brad about how to account for the Gateway Pacific project wages and benefits that will be charged to the client.

Each department should set up its own cost center for the project and charge employees wages and benefits to it. Health accomplishes this with a composite billing rate. Public Works accomplishes it with direct wages and flat burden factor. PDS should have its employees direct charge to the new cost center and do the quarterly adjustments to move the corresponding share of medical and other health & welfare from the home cost center to the project cost center.

PDS may charge only the direct costs in the project cost center OR it can do a composite billing rate for each employee working on the project and bill the client based on the composite rate which includes a proportional allowance of vacation, holiday and sick time. Since PDS is not set up for the hourly billing rate system like Health is, the amount billed would not tie to the wages and benefits charged to the cost center due to vacation, holiday and sick time being factored in only on the billing forms and not in JD Edwards. Backup for the client would include timesheets for hours billed and the billing form for each employee to substantiate the composite rate being billed.

Reports can be run in FASTR which will pick up all three departments expenses for billing purposes. This can be accomplished by requesting that a Category Code 15 relational code be set up by Kristin for this project. It will tie all three cost centers to the code. I can help you set up a FASTR report that will compile the accounting information from JD Edwards for billing purposes.

When the client is billed and revenue comes in it can be coded to each department's cost center directly so it will be recorded correctly upon receipt and not have to be moved later.

Let me know if you have any questions.

Marianne Caldwell
Sr. Budget Analyst
Whatcom County Finance Dept.
360-676-6734 X50557
From: Marianne Caldwell
To: Drake, Stephanie
CC: Bennett, Brad; Hinz, Terry; Hughes-McMillan, Sandra; Schroeder, Tyler...
Date: 5/4/2012 10:01 AM
Subject: Re: Gateway Pacific

See below -

Marianne Caldwell
Sr. Budget Analyst
Whatcom County Finance Dept.
360-676-6734 X50557

>>> Stephanie Drake 5/3/2012 2:53 PM >>>

Marianne,
Thank you for the research you've done to start this process. I understand the basic framework that you have outlined below. However, would it be advantageous to meet to discuss in depth? If so, would someone from Health & someone from PW want to be included in this conversation? Whatever anyone wants to do. I'll copy Shonda in Public Works and Terry and Sandi in Health to see if they want to have a meeting to discuss the plan outlined below. If they do not feel it necessary to meet, you and I could meet anyway to iron out any gray areas.

In your opinion, would PDS charging direct costs be better or using composite billing rate be better (keeping in mind that we want this to be most simple to track since some months down the road, numerous staff members may be involved). I'm going to leave that call to PDS. The benefit of direct charging is that once the medical & other H&W fund adjustment is made you can just run a report out of JD Edwards to substantiate the billing. The benefit of the composite billing rate form/timesheet method is that you get more money.

Stephanie

~~~~~~~~~~~~~~~~~~~~~~~~~~
Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> Marianne Caldwell 5/3/2012 9:50 AM >>>

Stephanie,
I talked to Brad about how to account for the Gateway Pacific project wages and benefits that will be charged to the client.

Each department should set up its own cost center for the project and charge employees wages and benefits to it. Health accomplishes this with a composite billing rate. Public Works accomplishes it with direct wages and flat burden factor. PDS should have its employees direct charge to the new cost center and do the quarterly adjustments to move the corresponding share of medical and other health & welfare from the home cost center to the project cost center.

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Let me know if you have any questions.

Marianne Caldwell
Sr. Budget Analyst
Whatcom County Finance Dept.
360-676-6734 X50557
Subject: Re: Gateway Pacific

Marianne,

Thank you! I hope to schedule something with you middle of next week, possibly Thursday morning.

Shonda, Terry, Sandi - Please let me know if you would like me to include you in the Appointment Request.

Thank you,
Stephanie

~~~~~~~~~~~~~~~~~~~~~~~~~~
Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

See below -

Marianne Caldwell
Sr. Budget Analyst
Whatcom County Finance Dept.
360-676-6734 X50557

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Stephanie

~~~~~~~~~~~~~~~~~~~~~~~~~~
Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201
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Let me know if you have any questions.

Marianne Caldwell
Sr. Budget Analyst
Whatcom County Finance Dept.
360-676-6734 X50557
From: Tyler Schroeder  
To: Drake, Stephanie  
Date: 5/4/2012 12:21 PM  
Subject: Re: Parks

Mike Mcfarland and/or Rod Lamb.

-----Original Message-----
From: Stephanie Drake
To: Schroeder, Tyler <Tschroed@co.whatcom.wa.us>
Sent: 5/4/2012 12:17:47 PM
Subject: Parks

T,
Who in parks are you envisioning may be involved in the EIS at some point?
S

_____________________________
Stephanie Drake  
Whatcom County Planning & Development Services  
SDrake@co.whatcom.wa.us  
(360) 676-6907 Ext. 50201
Included as party of record.
I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012. Please register me as an interested Party and email me a copy of SEPA/NEPA DS and scoping notices for this project.

Please send these notices and information to me @ stillpoint@centurylink.net.

Thank you,
jan sundquist
Lopez island, WA 98261
stillpoint@centurylink.net.
Previously included as party of record.
Dear Whatcom County Planning & Development Services:

As a homeowner in Birch Bay, who moved to this area for its overall environmental beauty and quality of life, I am deeply concerned about a number of probable impacts related to the proposed Gateway Pacific Terminal (GPT). Potential adverse, if not catastrophic, effects include:

- Coal Dust Clouds spreading over surrounding wetlands, aquatic reserves, farmland, homes, businesses and beaches. A 2001 Canadian study of coal dust emissions from the Westshore Terminal near Tsawassen B.C. estimated that the Westshore Terminal emits roughly 1.5 million pounds of coal dust each year. The proposed GPT at Cherry Point would be more than double the size of Westshore with potentially more than three (3) million pounds of coal dust emissions annually. Coal dust contains toxic substances such as lead, mercury, arsenic, benzene and formaldehyde. These substances can cause serious health problems including: cancer, heart attack, asthma, and birth defects. There is no safe level of exposure to these substances, according to 180 Whatcom County physicians.

- Increased Safety Hazards at BP Cherry Point Refinery due to accumulating fugitive coal dust on mechanical and/or electronic sensors, gauges, switches, valves, connectors, etc. on the refinery’s towering structures. Since it began operation, BP Refinery has operated in an environment of good air quality. That would no longer be the case, with the proposed GPT’s four, half-mile long and 60 feet high, 80-acre open coal storage piles located within one (1) mile of the BP Cherry Point structures. The prevailing south and southwest winds would direct fugitive coal dust emissions onto the BP Refinery structures. According to reports by home and boat owners in Point Roberts, WA, the spread of coal dust from the Westshore Terminal is known to be at least five (5) miles … without wind. Since accumulated coal dust on railroad tracks is known to have caused train derailments, it seems likely that accumulated coal dust would have probable adverse impact upon the safety of facility operations at BP Refinery.

- Extraordinarily high volume water consumption and toxic waste-water runoff related to the cooling processes required for the 54 million metric tons per annum (Mtpa) of dry bulk commodities including, but not limited to coal, grain products, and potash and petroleum coke. What is the source of all those millions of gallons of water? How many local families, community business owners and nearby farmers will suffer water shortages, due to the proposed GPT’s extraordinarily high volume water consumption? After powerful water cannons douse open-air coal piles, in an attempt to prevent spontaneous combustion, toxic waste-water runoff would then enter the Strait of Georgia, the Cherry Point State Aquatic Reserve, and daily flood-tidal currents would move it around Point Whitehorn into Birch Bay and onto the beaches.

- Increased Marine Vessel Traffic, Diesel Exhaust Emissions and the Introduction of Invasive Species all are probable impacts of the proposed GPT. Cherry Point’s shoreline currently receives 850
annual transits from its three existing marine piers. The proposed terminal would require the addition of over 900 annual transits (over 450 ships, arriving and departing). Vessels would be either Panamax or Capesize: the largest, least maneuverable, ships in the world ... whose safety records are among the worst of all bulk carriers. A 2008 BP Refinery, Vessel Traffic Risk Assessment study projected dramatic increases for both the risk of marine vessel accidents and oil spills or outflows resulting from collisions between two vessels, groundings (both powered and drift), allusions (collisions with the dock or other fixed objects) if crude vessel traffic levels increased by 17% at the BP Cherry Point Refinery. Even environmental and safety documents for the initial (1997) proposed GPT estimated an increase of approximately 60% in the deep draft ship traffic in the upper Rosario Strait. Vessels most likely to be involved in a collision with a large bulk cargo vessel are: passenger ferries, tank barges, and tank vessels – the impact of which any one would be catastrophic.

Any one of the aforementioned adverse impacts of the GPT warrants serious concern regarding this proposal, but considering their potential interactive/compounding negative impact is beyond frightening for many of us who live near the proposed GPT site.

The decisions you make regarding the proposed GPT very well may be the most important decisions of your professional careers. I simply ask that you carefully consider all available facts, and then arrive at your decisions as you would if you and/or your close family members lived near the proposed terminal site.

Sincerely,

Michael Crum
Included as party of record.
I want to see the following issues addressed by the permits SSA Marine must apply for:

Effects of coal dust on the environment, the human residents of WA, the animals and fish in WA, the clean air in WA.

Effects of miles-long and minutes-long trains on the emergency needs of residents of communities along the railroad tracks. Whatcom County's population is an aging one, with frequent need for ambulance rescue services, and holding ambulances up for many minutes many times per day is likely to lead to some avoidable deaths.

Effects of miles-long and minutes-long trains on the work needs of residents of communities along the railroad tracks. Idling cars, enormous frustrations, and late or missed work hours are likely to occur.

Effects of miles-long and minutes-long trains on the tourism in communities along the railroad tracks. Frequent long waits to enter cities and towns to shop or eat are likely to lead to tourism dropping as people simply turn around and leave or stop coming altogether.

Long term effects on human health. Whatcom County physicians have stated that there is NO SAFE LIMIT for coal dust ingestion. The thousands of coal-carrying cars through WA will not be covered and the amount of uncaptured coal dust dumped into the air of our state will be huge and damaging.

The effects on the economy. The number of new jobs projected by SSA Marine keeps dropping per their own reports; many will be temporary only while the facility is being built. Meanwhile, the number of tourism, fishing, farming, and building jobs, to name just a few, are likely to decline as people leave the area for a cleaner place to live, without miles of trains to get through.

The tax base of Whatcom County, which will inevitably drop as people move out or never move in, and as tourism and other businesses decline.

The world-wide effects of sending coal to China, where its coal plants will damage the environment of the entire world, not just WA's, in a time where all respected environmental studies show that the use of coal, even with "clean coal" technology, must be phased out to protect the environment.

Thank you for your consideration.
Jennifer Plombon
Whatcom County resident
Dear Sirs/Mesdames:

I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012. Please register me as an "interested party" and email me a copy of the SEPA/NEPA DS and scoping notices for this project.

Sincerely, Sharon Grace
Included as party of record.

>>> Lesley Keenholts <leslieljk@msn.com> 4/30/2012 6:48 PM >>>
Please add me to the GPT subscriber list.

Lesley Keenholts
1321 Humboldt St.
Bellingham, wa
98225
leslieljk@msn.com
To Whom It May Concern,

We here in Birch Bay have worked so hard over the past several years to clean up our watershed and improve water quality in the Bay and the surrounding region. This includes replacement of failing septic systems and planting native vegetation in the watershed - including the work surrounding the BP property on Cherry Point. Please don't allow all this hard work to go to waste. Please don't ruin Birch Bay and Cherry Point with coal dust. Coal dust is toxic and it kills. We do not want the coal terminal. No one does. We do not want Chine burning for fuel the coal that we have beened because of its toxicity. Please! NO COAL TERMINAL!!!!

Catherin Hicks, Birch Bay, Washington
Included as party of record.
I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012.

Please register me as an “interested party” and email me a copy of the SEPA/NEPA DS and scoping notices for this project.

I live in the San Juans, and see this development as a net negative development for all of the surrounding areas, for economic and environmental sectors.

Rebecca Hellman  rhellman@centurytel.net
Included as party of record.
Good day,

I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012. Please register me as an "interested party" and email me a copy of the SEPA/NEPA DS and scoping notices for this project.

Thank you,

Ronald Claybourn
828 Discovery Way
Eastsound, WA
98245-8512
Thank you, Stephanie, for adding my name to your parties of record list and for the website link to the detailed plan.

Regards,
Ron

Quoting Stephanie Drake <SDrake@co.whatcom.wa.us>:
> Dear Mr. Claybourn,
> 
> Thank you for your comments regarding the Gateway Pacific Terminal Notice of 
> Application. Your name has been added to the parties of record list and you 
> will be notified of future notices. Your comments will be added to the file, 
> forwarded to the Whatcom County Hearing Examiner and reviewed throughout the 
> SEPA/NEPA process, including scoping. If you would like to review the 
> application in more detail please refer to our website at 
> 
> Sincerely, 
> 
> Stephanie Drake 
> 
> ~~~~~~~~~~~~~~~~~~~~~~~~~~~
> Stephanie Drake 
> Whatcom County Planning & Development Services 
> SDrake@co.whatcom.wa.us 
> (360) 676-6907 Ext. 50201 
> 
> >>> "Ronald V. Claybourn" <claybourn@centurytel.net> 5/1/2012 12:31 PM >>>
> Good day.
> 
> I am writing in response to your Notice of Application for the 
> Gateway Pacific 
> Terminal permits dated April 16, 2012. Please register me as an "interested 
> party" and email me a copy of the SEPA/NEPA DS and scoping notices for this 
> project. 
> 
> Thank you,
> 
> Ronald Claybourn 
> 828 Discovery Way 
> Eastsound, WA 
> 98245-8512 
> 
>
Previously included as party of record.
Dear Whatcom County Planning & Development Services:

I live in Birch Bay, WA. My home is approximately 3.5 miles north of the proposed Gateway Pacific Terminal (GPT). There is a fatal flaw in the application for the GPT. The fatal flaw is the open coal storage piles at Cherry Point. The negative impacts of the GPT are beyond frightening for anyone living in one of the communities near the proposed GPT site. For the following reasons, most related to the open coal storage piles, I am strongly opposed to the GPT:

• GPT’s open coal storage piles would emit more than 3,000,000 pounds of coal dust every year when the GPT ships 48 million tons of coal per year. The fogging, water spray, and wind screen techniques that SSA proposes to utilize for dust control have been shown to be incapable of preventing the escape of significantly harmful amounts of coal dust. The evidence provided by all existing coal shipping terminals using these techniques shows that they do not prevent the escape of dangerous and harmful amounts of coal dust. The Westshore Terminal near Tsawassen B.C. uses these dust control techniques and was found by a 2001 Canadian study of coal dust emissions to emit roughly 1.5 million pounds of coal dust each year when shipping 21 million tons of coal annually. The GPT would ship over twice as much coal as Westshore and would emit more than twice as much coal dust – more than 3,000,000 pounds per year. Drastically worsening the impact of GPT’s fugitive dust is that the prevailing winds at Cherry Point blow toward the surrounding communities - not out to sea as they do at Westshore. The communities that surround the GPT are filled with thousands of men, women and children; these people and virtually all their property including homes, farms, yards, patio furniture, cars and boats would be coated with more than 3,000,000 pounds of coal dust every year.

Coal dust is not just filthy and difficult to remove, it is poisonous. Coal dust contains toxic substances such as lead, mercury, arsenic, benzene and formaldehyde. These substances can cause serious health problems including: cancer, heart attacks, asthma, and birth defects. There is no safe level of exposure to these substances according to 180 Whatcom County physicians.

Fugitive coal dust from GPT’s open coal storage piles also would settle on or run-off into surrounding ecosystems including wetlands, the Birch Bay watershed, the Cherry Point Aquatic Reserve, Birch Bay State Park, Point Whitehorn Marine Park, Birch Bay and Birch Bay beaches. These ecosystems and the species dependent upon them including herring, salmon, orca, birds, crabs, and clams would be harmed if coated with 3,000,000 pounds of toxic coal dust every year.

• GPT’s fugitive coal dust would increase safety hazards at BP Cherry Point Refinery due to accumulating coal dust on mechanical and/or electronic sensors, flanges, gauges, switches, valves, and connectors on the refinery’s towering structures. GPT’s four, half-mile long and 60 feet high, 80-acre open coal storage piles would be located within one (1) mile of the BP Cherry Point structures and the prevailing south and southwest winds would coat fugitive coal dust emissions onto the BP Refinery structures. Since accumulated coal dust on railroad tracks is known to have caused train derailments, it seems likely that accumulated coal dust would have probable adverse impact upon the safety of facility operations at BP Refinery. It seems probable that fugitive coal dust would significantly increase the likelihood of explosions or fires at the BP refinery like the one that occurred February 17, 2012 due to a “faulty flange”.

• Increased Marine Vessel Traffic, Diesel Exhaust Emissions and the Introduction of Invasive Species all are probable impacts of the proposed GPT. Cherry Point’s shoreline currently receives 850 annual
transits from its three existing marine piers. The proposed terminal would require the addition of over 900 annual transits (over 450 ships, arriving and departing). Vessels would be either Panamax or Capesize: the largest, least maneuverable, ships in the world ... whose safety records are among the worst of all bulk carriers. A 2008 BP Refinery, Vessel Traffic Risk Assessment study projected dramatic increases for both the risk of marine vessel accidents and oil spills or outflows resulting from collisions between two vessels, groundings (both powered and drift), allusions (collisions with the dock or other fixed objects) if crude vessel traffic levels increased by 17% at the BP Cherry Point Refinery. Even environmental and safety documents for the initial (1997) proposed GPT estimated an increase of approximately 60% in the deep draft ship traffic in the upper Rosario Strait. Vessels most likely to be involved in a collision with a large bulk cargo vessel are: passenger ferries, tank barges, and tank vessels — the impact of which any one would be catastrophic.

SSA Marine does not own the air, the water, or the people and other living creatures that the GPT would harm. SSA Marine should not be given a permit to put 3,000,000 pounds of toxic coal dust per year into the air. I do not want to breathe toxic coal dust into my lungs. Open coal storage piles are a fatal flaw at the heart of this GPT application. If SSA Marine is serious about putting a coal shipping terminal at Cherry Point, it should withdraw the present application and submit a new application for a facility with enclosed buildings to contain the coal storage piles.

I ask that you consider what you would do if someone blew a teaspoon of coal dust in your face. Please arrive at your decisions as you would if you and/or your close family members lived near the proposed terminal site and would have 3,000,000 pounds of toxic coal dust blown at them every year.

Sincerely,

Paula Rotondi
Previously included as party of record.

>>> “Scott Thomas” <scottt@ci.burlington.wa.us> 5/3/2012 9:02 AM >>>

scottt@ci.burlington.wa.us
To: Tyler Schroeder at Whatcom County Planning and Development Services  
Re: Proposed Gateway Pacific Terminal at Cherry Point  
I urge you to weigh the costs of all impacts stemming from this project, including health, social, economic, climate and environmental impacts. I understand that state law does not require a review of socioeconomic impacts, but state law does allow a review of socioeconomic impacts.  
I believe the negative impacts on our health, economic well being, local climate and our livable environment will far outweigh any financial benefits of the Gateway Pacific Termial. As county planners, your duty is to evaluate whether this project is for the good of all county residents. Certainly this project would benefit out-of-state profiteers and overseas energy conglomerates, but it will produce very little economic value for Whatcom County along with considerable negative impacts.  
Thank you.  
-- Richard Howland, 1722 Sapphire Trail, Bellingham WA 98226
From: Sam Ryan
To: Tyler Schroeder
Date: 5/4/2012 12:59 PM
Subject: Fwd: Gateway Pacific Terminal

FYI

>>> RICHARD HOWLAND Owner <rsnyhowl@q.com> 5/4/2012 8:08 AM >>>
To: Sam Ryan at Whatcom County Planning and Development Services
Re: Proposed Gateway Pacific Terminal at Cherry Point
I urge you to weigh the costs of all impacts stemming from this project, including health, social, economic, climate and environmental impacts. I understand that state law does not require a review of socioeconomic impacts, but state law does allow a review of socioeconomic impacts. I believe the negative impacts on our health, economic well being, local climate and our livable environment will far outweigh any financial benefits of the Gateway Pacific Terminal. As county planners, your duty is to evaluate whether this project is for the good of all county residents. Certainly this project would benefit out-of-state profiteers and overseas energy conglomerates, but it will produce very little economic value for Whatcom County along with considerable negative impacts.
Thank you.
-- Richard Howland, 1722 Sapphire Trail, Bellingham WA 98226
From: Tyler Schroeder
To: Roger McCarthy
Date: 5/3/2012 9:32 AM
Subject: Re: GPT TIA


try this

>>> Roger McCarthy 5/2/2012 3:54 PM >>>
Tyler:

Is the Traffic Impact Analysis in a digital format that I can get?

Thanks
Roger
Eric,

Thanks, we will update our contact list with your email.

Tyler

Tyler R. Schroeder
Planning Manager
Phone: (360) 676-6907 ext. 50202
Fax: (360)738-2525
Email: Tschroed@co.whatcom.wa.us
Address:
Whatcom County Planning and Development Services
5280 Northwest Dr.
Bellingham, WA  98225

>>> Eric Tremblay <northsounder@msn.com> 4/24/2012 10:47 AM >>>

Yes, do. I thought that was clear. Eric

> Date: Thu, 19 Apr 2012 13:33:43 -0700
> From: Tschroed@co.whatcom.wa.us
> To: northsounder@msn.com
> Subject: Re: Coal
> >
> > Eric,
> >
> > Please clarify your email. Would you like me to add you email to our Gateway Pacific Terminal party of record list.
> >
> > Thanks,
> >
> > Tyler
> >
> > Tyler R. Schroeder
> > Planning Manager
> > Phone: (360) 676-6907 ext. 50202
> > Fax: (360)738-2525
> > Email: Tschroed@co.whatcom.wa.us
> > Address:
> > Whatcom County Planning and Development Services
> > 5280 Northwest Dr.
> > Bellingham, WA  98225
> >
> >>>>> Eric Tremblay <northsounder@msn.com> 4/5/2012 8:01 AM >>>>>
Eric Tremblay
1092 Koenig Ln. Coupeville Wa. 98239
Add my name
From: Tyler Schroeder
To: Stephanie Drake
Date: 5/4/2012 1:57 PM
Subject: Fwd: Updated Whatcom Docs ltr re GPT
Attachments: GPT project Whatcom Docs ltr 041612.pdf

Could you add this to the correspondence page, as a revised letter.

Thanks,

Tyler

Tyler R. Schroeder
Planning Manager
Phone: (360) 676-6907 ext. 50202
Fax: (360) 738-2525
Email: Tschroed@co.whatcom.wa.us
Address:
Whatcom County Planning and Development Services
5280 Northwest Dr.
Bellingham, WA 98225

>>> Suzanne Mildner 4/24/2012 2:14 PM >>>
Hi Tyler,

Attached is correspondence received today from the Whatcom Docs group.

Thanks,

Suzanne
Suzanne Mildner
Administrative Secretary/Grants Coordinator
Whatcom County Executive Department
311 Grand Avenue, Suite 108
Bellingham, WA 98225
(360) 676-6717
smildner@co.whatcom.wa.us
April 23, 2012

Jack Louws
Whatcom County Executive
311 Grand Avenue, Suite 108
Bellingham, WA 98225

Dear Executive Louws,

You may have noted an error in the recent letter from Whatcom Docs with an incorrect date. Enclosed is a corrected letter that is unchanged other than the corrected date. We would ask you to replace the previous letter, for the record.

Thank you and we apologize for the inconvenience.

Richard McClanahan, M.D.
Whatcom Docs
Jack Louws  
Whatcom County Executive  
311 Grand Avenue, Suite 108  
Bellingham, WA 98225

Ted Sturdevant  
Director, Washington State Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504

Dear Executive Louws, Director Sturdevant and Mr Perry,

This letter is a follow up to the letter you received approximately three weeks ago from Whatcom Docs, which as you know, is a group of over 180 physicians in Whatcom County who share concerns about the health impacts of the proposed Gateway Pacific Terminal. In that letter, you will recall, we outlined some of the specific public health concerns that we have regarding this project. The purpose of this follow up letter is to emphasize to you the importance we feel that these concerns be addressed through an integrated health impact assessment (HIA) within the environmental impact statement (EIS). In particular, we want to emphasize that there is strong expert opinion that an EIS without a HIA is not adequate to fully assess the health impact of a project of this scope.

As defined by the International Association of Impact Assessment, a health impact assessment is “a combination of procedures, methods and tools that systematically judges the potential and sometimes unintended, effects of a policy, plan, program or project on the health of a population and the distribution of those effects within the population” (Bhatia, Farhang, Lee).

While one of the major outcomes of the National Environmental Policy Act of 1969 (NEPA) was to mandate that projects that affect the quality of the environment undergo a thorough environmental impact assessment, we wish to bring to your attention published literature that points out that historically the EIS does not adequately evaluate impacts on public health. “The consideration of health within an EIS is both rare and narrowly focused on toxic exposures” (Bhatia, Wernham).

To overcome this potential deficiency as the county moves forward in evaluating the impact of the GPT, Whatcom Docs is calling for an HIA to be integrated into the EIS for this project. The HIA is a strong tool that will ensure that the concerns regarding the potential health effects of this project are on the agenda and will provide the resources for a thorough evaluation of these issues.

We want to point out, with an example, what we expect to come from such efforts, taken from a recent similar Health Assessment that was done in our region. The Health Risk Study for the Burlington Northern/Santa Fe Railroad Spokane rail yard done by the Spokane Regional Clean Air Agency in 2011 is an example of the robust, thorough analysis that we feel will be needed to address the health issues of the GPT project. This assessment was an analysis of cancer risk from diesel particulate matter (DPM) in the areas surrounding the BSNF rail yard in Spokane, and utilized data from a similar rail yard in Stockton, CA. As in this report, the HIA for the Gateway Pacific project should include
detailed analysis and narrative along with graphics that will be clear and easily understood by not only the technically trained but the general public as well. Examples of such visual displays should include cancer isopleths and visual displays such as those below taken from the BNSF/Spokane report:

Figure II-2: Estimated Near-Source Cancer Risks (chances per million people) from the UP Stockton

In the graphic above, using data on cancer risk related to proximity to heavy DPM exposure (incidence of cancer per million people), this illustrates clearly the increasing risk of cancer that exists as one lives closer to the source of exposure, in this case, a rail yard surrounded by residential areas
This aerial graphic illustrates residential areas and the proximity of them to the rail yard in Spokane, which greatly enhances the understanding of risk from exposure to cancer causing toxins that would exist for a particular neighborhood or community, over simply a narrative describing such risks.

The Spokane Rail yard risk assessment addressed only DPM exposure and the risk of cancer. In contrast, as outlined in the previous letter from Whatcom Docs, potential health risks associated with the Gateway Pacific Terminal involve numerous other public health issues in addition to the DPM impact. These issues need to be assessed along the entire rail corridor that this project will involve and should include the impact to human health from noise from rail traffic, the potential problems relating to emergency response from rail crossing delays, the impact on health from coal dust, and potential human health effects from ship traffic and oil spills.

In summary, the over 180 physicians that are members of Whatcom Docs, want to emphasize to you that the potential health effects of the Gateway Pacific Terminal and the rail traffic it involves are numerous and complex, and we feel they will not be adequately addressed in an EIS that does not include an integrated Health Impact Assessment. As pointed out in the referenced paper of 2010 from Bhatia, et al, minimal standards have been established for the HIA that is needed for a project such as this, and in fact are now commonly included in impact studies for far smaller projects, an example of which is the rebuilding of the 520 bridge in Seattle.

As candidates are evaluated for carrying out the EIS, it is imperative that a high value be placed on the ability and expertise to carry out a thorough and complete Health Impact Assessment, and that this assessment be part of the overall analysis of the impact of this project.
Sincerely,

Whatcom Docs

Dale Abbott, MD
Camilla Allen, MD
Daniel Austin, MD
Diane Arvin, MD
Barbara Bachman, MD
Laura Backer, MD
Kristi Bailey, MD
Jeffrey B. Black, MD
Terri Blackburn, MD
Pete Beatin, MD
Claire Beiser, MD, MPH
Don Berry, MD
Richard Binder, MD
Nancy Bischoff, MD
Bruce Bowden, MD
Kirk Brownell, MD
Allan Buehler, MD
David Cahalan, MD
Soren Carlsen, MD
Erin Charles, MD
Michael Chmel, MD
Joshua Cohen, MD
Andrew Coletti, MD
Paul Conner, MD
Kirstin Curtis, ARNP
Jan Dank, MD
Marc Davis, MD
Joe Deck, MD
James Harle, MD
Emil Hecht, MD
Grayce Hein, ARNP
Michael Hejtmank, MD
Harry Herdman, MD
David Hoefl, MD
Marcy Hipskind, MD
John Holroyd, MD
Jim Holstine, DO
Sherry Holtzman, MD
Will Hong, MD
John Hoyt, MD
Bao Huynh, MD
Kellie Jacobs, MD
Meg Jacobson, MD
Gertrude James, ARNP
Frank James, MD
Helen James, MD
Lisa Johnson, ARNP
David Jessup, MD
Mitchell Kahn, MD
Daniel Kim, MD
Annie Kiesau, MD
Carter Kiesau, MD
Gail Knops, MD
Joost Knops, MD
Ann Knowles, MD
Andrew Kominsky, MD
Katherine Dickinson, MD
Peter Dillon, MD
Thang Do, MD
Mark Doherty, MD
Kevin Dooms, MD
Jim Eggen, MD
Jerry Eisner, MD
David Elkayam, MD
Laurie Emert, MD
John Erbstoeszer, MD
Worth Everett, MD
Anneliese Floyd, MD
Ryan Fortna, MD, PhD
Dianne Foster, ARNP
Randy Frank, DO
Eric Frankenfeld, MD
Jonathan Franklin, MD
Anthony Gargano, MD
Ken Gass, MD, PhD
Jeremy Getz, MD
Robert Gibb, MD
Stan Gilbert, MD
Martha Gillham, MD
Corinne Gimbel-Levine, ARNP
Lorna Gober, MD
David Goldman, MD
Aaron Gontier, MD
Erin Griffith, MD
Deborah Hall, MD
Tom Hall, MD
William Hall, MD
Pamela Laughlin, MD
Shawna Laursen, MD
Sandy George Lawrence, MD
Josie Lee, MD
Tyler Leedom, DO
Kathy Leone, MN, ARNP
Rick Leone, MD, PhD
Linda Leum, MD
Hank Levine, MD
Chris Lewis, DO
Serge Lindner, MD
Kelly Lloyd, MD
Bill Lombard, MD
Jena Lopez, MD
Jonathan Lowy, MD
Leasa Lowy, MD
Thomas Ludwig, MD
Bruce Mackay, MD
Margaret Mamolen, MD
Troy J. Markus, D.O.
Vincent Matteucci, MD
Dick McLenahan, MD
Marianne McElroy, PA
Monica Mahal, MD
Scott McGinness, MD
Judson Moore, PA
David Morison, MD
Gib Morrow, MD
Larry Moss, MD
Sara Mostad, MD, PhD
Ward Naviaux, MD
John Neutzmann, DO
David Hansen, MD
Tyler Leedom, DO
Kathy Leone, MN, ARNP
Rick Leone, MD, PhD
Tracy Ouellette, MD
Mark Owings, MD, PhD
Evelyn Oxenford, ARNP
Clark Parrish, MD
Mike Pietro, MD
Trevor Pitsch, MD
Denise Plaisier, PA
Suneil Polley, MD, Lac
Ronda Pulse, MD
Gita Rabbani, MD
Andris Radvany, MD
Jon Ransom, MD
Christoph Reitz, MD
Niles Roberts, MD
April Sakahara, MD
William Scott Sandeno, MD
Paul Sarvasy, MD
Neal Saxe, MD
James Schoenecker, MD
Julie Seavello, MD
R. Milton Schayes, MD
Barbara Schickler, ARNP, CNM
Melana Schimke, MD
Luther Schutz, MD
Miriam Shapiro, MD
Janine Shaw, MD
John Shaw, MD
Mary Ellen Shields, MD
Deborah Oksenberg, MD
David Olson, MD
Rob Olson, MD
Patricia Otto, MD
Alan Shurman, MD
Don Slack, MD
Robert Slind, MD
Chris Spilker, MD
Bonnie Sprague, ARNP
Scott Stockburger, MD
Berle Stratton, MD
Jenny Sun, MD
Gregory Sund, MD
Mary Swanson, MD
Warren Taranow, DO
Michael Taylor, MD
M. Greg Thompson, MD, MPH
Stuart Thorson, MD
Teresa Thornberg, MD
Loch Tringham, MD
Elizabeth Vennos, MD
Steve Wagoner, MD
April Wakefield Pagels, MD
Heather Whitaker, ARNP
Sara Wells, ARNP
Anne Welsh, MD
Greg Welsh, MD
Susan Willis, ARNP
David Wisner, MD
Steven Wisner, MD
Todd Witte, MD
Ginny Wolff, MD
References

Health Risk Study for the Burlington Northern/Santa Fe Railroad Spokane Railyard, September 6, 2011, Spokane Regional Clean Air Agency, Charles Snyder, Environmental Engineer


Studer, C. “Health Risk Study for the Burlington Northern/Santa Fe Railroad Spokane Rail yard”, Spokane Regional Clean Air Agency, first revision September 2011

cce:
Dow Constantine, King County Executive
Christine Gregoire, Governor of Washington State
Mayor Kelli Linville, City of Bellingham
Mayor Pete Lewis, City of Auburn
Mayor Suzette Cooke, City of Kent
Mayor Denis Law, City of Renton
Mayor Mike McGinn, City of Seattle
Mayor Keith McGlashan, City of Shoreline
Mayor David Condon, City of Spokane
Mayor Jim Haggerton, City of Tukwila
Peter Goldmark, Washington State Commissioner of Public Lands
Dennis McLerran, Regional Administrator, U.S. Environmental Protection Agency
Tay Yoshitani, CEO, Port of Seattle
Joni Earl, CEO, Sound Transit
Bob Drewell, Executive Director, Puget Sound Regional Council
Craig Kentworthy, Executive Director, Puget Sound Clean Air Agency
Christie True, Director, Dept. of Natural Resources and Parks
Ngozi Oleru, Director of Environmental Health, Dept of Public Health
Carrie Cihak, Director of Policy and Strategic Initiatives, King County Executive's Office
Megan Smith, Environmental Policy Advisor, KCEO
Greg Stern, Whatcom County Health Officer
Washington State Medical Association
Howard Frumkin, Dean, School of Public Health, University of Washington
John Stark
Scott Pelton
Tim Johnson
Whatcom Watch
Floyd McKay (CrossCut)
Bob Simmons (CrossCut)
Stephan Michaels (freelance) -
2ndwind@olypen.com

Joe Teehan (KGMI-AM) - joe@kgmi.com

The Northern Light -
editor@thenorthernlight.com

Beverly Crichfield (Skagit Valley Herald) -
berichfield@skagitpublishing.com

Lance Dickey (Seattle Times)
l_dickie@seattletimes.com
Dear Ms. Sundquist,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

~~~~~~~~~~~~~~~~~~~~~~~~~~~
Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> "Jan Sundquist" <stillpoint@centurylink.net> 4/28/2012 5:08 PM >>>
I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012. Please register me as an interested Party and email me a copy of SEPA/NEPA DS and scoping notices for this project

Please send these notices and information to me @ stillpoint@centurylink.net

Thank you,
jan sundquist
Lopez island, WA 98261
stillpoint@centurylink.net
Dear Mr. Crum,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

Dear Whatcom County Planning & Development Services:

As a homeowner in Birch Bay, who moved to this area for its overall environmental beauty and quality of life, I am deeply concerned about a number of probable impacts related to the proposed Gateway Pacific Terminal (GPT). Potential adverse, if not catastrophic, effects include:

· Coal Dust Clouds spreading over surrounding wetlands, aquatic reserves, farmland, homes, businesses and beaches. A 2001 Canadian study of coal dust emissions from the Westshore Terminal near Tsawassen B.C. estimated that the Westshore Terminal emits roughly 1.5 million pounds of coal dust each year. The proposed GPT at Cherry Point would be more than double the size of Westshore with potentially more than three (3) million pounds of coal dust emissions annually. Coal dust contains toxic substances such as lead, mercury, arsenic, benzene and formaldehyde. These substances can cause serious health problems including: cancer, heart attack, asthma, and birth defects. There is no safe level of exposure to these substances, according to 180 Whatcom County physicians.

· Increased Safety Hazards at BP Cherry Point Refinery due to accumulating fugitive coal dust on mechanical and/or electronic sensors, gauges, switches, valves, connectors, etc. on the refinery's towering structures. Since it began operation, BP Refinery has operated in an environment of good air quality. That would no longer be the case, with the proposed GPT's four, half-mile long and 60 feet
high, 80-acre open coal storage piles located within one (1) mile of the BP Cherry Point structures. The prevailing south and southwest winds would direct fugitive coal dust emissions onto the BP Refinery structures. According to reports by home and boat owners in Point Roberts, WA, the spread of coal dust from the Westshore Terminal is known to be at least five (5) miles ... without wind. Since accumulated coal dust on railroad tracks is known to have caused train derailments, it seems likely that accumulated coal dust would have probable adverse impact upon the safety of facility operations at BP Refinery.

· Extraordinarily high volume water consumption and toxic waste-water runoff related to the cooling processes required for the 54 million metric tons per annum (Mtpa) of dry bulk commodities including, but not limited to coal, grain products, and potash and petroleum coke. What is the source of all those millions of gallons of water? How many local families, community business owners and nearby farmers will suffer water shortages, due to the proposed GPT’s extraordinarily high volume water consumption? After powerful water cannons douse open-air coal piles, in an attempt to prevent spontaneous combustion, toxic waste-water runoff would then enter the Strait of Georgia, the Cherry Point State Aquatic Reserve, and daily flood-tidal currents would move it around Point Whitehorn into Birch Bay and onto the beaches.

· Increased Marine Vessel Traffic, Diesel Exhaust Emissions and the Introduction of Invasive Species all are probable impacts of the proposed GPT. Cherry Point's shoreline currently receives 850 annual transits from its three existing marine piers. The proposed terminal would require the addition of over 900 annual transits (over 450 ships, arriving and departing). Vessels would be either Panamax or Capesize: the largest, least maneuverable, ships in the world ... whose safety records are among the worst of all bulk carriers. A 2008 BP Refinery, Vessel Traffic Risk Assessment study projected dramatic increases for both the risk of marine vessel accidents and oil spills or outflows resulting from collisions between two vessels, groundings (both powered and drift), allusions (collisions with the dock or other fixed objects) if crude vessel traffic levels increased by 17% at the BP Cherry Point Refinery. Even environmental and safety documents for the initial (1997) proposed GPT estimated an increase of approximately 60% in the deep draft ship traffic in the upper Rosario Strait. Vessels most likely to be involved in a collision with a large bulk cargo vessel are: passenger ferries, tank barges, and tank vessels - the impact of which any one would be catastrophic.

Any one of the aforementioned adverse impacts of the GPT warrants serious concern regarding this proposal, but considering their potential interactive/compounding negative impact is beyond frightening for many of us who live near the proposed GPT site.

The decisions you make regarding the proposed GPT very well may be the most important decisions of your professional careers. I simply ask that you carefully consider all available facts, and then arrive at your decisions as you would if you and/or your close family members lived near the proposed terminal site.

Sincerely,
Dear Ms. Plombon,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at [http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp](http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp).

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> jenners <hainessjp@comcast.net> 4/29/2012 10:32 AM >>>
I want to see the following issues addressed by the permits SSA Marine must apply for:

Effects of coal dust on the environment, the human residents of WA, the animals and fish in WA, the clean air in WA.

Effects of miles-long and minutes-long trains on the emergency needs of residents of communities along the railroad tracks. Whatcom County's population is an aging one, with frequent need for ambulance rescue services, and holding ambulances up for many minutes many times per day is likely to lead to some avoidable deaths.

Effects of miles-long and minutes-long trains on the work needs of residents of communities along the railroad tracks. Idling cars, enormous frustrations, and late or missed work hours are likely to occur.

Effects of miles-long and minutes-long trains on the tourism in communities along the railroad tracks. Frequent long waits to enter cities and towns to shop or eat are likely to lead to tourism dropping as people simply turn around and leave or stop coming altogether.

Long term effects on human health. Whatcom County physicians have stated that there is NO SAFE LIMIT for coal dust ingestion. The thousands of coal-carrying cars through WA will not be covered and the amount of uncaptured coal dust dumped into the air of our
state will be huge and damaging.

The effects on the economy. The number of new jobs projected by SSA Marine keeps dropping per their own reports; many will be temporary only while the facility is being built. Meanwhile, the number of tourism, fishing, farming, and building jobs, to name just a few, are likely to decline as people leave the area for a cleaner place to live, without miles of trains to get through.

The tax base of Whatcom County, which will inevitably drop as people move out or never move in, and as tourism and other businesses decline.

The world-wide effects of sending coal to China, where its coal plants will damage the environment of the entire world, not just WA's, in a time where all respected environmental studies show that the use of coal, even with "clean coal" technology, must be phased out to protect the environment.

Thank you for your consideration.
Jennifer Plombon
Whatcom County resident
Dear Ms. Grace,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> Sharon Grace <parons@rockisland.com> 4/30/2012 4:23 PM >>>
Dear Sirs/Mesdames:
I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012. Please register me as an "interested party" and email me a copy of the SEPA/NEPA DS and scoping notices for this project.
Sincerely, Sharon Grace
Dear Ms. Keenholts,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> Lesley Keenholts <leslieljk@msn.com> 4/30/2012 6:48 PM >>>
Please add me to the GPT subscriber list.

Lesley Keenholts
1321 Humboldt St.
Bellingham, wa
98225
leslieljk@msn.com
Dear Ms. Hicks,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> PDS 5/1/2012 7:16 AM >>>
Included as party of record.

>>> <khicks@whatcomhomebuilder.com> 5/1/2012 5:30 AM >>>
To Whom It May Concern,
We here in Birch Bay have worked so hard over the past several years to clean up our watershed and improve water quality in the Bay and the surrounding region. This includes replacement of failing septic systems and planting native vegetation in the watershed - including the work surrounding the BP property on Cherry Point. Please don't allow all this hard work to go to waste. Please don't ruin Birch Bay and Cherry Point with coal dust. Coal dust is toxic and it kills. We do not want the coal terminal. No one does. We do not want Chine burning for fuel the coal that we have beened because of its toxicity. Please! NO COAL TERMINAL!!!!
Catherin Hicks, Birch Bay, Washington
Dear Ms. Hellman,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> "Rebecca Hellman" <rhellman@centurytel.net> 5/1/2012 11:49 AM >>>
I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012.

Please register me as an "interested party" and email me a copy of the SEPA/NEPA DS and scoping notices for this project.

I live in the San Juans, and see this development as a net negative development for all of the surrounding areas, for economic and environmental sectors.

Rebecca Hellman  rhellman@centurytel.net
Dear Mr. Claybourn,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

>>> "Ronald V. Claybourn" <claybourn@centurytel.net> 5/1/2012 12:31 PM >>>
Good day.

I am writing in response to your Notice of Application for the Gateway Pacific Terminal permits dated April 16, 2012. Please register me as an “interested party” and email me a copy of the SEPA/NEPA DS and scoping notices for this project.

Thank you,

Ronald Claybourn
828 Discovery Way
Eastsound, WA
98245-8512
From: Stephanie Drake
To: perotondi@comcast.net
Date: 5/2/2012 3:33 PM
Subject: Re: GPT Application Comment

Dear Ms. Rotondi,

Thank you for your comments regarding the Gateway Pacific Terminal Notice of Application. Your name has been added to the parties of record list and you will be notified of future notices. Your comments will be added to the file, forwarded to the Whatcom County Hearing Examiner and reviewed throughout the SEPA/NEPA process, including scoping. If you would like to review the application in more detail please refer to our website at http://www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

Sincerely,

Stephanie Drake

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Stephanie Drake
Whatcom County Planning & Development Services
SDrake@co.whatcom.wa.us
(360) 676-6907 Ext. 50201

Dear Whatcom County Planning & Development Services:

I live in Birch Bay, WA. My home is approximately 3.5 miles north of the proposed Gateway Pacific Terminal (GPT). There is a fatal flaw in the application for the GPT. The fatal flaw is the open coal storage piles at Cherry Point. The negative impacts of the GPT are beyond frightening for anyone living in one of the communities near the proposed GPT site. For the following reasons, most related to the open coal storage piles, I am strongly opposed to the GPT:

*GPT's open coal storage piles would emit more than 3,000,000 pounds of coal dust every year when the GPT ships 48 million tons of coal per year. The fogging, water spray, and wind screen techniques that SSA proposes to utilize for dust control have been shown to be incapable of preventing the escape of significantly harmful amounts of coal dust. The evidence provided by all existing coal shipping terminals using these techniques shows that they do not prevent the escape of dangerous and harmful amounts of coal dust. The Westshore Terminal near Tsawassen B.C. uses these dust control techniques and was found by a 2001 Canadian study of coal dust emissions to emit roughly 1.5 million pounds of coal dust each year when shipping 21 million tons of coal annually. The GPT would ship over twice as much coal as Westshore and would emit more than twice as much coal dust - more than 3,000,000 pounds per year. Drastically worsening the impact of GPT's fugitive dust is that the prevailing winds at Cherry Point blow toward the surrounding communities - not out to sea as they do at Westshore. The communities that surround the GPT are filled with thousands of men, women and children; these people and virtually all their property including homes, farms, yards, patio furniture, cars and boats would be coated with more than 3,000,000 pounds of coal dust every year.

Coal dust is not just filthy and difficult to remove, it is poisonous. Coal dust contains toxic substances
such as lead, mercury, arsenic, benzene and formaldehyde. These substances can cause serious health problems including: cancer, heart attacks, asthma, and birth defects. There is no safe level of exposure to these substances according to 180 Whatcom County physicians.

Fugitive coal dust from GPT’s open coal storage piles also would settle on or run-off into surrounding ecosystems including wetlands, the Birch Bay watershed, the Cherry Point Aquatic Reserve, Birch Bay State Park, Point Whitehorn Marine Park, Birch Bay and Birch Bay beaches. These ecosystems and the species dependent upon them including herring, salmon, orca, birds, crabs, and clams would be harmed if coated with 3,000,000 pounds of toxic coal dust every year.

*GPT’s fugitive coal dust would increase safety hazards at BP Cherry Point Refinery due to accumulating coal dust on mechanical and/or electronic sensors, flanges, gauges, switches, valves, and connectors on the refinery's towering structures. GPT's four, half-mile long and 60 feet high, 80-acre open coal storage piles would be located within one (1) mile of the BP Cherry Point structures and the prevailing south and southwest winds would coat fugitive coal dust emissions onto the BP Refinery structures. Since accumulated coal dust on railroad tracks is known to have caused train derailments, it seems likely that accumulated coal dust would have probable adverse impact upon the safety of facility operations at BP Refinery. It seems probable that fugitive coal dust would significantly increase the likelihood of explosions or fires at the BP refinery like the one that occurred February 17, 2012 due to a "faulty flange".

*Increased Marine Vessel Traffic, Diesel Exhaust Emissions and the Introduction of Invasive Species all are probable impacts of the proposed GPT. Cherry Point's shoreline currently receives 850 annual transits from its three existing marine piers. The proposed terminal would require the addition of over 900 annual transits (over 450 ships, arriving and departing). Vessels would be either Panamax or Capesize: the largest, least maneuverable, ships in the world ... whose safety records are among the worst of all bulk carriers. A 2008 BP Refinery, Vessel Traffic Risk Assessment study projected dramatic increases for both the risk of marine vessel accidents and oil spills or outflows resulting from collisions between two vessels, groundings (both powered and drift), allusions (collisions with the dock or other fixed objects) if crude vessel traffic levels increased by 17% at the BP Cherry Point Refinery. Even environmental and safety documents for the initial (1997) proposed GPT estimated an increase of approximately 60% in the deep draft ship traffic in the upper Rosario Strait. Vessels most likely to be involved in a collision with a large bulk cargo vessel are: passenger ferries, tank barges, and tank vessels - the impact of which any one would be catastrophic.

SSA Marine does not own the air, the water, or the people and other living creatures that the GPT would be harm. SSA Marine should not be given a permit to put 3,000,000 pounds of toxic coal dust per year into the air. I do not want to breathe toxic coal dust into my lungs. Open coal storage piles are a fatal flaw at the heart of this GPT application. If SSA Marine is serious about putting a coal shipping terminal at Cherry Point, it should withdraw the present application and submit a new application for a facility with enclosed buildings to contain the coal storage piles.

I ask that you consider what you would do if someone blew a teaspoon of coal dust in your face. Please arrive at your decisions as you would if you and/or your close family members lived near the proposed terminal site and would have 3,000,000 pounds of toxic coal dust blown at them every year.

Sincerely,

Paula Rotondi