

WASHINGTON DUNGENESS CRAB FISHERMEN'S ASSOCIATION

P.O. Box 2678, Westport, WA 98505

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Imperium and Westway Environmental Impact Statements

c/o ICF International

710 Second Ave, Suite 550

Seattle, WA 98104

Scoping comments of WDCFA, (Washington Dungeness Crab Fishermen's Association of Westport, WA), on the Proposed Imperium and Westway EIS:

The Washington Dungeness Coastal Crab Fishery is sustainable. Dungeness crab is marketed domestically and worldwide. Tribal and non-tribal coastal catches routinely provide \$35,000,000-\$60,000,000 in ex-vessel value each year and direct employment of approximately 600 fishers. The members of our association are very concerned over the environmental, economic, and community impacts and unintended consequences of the "Crude by Rail projects" (CBR) proposed by Imperium, Westway, and US Development.

When considering the scope of the environmental issues of these projects there are plenty to go around and impact communities and environments over vast areas both upstream and downstream of the sites of these projects. From the facilitation of a controversial extraction technology, to the transportation of highly volatile crude over many miles of weary and worn railroad tracks-- in marginally safe rail cars, to the lack of adequate emergency response teams in all of the communities these trains pass through, to the storage and transfer facilities supervision and safety, to the barges and ships transporting the oil through highly sensitive and highly valued marine resource environments, the impacts will follow the crude. If the scope of the EIS follows the crude the true impacts involved in these projects will become clear.

Many of our members have been directly affected by past oil spills -- the Exxon Valdez 1989 crude oil spill in Alaska, the Nestucca barge bunker oil spill in 1988 off of Grays Harbor, and the Cosco Buson 2007 bunker oil spill in San Francisco Bay are some examples. Those members witnessed first-hand the difficult task of recovery of oil on water and shorelines. While many "plans" are in place for recovery response in case of spills, the practical reality of recovery is daunting, desperate, and most often overwhelming. Booming is our first defense in the event of a spill. Booming loses effectiveness in strong current or rough water or both. Ebb Tide in Grays Harbor regularly exceeds four knots. Fall and winter gales blow strong and often-- unless a spill occurs during daylight hours, with no wind, at a slack tide, and in calm water--booming will offer little defense against a spill. Booming may work well in some places but not in Grays Harbor. Once the Bakken crude oil supply has been depleted, the facilities will likely be used for Alberta oil-sand derived crude oil, much of which will sink, rendering booming useless.

Storing highly volatile crude in storage tanks on seismically sensitive and tsunami vulnerable shoreline within 70 miles of the Cascadia Subduction zone welcomes trouble. Transferring highly volatile crude to a ship or barge and then transiting through a highly sensitive and highly productive resource environment is a recipe for disaster. With the volume of oil to be transferred and the number of vessels expected annually spills are inevitable.

WDCFA expects that the scoping document in the EIS include but not be limited to the following for all the proposed facilities:

1. An evaluation of the economic impacts of projects including identification and quantification of benefits and identification and quantification of economic risk to existing jobs and communities both upstream and downstream of these projects. What local jobs will be created what existing jobs are in jeopardy?
2. What areas and human populations are threatened in advent of spill, fire, and/ or explosion in transit of oil by rail, in shore-side oil storage areas, and from the marine exchange and transport of oil?
3. In the event of various oil spill volume scenarios and differing weather and current conditions where will the oil go? What areas will be affected? What marine species, marine mammal populations, and bird populations may be threatened or live in the spill area footprints? The Nestucca oil barge "holed" in 1988 on the North Jetty of Grays Harbor spilled approximately 250,000 gallons of "bunker oil" and killed an estimated 56,000 birds. The Exxon Valdez spilled approximately 11,000,000 million gallons of "crude" oil in 1989 in Alaska and soiled 1,100 miles of coastline. What are the volumes of oil to be carried by each ship or barge?
4. What are tidal current velocities in Grays Harbor at various locations along proposed transit routes? How often do gale force winds blow in the Grays Harbor Area? What is the effect of wind and current on oil boom effectiveness? A clear understanding of water flow dynamics from tide, wind, and currents within Grays Harbor, into and out of Grays Harbor, and along the Pacific Coast is essential to creating an adequate response plan.
5. What is the contribution of freshet flows to current speed and what is their frequency?
6. What is the scale of a potential spill from these projects?
7. What spill response assets will be in place? How effective are response plans in strong currents and bad weather? How do spill response plans differ if a spill occurs along the Chehalis River? In Grays Harbor? In the Pacific Ocean?
8. What does a worst case scenario look like and what are the plans for a worst case scenario?
9. Who will pay for spill response and recovery? Who will pay for environmental damage and damage to existing economies? How do you rebuild an estuary?
10. How well suited are the storage and transfer sites to withstand earthquakes of differing magnitudes and Tsunamis of differing wave heights?
11. How long will it take for a Tsunami generated by a seismic event along the Cascadia Subduction Zone to reach the proposed terminal sites?
12. Is the soil of these sites subject to liquefaction in the event of an earthquake? What engineering is in place to compensate? Is it adequate?
13. How will increased ship and barge traffic associated with these projects be managed? What will be the expected increase in ship and barge traffic? Will collision avoidance systems be in place?
14. Ships are required to have Harbor Pilots. Will new tug traffic be required to have escorts or pilots? What requirements will be in place to insure all tug captains are familiar with Grays Harbor before crossing the bar, entering the Harbor, navigating the channel, or disembarking with 6,000,000 gallons of crude in tow?
15. Grays Harbor has limited deep water areas to stage ships or tugs. What staging areas are available to ship and tug traffic? Are staging areas adequate to accommodate expected increases in shipping traffic? Will staging area be designated? Where will ships and tugs and barges await a turn to load? Where will ships and tugs await bad weather events? Who will co-ordinate these activities?
16. With deep waters areas in Grays Harbor limited at this time is the Grays Harbor Navigation Improvement Project intended to help provide more staging area for vessels transporting oil? What are the impacts of increased dredging operations on crab, oysters and other benthic species? What is expected cost of Grays Harbor Navigation Improvement Project?

17. The coastal crab fishery provides millions in economic benefit to coastal communities. What plans would be in place to protect the crab fishery and those depending on it in the event of a spill?
18. What is the value and volume both ex-vessel and value added of all seafood products originating and transported through Grays Harbor?
19. What would be effect on market conditions for crab caught and oysters harvested in the event of and /or public perception of an oil spill? Presently many coastal Dungeness crab are sent live to China this market has become an important piece of Dungeness crab marketing. What would be expected response in overseas markets to perception of oil contaminated shellfish? How long would it take for markets to recover? Would they recover?
20. If 2.7 billion gallons of crude oil is shipped from Grays Harbor annually what would be expected public response or market impacts to shellfish and fish products originating in Grays Harbor whether a spill occurs or not?
21. At the present time agreements between towboat operators and the fixed gear crab fishery are in place. These agreements are facilitated through Sea Grant. Agreements provide for designated towboat lanes entering and leaving Grays Harbor. The lanes help to minimize interaction and damage to crab pots, (estimated 100,000 pots on Washington Coast), and vessels and to minimize pre-emption of fishing areas by shipping activities. Will existing towboat agreements remain in effect with the expected increase in shipping traffic from CBR proposals? If wider lanes are needed to accommodate increased traffic or if " Safety Zones" have to be in place to accommodate increased traffic and/ or hazard cargo transport, who will mitigate for lost fishing opportunities and areas?
22. If Alberta Tar Sands oil transport is in Gray Harbor's future how will a spill response plan which is based primarily on the booming and recovery of oil on the surface be effective against a heavy crude oil that will likely sink?
23. Is the transportation of heavy crude through Grays Harbor included in these proposals? Would approval of this project as proposed set the stage for heavy crude transport by the applicants without additional scrutiny or procedural or permit requirements?
24. What are the spill response plans specific to a "heavy" crude oil spill event?
25. What are alternatives to these proposals?

The fishing industry is as dependent on fossil fuels as any other. In our collective quest to fill our fossil fuel requirements some alternatives are likely better than some others. Direct transit to existing refineries seems a more logical and less potentially harmful solution.

WDCFA thanks those responsible for forcing a formal EIS process on the proposed oil terminal projects and associated high volume crude oil shipping from Port of Grays Harbor terminals. WDCFA expects our requests for specific scoping questions be taken as seriously as our members are taking these proposals.

Thanking you in advance,

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