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January 19, 2016

State of Washington
Mr. Stephen Posner, EFSEC Manager
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172

RE: Tesoro Savage Vancouver Energy Project, Application No. 2013-01

Dear Mr. Posner:

The City of Spokane Valley Council, on behalf of its citizens, submit the following comments on the Draft Environmental Impact Statement (DEIS) for the Tesoro Savage Energy Project, published on November 24, 2015. While Spokane Valley supports commerce in our City and throughout the State of Washington, we have serious concerns about the safety and quality of life issues identified in the Draft Environmental Impact Statement.

There are important errors or omissions in the report and Spokane Valley would like to bring these to your attention:

- Incomplete, missing or incorrect data:
 - Page 3.14-11, Table 3.14-7 indicates 3.5 miles of BNSF track in Spokane Washington. The table is incorrect. There are 9.82 miles of BNSF track in the City of Spokane and 8.54 miles of BNSF track in the City of Spokane Valley. Also, the table seems to lump the City of Spokane Valley into a category of "Sandpoint, ID to east of Spokane, WA." As a municipality of 92,000 people, the City of Spokane Valley warrants specific study and specific mention by name, not lumped into a category. This table reflects the cut and paste of existing data that was used throughout the plan and does not reflect a true study of impacts to major municipalities along the proposed route.
 - Page 3.14-27, Figure 3.14-7 is incorrect. Barker Rd. is omitted from Figure 3.14-7 which shows locations of at-grade crossings having Annual Average Daily Traffic (AADT) of 2,500 or more. Barker Rd. has AADT of 5,100 vehicles. Currently, up to 56 trains per day cross the Barker Road/ SR290 intersection, of which 19 per week are unit oil trains. This makes us question other critical data that may be missing from the DEIS.

- The City of Spokane Valley is omitted from the list of Municipalities on page 4-15, Table 4-3. The table lists Spokane, Marshall, Cheney and Tyler but not Spokane Valley. With a population of 92,000 residents, we are concerned the City is omitted from this list. We are also concerned with limited specific mention of our City throughout the document. In our opinion, the magnitude of risk involved warrants specific study of Spokane Valley. This raises concerns that other critical information specific to our City has been omitted.
- Mitigation for transportation impacts are not fully addressed in the DEIS as well. Page ES-38 of the DEIS states “The addition of rail traffic associated with the proposed facility would cause some segments of rail lines to approach or exceed capacity, resulting in moderate to major impacts.” How are these impacts to be addressed? The City of Spokane Valley asserts that the responsibility to mitigate impacts should not be the responsibility of individual municipalities.
- Potential Impact Concerns

- Safety: With an increase in the amount of crude oil transported through Spokane Valley by an average of 8 – 10 round-trips per day (1,460 annually) the largest concern with this proposal is the potential impact on safety from an increased risk of oil train fire/explosions. The volatility of Bakken Crude is similar to diesel or gasoline. “It has been described as looking like two-stroke oil mixed with gasoline,” (pg. 407, Washington Marine and Rail Oil Transportation Study).

Reduction of emergency access to residents and businesses with the amount of train traffic at crossings also presents a large safety concern. The closest BNSF response facilities to Spokane Valley are located in Tri-Cities, WA and Missoula, MT. A BNSF response facility closer to the City of Spokane Valley or ideally in the City of Spokane Valley is necessary with the amount of proposed risk present.

The impact to local response agencies if a derailment were to occur is not sufficiently addressed. A derailment along the route through our area would have significant impacts on neighborhoods, schools, the Spokane River, and industrial areas; and the current level of training and equipment would be overtaxed in the event of a large spill, and even more so should such a spill include fire. As a result, thousands of citizens within a one-mile radius of any such accident would need to be evacuated and the local emergency plan would not be in a position to handle such a magnitude of relocation.

- Transportation: There will be an increase in at-grade crossings of 8 trains daily at each of the city’s 7 at-grade crossings for a total of 20,440 unit trains at grade crossings annually. For the city’s 2 grade separated crossings, there will be 8 train crossings daily for a total of 5,840 unit trains at-grade separated crossings annually. This is a total of 26,280 additional crossings annually. Undoubtedly, this amount of increase will have an effect on safety, transportation, air quality, noise and economic development in the City of Spokane Valley.

Grade separations remain a high priority for the City of Spokane Valley. As noted in the DEIS, 51% of all train accidents occur at grade crossings. The Barker Road grade separation has been included in the federal TIGER grant application the past two years with no success in funding. The City has pursued every available state and federal funding source for construction of grade separations for the past 9 years. Meaningful mitigation in the DEIS would include funding commitments and a funding schedule to complete the four required grade separations in Spokane Valley. This could be based on an assessment for each carload of oil that travels through our City and completed in a reasonable timeframe.

- Air Quality: Vehicle idling while delayed at at-grade crossings could increase emissions to a level that would represent an additional impact to local air quality. Congestion from this project alone would create the following estimated emissions output at the 7 at-grade crossings: 78.54 metric tons of nitrogen oxide (Nox); 2.94 metric tons of volatile organic compound (VOC); 2.24 metric tons of particulate matter (PM); 9,377.20 metric tons of carbon dioxide (CO2).
- Noise: The proposed project would result in a minimum of 14,600 additional train horns each year exacerbating a situation that many of our residents already find intolerable.
- Economic Development: This project has potential to negatively impact the development of vacant parcels due to increased train traffic. Property values could be impacted near train crossings and an increased wait for commerce traffic at crossings could occur. Oil train demand may impact transport of other goods that have direct economic impact on the City as well.
- Environmental Impacts: The Spokane Valley-Rathdrum Prairie Aquifer is identified by the Environmental Protection Agency as a “Sole Source” of water for most people in Spokane County, Washington as well as Kootenai County, Idaho, and supplies drinking water to more than 500,000 people. “Sole Source” means that the aquifer is the only affordable source of drinking water in the bi-state region. The volume of the entire Aquifer is about 10 trillion gallons, making it one of the most productive aquifers in the country. As noted in section 3.3.2.2 the rail corridor parallels and crosses segments of the Spokane River which is “intimately” linked to the Spokane Valley-Rathdrum Prairie Aquifer. According to the DEIS (page 3.3-28), no identified barrier (aquitard) controls the vertical migration of groundwater, *making it susceptible to contamination*. The proposed main rail corridor would cross 21.7 miles of the aquifer. The rail corridor would also cross approximately 11.2 miles of the source recharge area.

The BNSF facility across the state line in Idaho over this remarkable Aquifer, features layers of protections meant to catch spilled diesel, yet the depot has sprung several leaks of oily wastewater, including one that contaminated the Aquifer, and such a spill has sparked questions about how the protections would hold up in the event of a massive spill. (*Local News*, by Warren Cornwall,

updated March 7, 2005 from an originally published March 8, 2005 article.) It has been said that there is "no city in the world that has a better water supply than Spokane" (Spokesman-Review May 6, 1909 article, quoting Bacteriologist Frank Rose, Ph.D.) The citizens demand that this aquifer remain a valued and protected resource for present and future generations.

The City of Spokane Valley does not believe the Spokane Valley-Rathdrum Prairie Aquifer is adequately protected in the event of a massive spill. Contamination of this Sole Source Aquifer would be devastating to the region.

- Exporting Embargo: The study discusses that the exportation of crude oil produced domestically is prohibited; however, since the exporting embargo is now lifted, this renders the study invalid as there is no indication of the known or presumably estimated impact of such exports. [see DEIS section 5.18.4]. Page 49 Figure 22 of the Washington Marine and Oil Transportation Study speculates that if the embargo is lifted, crude by rail trains would be "much higher." Now that crude exports are a reality, more quantitative analysis is needed to determine the impact of all crude by rail projects.

Thank you for considering our comments. The City supports commerce and recognizes the importance that rail serves to move our nation's commodities. However, we do not have the resources to provide emergency response and traffic safety improvements to mitigate the impacts delineated in the DEIS. Therefore, until a definitive plan is in place for Tesoro/Savage, BNSF, Federal and State Agencies and the City of Spokane Valley to provide and fund these critical elements, we are opposed to the proposed terminal on the basis of our comments above.

Please do not hesitate to contact us for further discussion or clarification on the issues raised.

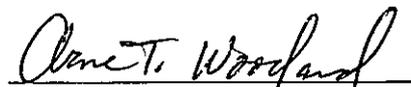
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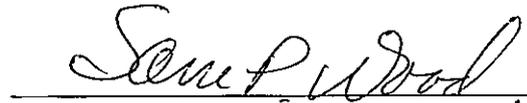
Rod Higgins, Mayor



Ed Pace, Councilmember



Arne Woodard, Deputy Mayor



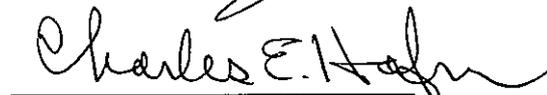
Sam Wood, Councilmember



Dean Grafos, Councilmember



Bill Gothmann, Councilmember Pro Tem



Chuck Hafner, Councilmember