

# Fossil Fuel Export Proposals on the Columbia River

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Large quantities of coal dust along the rail line at Horsethief Butte Lake. The dust drifts into the river and the lake.



November 2015, Dan Jaffe of the University of Washington released a report on analysis of coal trains traveling through the Columbia River Gorge.

- Open coal trains release twice as much respirable total particulate matter compared to freight trains.
- 5.4% of all coal trains observed were “super-dusters”  
= visible dust plumes

Video:

[http://www.atmos.washington.edu/jaffegroup/modules/APOLLO/Jaffe\\_Video\\_Coal\\_train\\_Aug7\\_2014.mp4](http://www.atmos.washington.edu/jaffegroup/modules/APOLLO/Jaffe_Video_Coal_train_Aug7_2014.mp4)

# Millenium Bulk Terminals

(Port of Longview)





Ocean Beach Hwy

Washington Wa

Millennium Bulk Terminals

Google

Example of open coal terminal, similar in size and type to that proposed for Millennium Terminal, Longview, Washington







# CRUDE BY RAIL

A wide-angle photograph showing a BNSF oil train moving from left to right across the middle ground. The train consists of a black and orange locomotive at the front, followed by a red freight car, and then a long line of black oil tank cars. In the background, the Dalles Dam is visible, a large concrete structure with multiple spillways. Beyond the dam, there are rolling hills under a cloudy sky. The foreground is a dry, grassy field. The text "EVERY DAY, OIL TRAINS PASS WITHIN FEET OF THE DALLES DAM." is overlaid in white, bold, sans-serif font at the bottom of the image.

EVERY DAY, OIL TRAINS PASS WITHIN FEET OF THE DALLES DAM.

# Arc Terminals (Portland)



# Columbia Pacific Bio Refinery Global Partners (Port Westward)





Dock

### **Port Westward Dock**

Coyote Island coal terminal barge to ship transfer  
& Columbia River Bio Refinery Crude terminal

# NuStar Energy

(Port of Vancouver)





Tesoro - Port of  
Vancouver

## In the Matter of: Application No. 2013-01, Tesoro Savage LLC, Vancouver Energy Distribution Terminal

- ❖ 5 week hearing June – July 2016
- ❖ Parties included: Cities of Vancouver, Washougal, Spokane; Clark County; EarthJustice for a coalition of groups; Tribes – Yakama Nation, CTUIR, and CRITFC
- ❖ Over 80 witnesses, majority were experts
  - ❖ <http://www.efsec.wa.gov/Tesoro%20Savage/Adjudication/Exhibits/TSVEPAadjExhibits.shtml>
- ❖ No decision/recommendation yet. Recommendation is approved/denied by Governor—now extended to June 2017.
- ❖ EFSEC required to review projects and determine **whether the project will produce a net benefit after balancing the legislative directive to provide abundant energy at a reasonable cost with the impact to the environment and the broad interests of the public.** *Desert Claim Wind Power Project*, EFSEC Order No. 843 at 23 (Nov. 16, 2009).









# Accidents & Derailments



According to the Washington Utilities and Transportation Commission, between November 2014 and February 2015, BNSF Railway committed 700 violations of the state's reporting requirement for railway spills of hazardous materials. Four of those spills involved trains carrying crude oil through Washington state.

Rail in the Gorge runs close to the river







**PINE CREEK  
TREATY FISHING ACCESS SITE**

**U.S. GOVERNMENT PROPERTY**  
United States Department of the Interior  
**BUREAU OF INDIAN AFFAIRS**  
Portland Area Office

**FOR THE USE OF MEMBERS OF THE FOLLOWING TRIBES  
IN PURSUIT OF THEIR TREATY FISHING RIGHTS:**

- Nez Perce Tribe
- Confederated Tribes of the Umatilla Reservation
- Confederated Tribes of the Warm Springs Reservation of Oregon
- Confederated Tribes and Bands of the Yakama Indian Nation

**NOTICE**

**POSSESSION AND  
USE OF ALCOHOL  
OR DRUGS IS NOT  
PERMITTED ON  
IN-LIEU AND TREATY  
FISHING ACCESS  
SITES**

As per CFR 227.11 and 227.12, the National Fish and Wildlife Agency has determined that the possession of alcohol or drugs on Treaty Fishing Access Sites is a violation of the law. Possession of alcohol or drugs on these sites is prohibited. If you are found in violation of either of these laws, you will be prosecuted under applicable laws of the State of Oregon.

**ADVERTISED  
NO TRASPASE**



August 2, 2014  
Walla Walla, WA





A fallen boulder punctures a diesel engine, causing  
2,000 gallons of diesel to spill near Pasco, Washington  
September 19, 2014



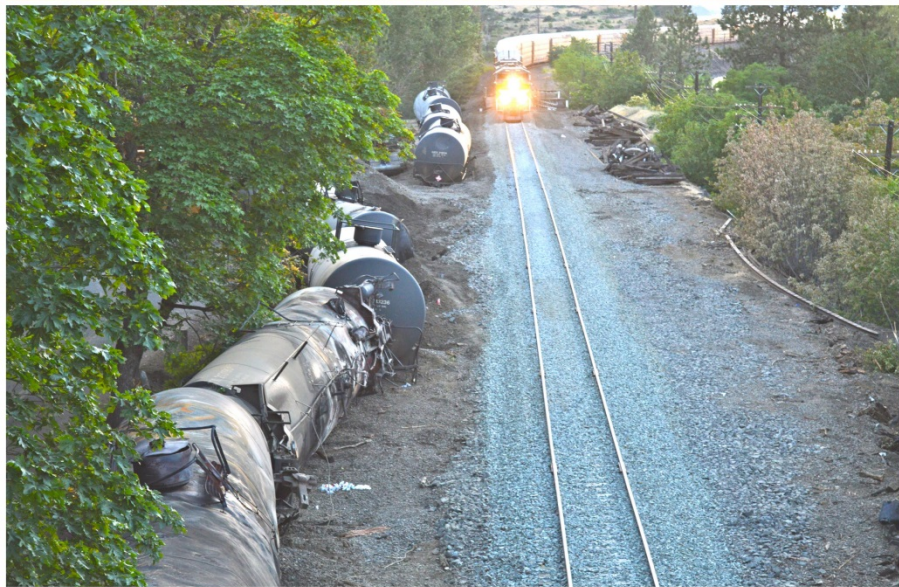
March 3, 2015  
Meacham, Oregon



# Mosier Derailment







# Legal Issues in Play

- NEPA and Washington SEPA
- Washington Energy Facility Site Evaluation laws (and hearing before Council)
- Treaty Fishing Rights
- Clean Air and Clean Water Acts (“the usual”)
- ORMA-Washington’s Ocean Resources Management Act RCW Title 43
- How to evaluate low probability/high risk events?
- Federal Pre-emption
- Individualized processes and rules