



April 25, 2012

JOHN A. KITZHABER, MD  
Governor

The Honorable John McHugh  
Secretary of the Army  
1400 Defense Pentagon  
Washington, D.C. 20301-1400

The Honorable Ken Salazar  
Secretary of the Interior  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

Major General Merdith W.B. (Bo) Temple  
Headquarters  
U.S. Army Corps of Engineers  
441 G Street NW  
Washington, D.C. 20314-1000

Mr. Robert Abbey, Director  
Bureau of Land Management  
U.S. Department of the Interior  
1849 C Street, NW, Room 5665  
Washington, D.C. 20240

Dear Sirs:

On behalf of the people of Oregon, I am writing to request that a federal agency prepare a programmatic and comprehensive environmental impact statement (EIS) under the National Environmental Policy Act to look at the unprecedented number of coal export proposals pending in the Pacific Northwest, as well as the potential effects in this country of the use of this coal in Asia. Currently, the United States annually exports between 80 and 100 million tons of coal from all ports in the United States. The current proposals for coal export facilities in Oregon and Washington could result in an *additional 157 million tons* of coal exports, more than doubling the U.S. coal export capacity.

Most of the environmental, community, economic, transportation, and energy security impacts associated with this tremendous increase in coal export would be shouldered by Oregon and Washington. In addition, the United States has the largest proven coal reserves in the world. Developing, transporting and using this resource for energy production in Asia will have significant implications for the trajectory of the world's transition to cleaner sources of energy and for our nation's energy security, as well as localized economic and environmental effects in our state. It is imperative that the federal government take seriously its responsibility to make informed decisions, and that there be a comprehensive look at the energy, environmental, and public health impacts of these proposals before the nation commits itself to this path.

Both the Army Corps of Engineers (Corps) and the Bureau of Land Management (BLM) have the responsibility to look at these impacts because both agencies are making decisions that will result in significant impacts that have not been analyzed. Previously, the Oregon Department of Environmental Quality (ODEQ) asked the BLM to prepare a supplemental EIS for the ongoing coal leasing and development activities on BLM lands in the Powder River Basin in Wyoming and Montana. Our prior request for a supplemental EIS was based on the fact the EIS that BLM

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prepared for its coal leasing program analyzed the environmental effects of transporting the coal to the mid-western and eastern United States, for domestic energy production. The BLM did not evaluate the effects of transporting substantial amounts of coal from the Powder River basin to the West Coast for export to overseas markets. BLM Director Abbey denied Oregon DEQ's request for a supplemental EIS on the grounds that the proposals for coal export through the west coast were too indefinite at that time. That lack of certainty has now changed, with several specific proposals now pending regulatory reviews, and others having secured initial property agreements. Now is the time for a programmatic EIS, before substantial and irreversible commitments of resources are made to this path.

The impacts from the transport of coal through Oregon and its communities would be significant. Areas of concern that merit a hard look, at a minimum, include:

- Increased vessel traffic on the Columbia River, including navigational and maritime safety concerns
- Protection of water quality, including increased risk of spills
- Impacts to listed anadromous fish species
- Coal dust emissions at the facilities and during product transport
- Emissions of other air pollutants, including diesel particulate, ozone, mercury, and greenhouse gases and
- Increased rail traffic, noise, and delay times for communities along the proposed rail lines, including emergency vehicles at rail crossings

I have already heard from many of our citizens and elected officials who are deeply concerned about the impacts of increased coal train traffic running through their communities. I share their concerns. This magnitude of coal moving through the region's rail system would represent a substantial increase in train traffic -- perhaps as many as 63 coal trains per day. The trains will travel through communities that have been identified as "choke points" along the line. This could significantly affect the transport of other export commodities and negatively impact plans to increase passenger rail. I am particularly concerned about a substantial increase in rail traffic through the Columbia Gorge National Scenic Area, where train noise, air emissions and coal dust could adversely affect the recreational and visual values protected by federal law.

The proposals could also cause significant vessel traffic impacts on the Columbia River. The Columbia River is a confined system, and the proposals could result in a 70% increase in ship traffic. The Columbia River has multiple ports, a breaking coastal bar at the entrance, and no federal vessel traffic system, all of which create significant potential for risk. Vessel traffic impacts from the proposals could be significant, and need to be analyzed.

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Another major concern, and one not addressed by the prior BLM EIS for the Wright Area coal leases, is the impacts of increased or extended use of coal to generate electricity in Asia. Coal-fired energy production in Asia has been directly linked to increases in air pollution on the west coast of the United States. Studies that 84 percent of the mercury in the Columbia River basin is due to atmospheric deposition from global sources and 18 percent of mercury deposition recorded at one Oregon site can be traced to anthropogenic sources in Asia. Over the long term, these transported emissions could lead to economic as well as environmental and health impacts in our states, triggering additional costs in emissions controls for U.S. industries. The air quality impacts of the use of Powder River coal in Asia must be explored in the context of a comprehensive federal EIS.

Greenhouse gas emissions from the transport and combustion of coal are also a major concern. Two years ago, the Secretary of the Interior issued Order No. 3289, Amendment No. 1 (Feb. 22, 2010), which requires each bureau of the Department to consider and analyze potential climate change impacts when making major decisions regarding potential use of resources under the Department's purview. *See also* CEQ Draft NEPA Guidance on consideration of the Effects of Climate Change and Greenhouse Gas Emissions (Feb. 18, 2010). Oregon faces particular threats from climate change, including the reduction in the amount of precipitation falling as snow and the resulting effects on water supplies and fish and wildlife as well as power production from hydroelectric dams, more frequent and intense storm surges, more flooding, likely loss of land in coastal area, more frequent and severe forest fires and increased forest pests and diseases, and detrimental impacts to shellfish fisheries as a result of ocean acidification. As noted above, the United States has the largest proven coal reserves in the world. Developing that resource for energy production in Asia will extend the period of time that Asian nations are reliant on coal, resulting in greater worldwide emissions of greenhouse gases (and conventional air pollutants, as noted above). The impacts of United States coal exports on climate change are an issue of national concern that merits a hard look by a federal agency.

If the United States is going to embark on the large-scale export of coal to Asia it is imperative that we ask -- and answer -- the question of how such actions fit with the larger strategy of moving to a lower carbon future. In the absence of a clear federal policy on this point, we will simply be deciding by not deciding; locking ourselves into a coal-dependent future for Asia without the benefit of a full discussion, consideration and balancing of all the associated economic, environmental and health problems related to such a course of action. The decision must also be made only after we have full information about the short and long-term consequences. This critical step will fill significant information gaps that will benefit our nation, our states, and our communities. Since federal agencies will be making decisions whether to allow these projects to go forward, and because the impacts of the projects cross state boundaries, it is the responsibility of a federal agency to step up and do this analysis.

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I strongly urge an immediate commitment to evaluating the impacts of these projects through a comprehensive, programmatic Environmental Impact Statement that examines both the cumulative effects of coal transport to the West Coast, and the effects of the use of that coal to produce energy in Asia here in the United States. The EIS must be prepared before regulatory or additional coal leasing decisions are made. Thank you. I look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Kitzhaber".

John A. Kitzhaber, M.D.  
Governor

cc: Ray LaHood  
Nancy Sutley  
Joseph Szabo  
Jack Lew  
Steve Gagnon (re NWP-2012-56)