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Concurrent Land Use Applications by Jordan Cove Energy Project L.P.
Coos Bay Estuary Navigation Reliability Improvements
City of Coos Bay File Nos. -

Dear Hearings Officer:

Please accept these comments to be included in the evidentiary record

I am a resident of Coos Bay and a retired public school science teacher, having worked in the CB school district for 24 yrs. Over that time, I have witnessed many changes to our local area, in particular, the Coos Estuary. I was involved in a land use plan amendment to build The Millicoma Marsh Trail to access a Natural Aquatic zone of the Coos Estuary, the W-shaped salt marsh in Eastside. The resulting trail allows students and residents to view a remnant of our natural wetland resources, of which, nearly 90% have been destroyed or altered in this estuary. In addition to providing economic, cultural and ecological benefits to communities, estuaries deliver invaluable ecosystem services, which are fundamental life-support processes upon which all organisms depend, such as water filtration and habitat protection (https://oceanservice.noaa.gov/education/kits/estuaries/estuaries03_ecosystem.html).

The Jordan Cove Energy Project and Pacific Connector Pipeline is threatening to add to this negative legacy, both above and below tidal extremes. The current proposed amendment to the Coos Bay Estuarine Management Plan (CBEMP) by the applicant is just one of many components of this project that concerned citizens must address. The Coos Bay Estuary Management Plan "contains specific plan provisions - map decisions and written policies - that are designed to provide guidance necessary to assure wise use of the Coos Bay Estuary and adjacent shorelands."

The applicant, Jordan Cove Energy Project, proposes dredging at four locations in the Coos Bay channel. Among the dredging sites, referred to as Navigation Reliability Improvements (NRIs), three are within Coos County and one (NRI #4) is within the City of Coos Bay. The applicant is proposing the following:

- (1) A map amendment to the Coos Bay Estuary Management Plan to change the designation of approximately 3.3 acres from 52-NA to DDNC-DA;
- (2) A text amendment to the City of Coos Bay Comprehensive Plan to take a reasons exception to Statewide Planning Goal 16 Estuarine Resources to authorize the map amendment;
- (3) An estuarine and coastal shoreline uses and activities permit for "New and Maintenance Dredging" in the DDNC-DA Estuarine Zone; and

(4) An estuarine and coastal shoreline uses and activities permit to allow an accessory temporary dredge transport pipeline in the 52-NA, 53-CA, 54-DA, and 55-CA Estuarine Zones.

NRI #4 is zoned 52-NA, Natural Aquatic. **Natural Aquatic zones explicitly prohibit dredging.** Natural aquatic zones are established in order to assure the protection of significant fish and wildlife habitats. Amendments to this designation should only be performed with strict adherence to the original goal of the zoning. In my judgement, this project is not worthy of such a change, as the applicant has not adequately shown a demonstrated need for the proposed activity.

The applicant bases the zoning change request in part on Oregon's Statewide Planning Goals & Guidelines #9 and #12, Economic Development and Transportation. These are the goals I will address in my comments.

Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Applicant's response:

The Application complies with Goal 9. The purpose of the Application is to complete the NRIs, which in turn will facilitate a broader operational window, and increase safety and efficiency of transit, in the Channel. This will be a boon to the economic prospects for the City and the state because it will make the Channel safer and more efficient for productive economic enterprises of the kind that provide opportunities to Oregonians.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

Applicants response:

The Application complies with Goal 12. Goal 12 directs local governments to plan transportation systems that consider all modes of transportation, including water, that facilitate the flow of goods and services so as to strengthen the local and regional economy, that conserve energy, and that avoid principal reliance on one mode of transportation. The Application furthers these goals by supporting safer and more efficient use of the Channel for water transportation. This safer and more efficient use of the Channel will conserve energy that is currently wasted when, outside the Channel's operational window, vessels wait outside the Channel, using fuel and adding time and expense to transit.

The applicant shows little if any justification of measured increase in safety as well as projecting an inflated boost to commerce. In addition, the proposed dredging will result in added environmental, economic, and recreational degradation to an already degraded estuarine system.

Historically, Coos Bay has been busier, mainly with extractive industries like coal, timber and lumber exports. The export of those commodities will not again reach the rate they were in the last century. Container ships and bulk carriers of the Panamax size suggested by the applicant will unlikely come to Coos Bay as our rail and trucking capacity is less than robust to deliver goods to or from the port. The channel now serves a reasonable size of bulk and timber ships. Most bulk carriers are well within the size appropriate to our bay, should there be an increase in shipping.

In the zoning change application, JCEP asserts that:

The NRIs will allow companies to secure emerging opportunities to export products with today's larger vessels, including bulk carriers of up to 299.9 meters (983.3 feet) in length and 49 meters (160.8 feet) in beam and 11.9 meters (39 feet) in draft. Although log export vessels serving the upper bay are smaller, the proposed enhancements also benefit these vessels by broadening the tidal and environmental windows for transiting the Channel, providing an enhanced margin of safety and improved efficiency in the loaded vessel departure schedule.

The U.S. Coast Guard has already approved for safe passage LNG vessels up to 299.9 meters. According to the Coast Guard, "At this point, the waterway can accommodate the types of vessels associated with the proposed Jordan Cove LNG facility. We are working together to make sure that any resource issues are resolved through the Emergency Response Planning Process." <https://coastguardnews.com/coast-guard-releases-jordan-cove-lng-letter-of-recommendation/2018/05/11/>

The issue of safety begs the question of whether there has there been, in the past 40 years, significant shipping related incidents within the bay/channel? The only one I remember was when a ship hit the McCullough Bridge in 1986 - and this was not an issue with the width or depth of the channel. The applicant has included letters of support from the Coos Bay Pilots Association and Roseburg Forest Products Co. but neither has offered data to substantiate their claims of increased safety. Typically, data on incidents point to a problem. It is akin to highway safety where a road has segments which are problematic and incident records will drive improvements. I have contacted the Coast Guard with a request for information but have not received it as yet. Does JCEP have this information?

Further, the applicant has stated that they would be unable to reach their total capacity if unable to dredge the selected segments in the bay channel. The applicant states:

This dredging will allow for vessel transit under a broader weather window to enable JCEP to export the full capacity of the optimized design production of 7.8 metric tonnes per annum ("mtpa") from JCEP's liquefied natural gas ("LNG") terminal on the nearby North Spit. From their removal and fill application, the applicant states:

Modeling showed that without the NRIs in place, the greater delays imposed by the Pilots on LNG ship transits of the channel due to environmental conditions would result in a potential annual loss of production at the facility equal to about 38,000 tonnes of LNG.

If you the math, dredging of the channel shows that it would only increase the output of the terminal by 0.48%, barely a half percent. The shipping channel exists as a safe and adequate channel and does not warrant the permanent removal of an important segment of our lower bay ecosystem.

In light of the fact that JCEP has not sufficiently addressed the statewide planning goals and has not demonstrated a need for the zone changes, I respectfully suggest that the 52-NA designation of the Coos Bay City parcel remain unchanged and enforced and this application be denied.

James Fereday