



July 20, 2018

To: Chris Stine
401 Water Quality Certification Project Manager
Oregon Department of Environmental Quality
165 E. 7th Ave, Suite 100
Eugene Oregon 97401

Subject: Coos Bay Chapter Surfrider Foundation comments and questions regarding Application for Permit and to Alter Federally Authorized Projects, USACE No: NWP-2017-41 and Oregon Department of State Lands No: APP0060697

Mr. Stine,

The Coos Bay Chapter of the Surfrider Foundation has previously submitted comments regarding JC-PGCP and the USACE Document Citation 82 FR 39517; Intent to Prepare a Draft Environmental Impact Statement of the Coos Bay Channel Modification Project. The following comments and questions are in addition to those already submitted with regards to the JC-PGCP and the interconnected and interrelated actions associated with the JC-PGCP.

The Coos Bay Chapter of the Surfrider Foundation works within the greater Coos County area focusing on a variety of programs, stewardship activities, campaigns and fun events – all for the love of local ocean, waves and beaches. The chapter serves Coos County with the longest running beach water quality monitoring program ([Blue Water Task Force](#)) in the state of Oregon.

Our chapter is dedicated to protecting our local beaches, waters and engaging the next generation of coastal defenders. As such we feel that this project will have adverse impacts to the estuary, sloughs and bay environment within Coos Bay and the near shore environments.

Please address the following:

1. The Oregon Department of Environmental Quality mission statement states that: *DEQ's mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.* Please explain how permitting this project is con-



sistent with this mission statement, especially with regards to “restoring, maintain and enhancing” the aquatic and terrestrial environment within Coos Bay and near shore. In particular, how will removing 700,000 cubic yards of estuarine sediments and associated habitats critical to various aquatic and terrestrial species, including but not limited to Dungeness crab, salmon, snowy plovers and raptors, and dumping said sediments in already adversely impacted upland and offshore areas meet the DEQ mission statement. The proposed dredging, upland and bay disposal sites and eel grass “mitigation” actions have the potential to adversely affect the local aquatic and terrestrial environments and the native species dependent upon those environments by redistributing and or introducing non-native invasive species. Please address how the proposed actions are in compliance with Section 401 of the Clean Water Act (33 U.S.C. 1341), Section 307(c) of the Coastal Zone Management Act (CZMA) of 1972, as amended (16 U.S.C. 1456(c), Section 7 of the Endangered Species Act (ESA) (16 U.S.C 1536) and Section 305(b)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) as amended (16 U.S.C 1855).

2. Regarding Section 404/10 Evaluation: *“The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the described activity on the public interest. That decision will reflect the **national concern for both protection and utilization of important resources.**”* Please explain how this project will reflect the United States of America’s “national concern...” when this project is funded by foreign interests and is essentially a means to export Canadian LNG. Please define the important American resources that this project will protect and those which it will not.
3. Please analyze *all* the cumulative, interrelated and interconnected impacts of this project, including the environmentally devastating LNG extraction process of fracking as it relates to “protection and utilization of important resources”. Without fracking, there is no LNG, and hence no need for an export facility. Fracking is therefor an interrelated and interconnected action to this project.
4. With regards to Section 408 Evaluation: *“The decision whether to approve an alteration will be determined by the consideration of whether benefits are commensurate with risks. If the potential detriments are found to outweigh the potential benefits, then the District may determine the proposed alteration is injurious to the public interest”*. We feel that siting an LNG facility on a sand spit within a tsunami zone adjacent to the largest concentration of people on the Oregon Coast can be very injurious to the public interest. Please address how this project is in the public interest of American citizens living in the potential blast zone of the Jordan Cove site.



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5. In addition to 4 above; the overdue subduction earthquake and associated tsunami could not only cause potential fire and associated human damage, but also the deepening and widening of the channel that are proposed with this project would increase the extent of the tsunami effects. The increased volume of water that could be moved into the bay will increase the predicted damage, and displacement in our region. The entire extent of this has not been dealt with in revised mapping. In light of the above, please explain how locating the Energy Terminal in the proposed location complies with 33 U.S.C. Section 408 Evaluation criteria, in particular *1. Impair the Usefulness of the Project Determination.... limit the ability of the federally authorized project to function as authorized.*

6. The Coos Bay Area is a destination point for recreational activities in general and surfing in particular due in no small part to the lack of large, polluting industrial projects in the area. In 2017, National Geographic listed this area in their top twenty surfing locations. Please address the impacts to the local recreational economy in general (The Charleston region hosts an important and active fishing community dependent on regional crab and other shellfish and finfish species) and to surfing in particular. How will offshore disposal sites affect wave patterns and surfer safety at our popular surfing areas? How will the channel modification project related to this project affect a prime surfing location adjacent to Dredge Site 1 (404 COMPLETENESS RESPONSE 2018-03: ATTACHMENT B, Drawing 1).

We believe that the time allowed to respond to this project proposal is inadequate to provide a complete review, and that the deadline for comments should be extended to include the opportunity for more public meetings and careful detailed examination of the materials presented.

Sincerely,

Todd D. Buchholz
Chair
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