

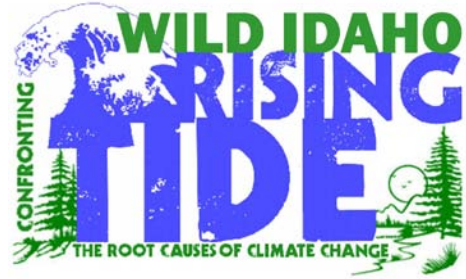
# Wild Idaho Rising Tide

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## **Comments Addressing the Port of Lewiston Permit Application NWW-2010-213-W04**

On behalf of members of Wild Idaho Rising Tide (WIRT) and our fellow, similarly concerned and potentially impacted Moscow and U.S. Highway 95 corridor residents, I offer these comments about the Port of Lewiston's (Port) proposed plan to extend its dock facilities into the Clearwater River. The Port is proposing this expansion explicitly to increase its capacity to accommodate larger equipment and oversized cargo, likely more oil-processing modules locally referred to as "megaloads" bound for expansively destructive Alberta tar sands mining projects. Several corporations have expressed an interest in hauling these unusually enormous loads on U.S. Highway 12 and/or U.S. Highway 95 and onward to the interstate system and other construction, resource extraction, and production endeavors.

### **Purpose and Necessity of the Proposed Action**

According to the public notice of application NWW-2010-213-W04 for permit, the purposes of this project are to "increase efficiency of the operation, allow berthing of multiple barges, and accommodate loading and unloading of oversized cargo." However, the U.S. Army Corps of Engineers should consider the following facts in its deliberations of the Port's application for a dock extension.

Expanding and modifying the Port's dock and other features while retaining the same sparse amount of staffing – typically only one to five employees in recent years – will likely not increase the efficiency of Port operations. Few personnel with augmented responsibilities for larger, more expensive facilities tend to engender less thorough oversight of operations. The need for Port expansion is questionable, considering that container and bulk shipping of most categories of cargo from the Port has declined significantly over the last decade. With such dwindling demand, berthing multiple barges seems a low Port priority and would hardly justify a defensible use of taxpayer expenditures.

Although the most potentially valid reason to expand the Port may be to accommodate oversized cargo, the Port manager has publicly stated that the Port of Lewiston to date has not secured any significant contracts for handling oversized cargo. He has also admitted that the Port may never handle any more of this variety of cargo, other than the 33 Imperial Oil modules now stored at the Port. This scenario is likely the result of the difficulties encountered by the first trial transports of the type of oversized loads for which the dock would be extended. As cited in numerous media stories, these setbacks have prompted the involved oil companies to consider several other routes for transport of Asian-manufactured equipment to Canada – the destination of most of the anticipated oversized cargo.

Five shipments have attempted passage on U.S. Highway 12 across Idaho and Montana over the last year. Four ConocoPhillips loads landed at the Port in May 2010 and remained for nearly nine months due to legal challenges. Two of these loads required 65 days to travel from Lewiston to Billings, Montana, and the other two left Lewiston in late April and early May this year and still have not arrived in Billings. Another test validation module belonging to ExxonMobil/Imperial Oil stays stalled seven miles inside the Montana border.

Since May 2010, the Port of Lewiston has demonstrated its capability to offload massive equipment at its present dock facility. The four ConocoPhillips half coker drums and 34 Imperial Oil modules offloaded since then are the largest pieces of cargo that have ever arrived at the Port or traversed Idaho highways. Imperial Oil confirmed that its first megaload shipment possessed the greatest weight and other dimensions of any of its proposed 200-plus modules. The Port's present dock successfully handled all of this cargo without incident.

### **Socioeconomic and Ecological Impacts**

Because the proposed dock expansion is a government-sponsored project, the vast majority of expenditures for its completion would be drawn from local, state, and federal resources and ultimately from American taxpayers. During the current, ongoing recession, when budgets are extremely constrained at all three levels of government, spending money on such a questionably productive venture is unjustified. Despite the willingness of Port officials to promote this ambitious but unnecessary dock extension, citizens most directly affected by the increased megaload traffic that the project would encourage on our highways have expressed their displeasure with such oil company plans. This broadly representative and vociferous outcry is compelled by the many cumulative impacts that citizens believe will arise if the Port of Lewiston accepts, docks, and becomes the launching point for oversized cargo transports on regional highways.

The Port's permit application states that project evaluation will examine the cumulative effects of this dock extension proposal. The Port of Lewiston has suggested that if one oil corporation is successful in landing and transporting megaloads on the Highway 12 route across Idaho and Montana, many more companies will attempt similar feats. If the Port's prediction is accurate, myriad cumulative impacts of this expansion project would emerge as the cargo it fosters incrementally converts Highway 12 – federally designated as the Northwest Passage Scenic Byway and an All-American Road and encompassed by the Clearwater and Lochsa Wild and Scenic River Corridor – into a permanent “high and wide corridor.” For years, industry and state

officials have authorized highway modifications to accommodate these giant transports of industrial equipment, without notifying and involving the businesses, residents, and travelers served by this road, implying that these leaders are well aware of the cumulative risks and damages that Idaho and Montana citizens will likely incur.

The Nez Perce Tribe and Confederated Salish and Kootenai Tribes have raised significant concerns about transports of oversized cargo through their allotment and reservation lands across Idaho and Montana. These transportation projects facilitated by Port expansion could compromise their treaty rights and their access to traditional hunting and fishing grounds. U.S. Forest Service officials, including supervisors of the Clearwater and Lolo national forests and the regional forester of Region One, have expressed major concerns about megaload traffic on Highway 12. They have noted that multiple such loads would impact their ability to manage these forests in accordance with applicable forest plans and federal laws.

Within eleven months, these widespread concerns have manifest in five legal challenges in transportation agency administrative hearings and state and federal courts, which are presently debating the wisdom of transporting megaloads across Idaho and Montana. In these proceedings, expert and citizen testimony has attested that the cumulative effects of a Highway 12 conversion would include damages to the region's important tourism industry, continuous risks to citizen health and safety, considerable public inconvenience, and losses of residential property values, among other economic and social costs. Considering that a major reason for the dock extension is to handle oversized cargo for transport on highways across these states, any approval of the project in question prior to the settlement of these legal issues is premature.

As a tax-payer funded endeavor that could receive financial support amid ubiquitous budget crises, the Port expansion may also encourage later silt dredging in front of Port terminals and/or raising of the Lewiston dikes, to reduce ongoing silt accumulations and prevent possible flooding. Discharge of dredged and fill materials into the river, either directly during Port dock extension or indirectly through other programs facilitated by this expansion, will adversely impact water quality and already compromised aquatic communities.

The amount of silt accumulating in the vicinity of the Port of Lewiston limits water depth for barge traffic to the Port's dock. In 2012, the Corps intends to present a new dredging plan for the Clearwater River that will supposedly meet court-ordered requirements for such action. The future ability of fully loaded barges to access the Port depends upon the Corps' capacity to address these serious sedimentation issues. Spending millions of taxpayer dollars on this dock extension prior to completion of the Corps' new dredging plan would seem a potentially wasteful use of scarce government fiscal resources.

This proposed Port enhancement could also simultaneously heighten interest in and stimulate initiatives to prolong increasingly expensive maintenance of the four deteriorating and soon outdated lower Snake River dams, while further jeopardizing the recovery and restoration of wild salmonid and other fish populations in the Clearwater Basin. Only partially described herein but addressed in other public comments, all of these consequent conditions could also precipitate other myriad, negative, socioeconomic and ecological effects in our region.

## **Expanded Public Participation**

Because work to extend the dock at the Port of Lewiston, as proposed in the Port's permit application, will initiate and encourage conditions with temporally and spatially far-reaching cumulative impacts on our region – effects not easily analyzed in an environmental assessment that inadequately assesses only the immediate and nearby repercussions of dock extension – an environmental impact statement should be prepared to study the cumulative effects of this project and to examine reasonable alternatives to the Port's proposed plan.

As the current comment period falls within the summer months, when many residents of the region and nation take vacations and travel and thus are deterred from commenting on this plan, please extend the public comment period deadline at least another 30 days beyond its expiration on Friday, July 22, 2011.

Americans across this country have demonstrated an unusual amount of concern over the last few years for Port activities that facilitate megaload shipments and transports in the Northwest. Expansion of the Port to accommodate this cargo would alter the social, economic, and ecological dynamics of Idaho and surrounding states and thus warrants a series of public hearings in Coeur d'Alene, Kamiah, Lewiston, Missoula, Moscow, Orofino, other affected highway corridor towns, and cities beyond the region. At these meetings, public officials should share information about the purposes, logistics, and outcomes of the Port's proposed expansion, while soliciting further public input.

Thank you for your consideration of these comments that I submit for the public record on behalf of my WIRT colleagues and concerned citizens unable to comment.

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