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Seaf Rader Foundation

August 27, 2019

To: Mayor Benetti and City Councilors
City of Coos Bay
500 Central Avenue
Coos Bay, OR 97420

Subject: Adoption of Resolution 19-18 Approving Bay Area Enterprise Zone Agreement with Jordan Cove Energy Project L.P.

We urge you to not adopt this resolution for the proposed JC/PGCP project because the justification of public need and or benefit is not supported. In reality, the public (your constituents) who live, work and recreate on the Bay will be adversely affected should you adopt this resolution because:

1. The applicant states that impacts to NRI #4 will benefit *all* users of the Bay. The proposed use by LNG tankers associated with the Jordan Cove project will unreasonably interfere with these public trust rights including those associated with fishing, navigation and recreation. For example, initial and maintenance dredging of NRI #4 will result in a loss of productivity of the bay for growing commercial fish and shellfish. LNG ship passage has multiple implications for recreational crabbing as it will restrict the ability to undertake this activity.
2. The LNG ships can only transit Coos Bay in the Federal Navigation channel at high tide, due to the need for sufficient depth to ensure safe passage. Prime crabbing time is around high tide when the current in the bay slows and crabs are walking on the bottom feeding. At mid tide levels tidal currents are much stronger and crabs often bury themselves and are not available for harvest.
3. The ships, and the tugs that will accompany them, will be required by the Coast Guard to have a safety/security zone of 500 yards around the vessels. When a ship and associated tugs are moving in and out of Coos Bay in the Federal Navigation channel there are a number of regions where it will not be possible for a recreational boat to safely move far enough away from the safety/security zone including the region of NRI #4.

The potential for adverse impacts to the Public Trust are so egregious that Andrew Stamp (hearings officer), issued an "Order to Reopen Record" (23 August 2019) to the Coos County Planning Department because, in part:

" In the course of working on this case, the hearings officer has determined that in the best interest of all parties to reopen the record on the limited issue of the scope and effect of U.S. Coast Guard Security Zone on other boat traffic and recreational uses. This is an area of genuine

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concern for the community, and for that reason it is important the County make an informed decision based on the best available information.

The applicant has stated that “[i]n addition to the limited number of vessels and the limited duration of their transit summarized above, the Coos Bay Pilots have testified that they anticipate that the effects of LNG carriers on fishing and other boats would closely track those of the other deep-draft ships that call on the Bay, including vessels that export wood chips and logs.” The hearings officer does not understand the reasoning behind this statement, since it is the hearings officer’s understanding that the LNG tankers will have a 500-yard security zone that does not apply to other shipping such as vessels that export wood chips, etc.

Furthermore, the parties seem to have a vastly different understanding of how the Coast Guard will implement and enforce the security zone. Perhaps understandably, the opponents assume the worst and seem to view it as an exclusion zone. They argue that vessels would have to vacate the area during the time the LNG tanker passes through the channel. On the other hand, the applicant seems to paint a more rosy picture and suggest that the interference is minimal. The applicant believes that the security zone will be in a much more flexible manner than the opponents do, at least in times where no eminent threat is anticipated. And while some language in the record supports the applicant’s interpretation, most of the statement that discuss are issue are rather vague.”

We support the recommendations made by LCOG’s staff that, based on the evidence in the record, a denial of this permit is the more supported conclusion.

We know that any approval for any aspect of the proposed project is premature until *all* the facts are at your disposal to make an informed decision. Your obligation to the Citizens of Coos Bay dictate that you do not pass this resolution until that information is provided.

Please, for the sake of the Citizens that you represent, do not pass this resolution.

Sincerely,



Sam Schwarz
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