

10 June 2019

Coos County Planning Department
Attention Jill Rolfe, Planning Director:

RE: REM -19-001/LUBA case No. 2016-095.

Dear County Planning Committee:

I am a citizen of Coos Bay and speak regarding the remand of the decisions by Coos County regarding the conditional use permits and associated application for Jordan Cove project. These decisions were made regarding permitting of the proposed Jordan Cove LNG terminal site, slip, access channel, berth, infrastructure and road, and multiple off-site areas associated with conditional use, accessory use, and extension of prior approvals related to the project.

First, I request that **Coos County extend the time frame** for public comments and input regarding this remand. Providing testimony for this and for other proposed alterations of the Coos Bay Estuary and associated land use by citizens has been greatly affected by the multiple permitting applications filed regarding the Jordan Cove Project. Citizen involvement is a key provision of Oregon's statewide planning goals and is recognized as **Goal 1**. Public involvement is required as per OAR 660-015-0000. A month extension would allow for important evaluation of this project especially with respect to considering current conditions. This process will help you, as planners who represent the public, make a more informed decision. Part of the remand was associated with the County's granting an extension of time to a previously approved permit for a site that is substantially changed from previously submitted use patterns. This remand and hearing clearly shows the need for additional citizen involvement including sharing of information, and providing feedback are part of meeting the goals articulated in the State's mandates.

Secondly, and in consideration of the above first point, the management of this large estuary system requires careful deliberation and consideration and analysis using the most up to date information. As per the guidance documents, evaluation of public need for estuarine fill and removal must be considered regarding the public that will benefit. A full and comprehensive evaluation of the need for this proposed action must be included. There is strong evidence from studies of the distribution of fish and shellfish populations, the wetland and estuary hydrodynamics, that the extent of the removal and fill proposed would negatively affect the fishery and aquatic systems and associated wetlands with consequences well into the future.

The 47-foot-deep excavation for the ship berth into the highly permeable sand substrate of the spit would provide new pathways for groundwater from the wetlands within the spit to

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move toward that excavation. The hydraulic gradient created by the-deep excavation (covering more than 20 acres), in combination with a very shallow water table, would draw water toward and into the slip during construction. This disruption of groundwater hydrology would likely have a harmful impact on wetlands immediately adjoining the JCEP terminal site in addition to affecting flows into the estuary. The removal of benthic material to depths greater than the existing navigation channel would affect the hydrology in the area, particularly with tidal seawater flows, creating a low spot. The cumulative effects of multiple dredge and fill activities are extensive and represent long-term disruption in the hydrology and biological function.

The slip and access channel combined would equal 60-acres and result in the permanent loss of 14.5-acres of shallow subtidal and intertidal habitat, 0.6-acres of estuarine saltmarsh habitat, and 1.9 acres of submerged aquatic vegetated habitat. The proposed dredging of the Access Channel to a 45-foot depth would result in removal of tidal and subtidal habitat including eelgrass. Eelgrass beds have an important role in the life cycles of fish, invertebrates and wildlife species. Because eelgrass is a rooted plant, it performs a vital function of stabilizing coastal sediments, preventing erosion. The eelgrass community provides direct and indirect food and cover for many marine species. Any permitting needs to consider carefully the cumulative effects of destruction of eelgrass. Additional components of functionality of the estuary for fish and shellfish populations include considerations regarding critical habitat for the threatened distinct population of Green Sturgeon and provides important summer habitat for subadults and adults. Coho salmon migrate and utilize the estuary for early life history rearing and migration. The shellfish populations are nurtured by the tidal exchanges and diverse habitat features. Seals and sealions use shoaling areas for haul out and feeding, and grey and killer whales have been spotted in the bay's navigation channel that the large LNG carriers would be using. These are just some of the ecological hydrological impacts that need to be considered in permitting a project such as proposed.

The Statewide Planning Goal 16 regarding Estuarine Resources is written "To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and to protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries."

After some delay, the county has begun again its review and revision of the CBEMP following a comprehensive effort by area scientists, community members and managers. This planning partnership and associated grants that funded the process provided for examination and compilation of the past and present aquatic and community resources. This effort provided updated information and made these findings available as digital resources. The objective of the work by the Partnership for Coastal Watersheds was to use this information to revise the

CBEMP and comply with the need for uniformity of Coastal Zone Management guidelines. The decisions regarding understanding of impact of removal and fill operations, operations of a mega structure such as proposed for the LNG terminal and its associated operations and their consequences must be made with consideration of current economic, environmental and social conditions.

Economic factors have changed substantially since the last update of the CBEMP plan and continue to change. The planners in 1984 did not foresee the growth of tourism, the continued reduction of heavy industry, and the growing opportunities for sustainable development. The management and considerations of habitat needs for ESA listed fish and wildlife species were not considered during this development. All these factors are part of understanding of the public benefits of the estuary and associated land use.

The existence of a market for LNG does not constitute a *public need*. This project in no way meets any public need for natural gas delivery in the Oregon, the Pacific Northwest, or anywhere in the U.S. I urge the Coos County planners to review the goals of our Oregon Coastal Management Program, and the Statewide Planning Goals and carefully weight all considerations in this remand.

Sincerely,



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