

June 24, 2015

Bill Lynch, Chair  
Energy Facility Site Evaluation Council  
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Mr. Lynch:

We are profoundly disappointed and deeply frustrated with the schedule posted by the Energy Facility Site Evaluation Council (EFSEC) on its website Monday for completing and publishing the Draft Environmental Impact Statement (DEIS) for the Vancouver Energy terminal. We simply are stunned by news that, in addition to all the delays already encountered, EFSEC will now need an additional *four months* before publishing the DEIS.

We are in the twenty-second month of the 12-month EFSEC review process prescribed by statute. While we have been frustrated by previous repeated delays and the lack of a clear schedule, we were encouraged more recently by EFSEC's repeated commitment to publish the DEIS in July. The schedule just posted on the EFSEC website now shows that the assurances we and the public were given for months – that the consultant and staff were “on track” for a July publication – were completely misleading.

EFSEC staff and consultants started this current phase of work almost a year ago when we delivered a comprehensive preliminary draft in accordance with EFSEC rules. Since then, you have acknowledged that we have provided all requested information, and your consultants have confirmed that we have been very forthcoming in our responses. On numerous occasions, we asked the Council to provide the public and other stakeholders a complete project review schedule so the process can be more predictable, accountable and transparent as state law envisions. Each request was either rejected or ignored.

We also repeatedly urged the Council, both before and after delivering the preliminary draft EIS, to add additional resources (staff, consultants and other experts) - of the Council's choosing - which we would pay for as the project applicant, to ensure a thorough and timely review. Finally, after months of delay, EFSEC belatedly brought in some additional consultant help and expertise. But even this has produced no apparent improvement in timeliness or project management.

There is significant public, community, business and other stakeholder interest in the proposed Vancouver Energy terminal. All parties ought to have specific information on the schedule, timing and milestones for publishing the DEIS, completing adjudication, receiving and responding to public input, completing the final EIS, drafting and public review of permits, and delivering the Council's final recommendation to the Governor. Instead, we get continuing refusal to establish a public schedule for completing EFSEC's statutory

responsibilities. This results in a complete lack of accountability for anything resembling transparency and due process.

This ongoing pattern of delay and uncertainty demonstrates once again that the permitting process in Washington is broken, severely lacking in accountability, and a significant deterrent to enterprises looking to conduct business in the state. It is past time for EFSEC to establish a more transparent process with a firm timeline and schedule for completing its evaluation – for the entire process, not just publication of the DEIS.

Regardless of anyone's perspective on the merits or impacts of any individual energy project, the people of Washington deserve better. Stakeholders who wish to be part of the public review of this project deserve better. So too do those who seek to invest in and work with the state to provide opportunities, services and resources for people and communities within this state and region.

We request that you intervene and set an efficient and firm timeline for the entire EFSEC review process and then insist that EFSEC staff and consultants manage to that timeline. Without a schedule, we can't be assured EFSEC is on a verifiable path to complete its work and deliver a recommendation for a final decision by Governor Inslee.

Respectfully,



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