



July 31, 2015

Assistant Secretary Jo-Ellen Darcy  
Office of the Asst. Secretary of the Army (Civil Works)  
108 Army Pentagon, Room 3E446  
Washington, DC 20310-0108

Lieutenant General Thomas P. Bostick  
United States Army Chief of Engineers  
2600 Army Pentagon, Room 3E634  
Washington DC 20310-2600

Dear Secretary Darcy and General Bostick:

On behalf of more than 8,000 member small businesses in Washington state, I am writing to urge the U.S. Army Corps of Engineers (Corps) to finish the Environmental Impact Statement (EIS) on the Gateway Pacific Terminal project at Cherry Point. The EIS process is roughly 80 percent complete now, at a current cost of \$7 million. A final EIS is essential for permitting and mitigation decisions to be made based on sound science and all relevant data.

It is quite disconcerting that the Corps is considering a request from the Lummi Nation to abandon this environmental review before it has been completed. We believe such an action would be unprecedented, and undermine both the National Environmental Policy Act (NEPA) and Washington State's Environmental Policy Act (SEPA).

Abandoning the environmental review before it has been completed would likely preclude any further progress on the Gateway Pacific Terminal by denying regulating entities the information needed for determining what mitigation measures, if any, may be needed in order for permits to be issued. Moreover, a premature end to the EIS process would deny the public and all interested parties, including the Lummi Nation, the opportunity to review the scientific data and submit comments for the record. This would undermine public confidence in federal and state environmental review programs and have a chilling effect on future development in this state.

The public expects a fair, consistent process to be used when evaluating the potential environmental impact of major projects, like this one at Cherry Point. No one party should have the ability to deny another its legal right to review under federal law. Granting the Lummi Nation request to prematurely terminate this EIS would deny the Gateway Pacific Terminal owners and investors their right to a full environmental review, and it would deny the public its right to an objective analysis and legal record upon which further project decisions should be made.

Accordingly, we urge the Corps to complete the Gateway Pacific Terminal EIS and maintain the integrity and credibility of the federal environmental review process with the people of Washington State.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick L. Connor". The signature is fluid and cursive, with a large initial "P" and "C".

Patrick Connor  
NFIB/Washington State Director

Cc: The Honorable Patty Murray, United States Senate  
The Honorable Maria Cantwell, United States Senate