

# Westway and Imperium Expansion Projects

## Draft Environmental Impact Statements



### ▶▶ Tribal Resources Fact Sheet

For these studies, tribal resources refer to the fish, shellfish, animals and plants that are gathered or used by tribal members. These resources, and access to them, are associated with a tribe's sovereignty, historical practices and federally reserved treaty rights.

#### What impacts on tribal resources were analyzed?

Several tribes rely on plant and animal resources in Grays Harbor and along the Puget Sound and Pacific (PS&P) rail line for commercial, subsistence, and ceremonial purposes. The Quinault Indian Nation tribal resources include fisheries in Grays Harbor and adjacent freshwater and ocean areas. The Confederated Tribes of the Chehalis Reservation tribal resources includes the commercial fishery in rivers on its reservation. The studies looked at construction, facility operations, and transportation by trains and vessels in Grays Harbor and along the PS&P rail line. They identified potential impacts to tribal resources and access to them from the proposed projects.

#### How were the impacts analyzed?

The studies used information from the Quinault Indian Nation, the Confederated Tribes of the Chehalis Reservation, and tribal members. Data and information from state agencies, including Washington Department of Fish and Wildlife, was also used. Fishery types, fishing seasons, fishing practices, shellfish practices and plant gathering practices are described in the studies.

The studies use this information to describe tribal resources. They consider the proposed construction, facility operations, and transportation by trains and vessels in Grays Harbor and along the PS&P rail line. Then they identify potential impacts to tribal resources and access to these resources from the proposed projects. Finally, the studies include actions that can mitigate or offset the potential impacts.

#### How will the proposed projects affect tribal resources?

##### Construction

Construction at the facility sites would not likely harm fish or plants used by tribes. Stormwater and runoff from construction must meet requirements for discharging water back into Grays Harbor to prevent pollutants from entering the water. Noise from construction is not likely to harm fish or wildlife.

##### Operations

Tribal resources such as plants and wildlife are not currently present at the facilities. The proposed facility operations would not likely harm fish or plants near the sites. Stormwater and runoff from operations must meet laws preventing pollutants from entering Grays Harbor. Noise from operations is not likely to harm fish or wildlife.

Depending on the size and location, spills at the facilities could harm or kill wildlife or plants. A large spill at the facilities could reach water and could affect tribal resources. The storage tanks and locations where oil is transferred from trains to tanks are required to have areas that are designed to hold the volume of an entire train car or an entire storage tank. Numerous other prevention and response requirements are described in Chapter 4, *Environmental Health and Safety*, of the Draft EISs. This chapter also includes required actions to reduce or offset impacts from spills.

Under the proposed projects, ships and barges would be at Terminal 1 most of the year. Fish can be found in this area and the Quinault Indian Nation has reported gillnet fishing in this area. Tribal members would not be able to fish at Terminal 1 when ships or barges are present, so there is likely an impact to access of tribal resources.

##### Rail Traffic

Train traffic along the PS&P rail line would increase with the proposed projects, though more trains would not greatly reduce access to tribal resources along the rail line. There are some rail crossings near fishing and access sites for the Quinault Indian Nation, but long delays are not expected to happen. The Chehalis Tribe's access to fishing sites would not be affected because access roads do not cross the PS&P rail line.

Spills from trains could harm or kill wildlife or plants, depending on the size and location of the spill. A large spill along the PS&P rail line could reach water and affect tribal resources.

### Vessel Traffic

Grays Harbor has a history of ships and barges operating in the area. The ships and barges for the proposed facilities will increase the level of marine traffic in Grays Harbor. More vessel traffic in the navigation channel could impact access to fishing areas. The Quinault Indian Nation has reported tribal members fish in the navigation channel, from the Crossover Channel to the Grays Harbor Turning Basin upstream of Terminal 2. Tribal members would not be able to fish when ships or barges are moving through the area, so there is likely an impact to access of tribal resources.

The fall salmon fishery is likely to be a time when access could be most affected. More vessel traffic could also reduce access to fish and crab harvest areas in the ocean. Tribal fishers entering and leaving Grays Harbor may be affected by ships or barges going to or from the proposed facilities.

Spills from ships or barges could harm or kill wildlife or plants, depending on the size and location of the spill. A large spill in Grays Harbor could affect tribal resources.

Rail and Vessel Trips per Year			
Transport	Without Projects	Proposed Project	
		Westway	Imperium
Rail	1,235	458	730
Vessel	436	238	400

## What can Westway and Imperium do to reduce impacts on tribal resources?

The studies identify the following mitigation measures to reduce impacts on tribal resources:

- Review and manage docking schedules with the Quinault Indian Nation and Washington Department of Fish and Wildlife to minimize conflict with fishing schedules.
- Work with the Grays Harbor Safety Committee to establish procedures for announcing project-related vessel arrivals and departures over a designated very high frequency (VHF) marine radio channel.
- Initiate discussion between stakeholders and Quinault Indian Nation tribal officials to identify additional mitigation measures.

The detailed list of measures is presented in Section 3.12, *Tribal Resources*, of the Draft EISs. Mitigation related to spills, fires, and explosions is in Chapter 4, *Environmental Health and Safety*.

## Are there significant adverse impacts that cannot be mitigated?

The mitigation measures above would reduce but may not eliminate impacts on tribal resources. Ships and barges related to the proposed projects would travel through usual and accustomed tribal fishing areas in Grays Harbor. Now and in the future, increased vessel traffic could restrict access to tribal fishing areas in the navigation channel or at Terminal 1. A number of other factors besides vessel traffic can affect fishing opportunities, including the number of fishers, fish distribution, and timing. With those variables, it is difficult to declare precisely how much vessel operations related to the proposed projects would affect tribal fishing.

## Where is more information available?

Within the Draft EISs, Section 3.12, *Tribal Resources*, has detailed information on current conditions, analysis and findings related to the impacts of the proposed projects on tribal resources. The following sections of Chapter 3 also include detailed information and analyses relevant to tribal resources: Section 3.3, *Water*, Section 3.4, *Plants*, Section 3.5, *Animals*, Section 3.11, *Historic and Cultural Preservation*, Section 3.15, *Rail Traffic*, and Section 3.17, *Vessel Traffic*. Chapter 4, *Environmental Health and Safety* also includes information about the risks of spills, fires, and explosions.

There are additional fact sheets discussing *Plants and Animals*, *Historic and Cultural Preservation*, *Rail Traffic*, and *Vessel Traffic*. There is also a fact sheet with information on risks of crude oil spills, *Crude Oil Environmental Health and Safety*.

Visit [www.ecy.wa.gov/GraysHarbor](http://www.ecy.wa.gov/GraysHarbor) for more information on the proposed projects.