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**No New Agreement on Proposed Cherry Point Terminal**

*Parties unable to find way forward that would protect Puget Sound*

Bellingham, WA – Negotiations to modify a settlement agreement regarding a proposed bulk commodity export facility at Cherry Point in Whatcom County have ended without resolution. The negotiations broke down because the parties were unable to agree on measures to protect Puget Sound and the vulnerable Cherry Point herring population.

The original agreement, signed in 1999, allowed SSA Marine to construct an 8.2 million metric ton bulk commodity export facility at Cherry Point. That agreement imposed rigorous operating conditions to minimize the facility's negative impacts on Puget Sound.

SSA Marine's new proposal is for a terminal with the greatly expanded capacity of 54 million metric tons annually. This new proposal would significantly increase vessel traffic throughout Puget Sound. Unlike the earlier proposal, the new facility would be used almost exclusively to export coal to Asia, a commodity not covered by the company's existing permit.

The parties attempted to modify the existing settlement agreement, but ultimately could not agree on a package of construction and operating criteria that would adequately protect the Cherry Point herring population from the impacts of the terminal structure and vessel traffic and loading. The 1999 agreement required SSA Marine to study the herring population and implement a wide range of measures to minimize the impacts of the facility; however, the company fulfilled only a fraction of these commitments over the last decade. As a result, the parties faced considerable uncertainty regarding the impacts that facility would have on herring and other aquatic resources.

"In the twelve years since our original agreement, SSA Marine has repeatedly failed to follow through on its obligations with respect to herring monitoring and evaluation," said Dave Peeler, Director of Policy at People For Puget Sound. "This long history raised serious doubts about SSA Marine's commitment to protecting Puget Sound under any new agreement."

Looming over the negotiations was the prospect that SSA Marine's new mega-terminal would serve primarily as a coal-export facility, loading the world's largest ocean-going vessels with Powder River Basin coal bound for markets in Asia. The original permitting process did not address coal dust impacts, increased vessel traffic and terminal capacity, increased rail traffic from the coal trains, or coal's impact on the global and regional climate.

"We are deeply concerned about the impacts of a coal-export facility at Cherry Point," said Becky Kelley with Washington Environmental Council. "Coal exports from the proposed facility would negatively impact local communities across the State, harm Puget Sound, and increase climate pollution."

"Whatcom County is known for its excellent quality of life – its clean air, water, and a community that cares about the health of its neighbors," said Tanya Baumgart of the League of Women Voters of Bellingham/Whatcom County. "We're not willing to risk that legacy and the survival of Cherry Point herring on vague promises from SSA Marine that are unsupported by concrete plans or reliable science."

“The new proposal is to build a massive coal-export facility right in the middle of sensitive habitat for Cherry Point herring,” said Steve Irving of North Cascades Audubon Society. “The herring population is in very bad shape, and this greatly expanded project threatens to push it to extinction.”

The parties to the 1999 agreement are SSA Marine, Washington Department of Ecology, Washington Department of Fish and Wildlife, Whatcom County, and a coalition of public interest groups including League of Women Voters of Bellingham/Whatcom County, North Cascades Audubon Society, People For Puget Sound, and Washington Environmental Council. The public interest groups were represented in the negotiations by Brian Gruber and Joshua Osborne-Klein of the law firm Ziontz, Chestnut, Varnell, Berley & Slonim.

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Link to release; <http://wecprotects.org/press-room/press-releases/no-new-agreement-on-proposed-cherry-point-terminal>