I'm Steve Miller and I'm a family member of the League of Women Voters of Coos County. I studied Fisheries Science in college and worked as a fish biologist at the two salmon ranches that once operated on the North Spit.

In the Jordan Cove Project application to the Department of State Lands, there are several actions of compensatory mitigation for harm to Oregon water resources and related public values from planned construction of the project. The many images we are seeing tonight show the scale and impact such a project would bring to our bay and region and a possible great need for mitigation, which is required by Oregon and Federal law.

Compensatory mitigation is defined as "the restoration, establishment, enhancement, or in certain circumstances, preservation of wetlands, streams or other aquatic resources for the purpose of offsetting adverse impacts."

In Oregon, mitigation plans have to be submitted as part of an application where harm resulting from construction is considered by the applicant to be unavoidable and no alternatives can be found.

Two mitigation plans of concern are the Kentuck plan on a long-abandoned golf course near E. Bay Drive and a plan to create an eelgrass bed off the North Bend Airport to mitigate for destruction of eelgrass by dredging.

The Kentuck mitigation site is today a functioning freshwater wetland. And it is the ONLY mitigation proposed for the destruction of wetlands during construction along the entire gas pipeline. At Kentuck, 300,000 cubic yds. of dredge spoils pumped by pipeline from the LNG terminal site, would be spread over the existing wetland - -destroying one wetland to create another. A marine scientist who has studied Jordan Cove's proposed mitigation said, that "to carry out this proposal would be the biggest wetland impact of the entire project".

In the Kentuck mitigation:

1) Other mitigation sites with less adverse impacts to water resources are not considered.
2) Alternative designs are not provided.
3) The sandy dredge material pumped to Kentuck is a very different type than the soil at the Kentuck site. That area could not become a functional wetland providing habitat anything like the current wetland.
4) The 24" dredge pipeline laid on the bottom of the bay could create pools that trap fish at low tide, exposing them to predation and warm water low in oxygen.
5) The LNG pipeline would go right through the Kentuck wetland.
6) By choosing to destroy a freshwater wetland already at the Kentuck site as part of mitigation, the applicant doesn't address how it will compensate for that destruction.
7) The Kentuck mitigation site is far from most of the watersheds where wetlands would be permanently destroyed by the gas pipeline (including the Coquille, S. Umpqua, Upper Rogue, Upper Klamath, and Lost Rivers)

An Eelgrass mitigation site near the North Bend Airport would create a 10-acre eelgrass bed to compensate for destruction of eelgrass during dredging of the access channel for the tanker slip. This plan has serious problems:

1) Estuary studies show that much of the Eelgrass mitigation site is just too shallow for eelgrass to grow.
2) The design of the Eelgrass site shows lower elevation toward the center, creating a sump that can trap fish at low tides (making them vulnerable to predators), raising water temperatures and reducing its oxygen content.
3) Eelgrass is not easy to establish in areas where it does not already grow.
4) Like the applicant's Kentuck mitigation plan, where existing wetland functions and biological communities would be destroyed, dredging over 46,000 cubic yds. from the existing tide flat to establish eelgrass would eliminate biological communities at or near the bottom and in the sediments. There is no

information on that damage so you could determine if the attempted mitigation would be a net gain or loss for the estuary.

5) And there is no mention of a source for the eelgrass starts that would be needed.

Since the core goals of mitigation are to "restore, establish, enhance or preserve wetlands, streams or other aquatic resources to offset adverse impacts", it's difficult to understand how the Kentuck or Eelgrass mitigation plans could do that. The EPA, Corps of Engineers, other government agencies, and scientists agree that certain standards can make for a successful mitigation plan. Some critical ones are:

1) The site should be located close to the impact site.
   - The Eelgrass plan does that, but <u>not</u> Kentuck.
2) The site should also be located where it will most likely succeed in replacing the same kind of function that was destroyed.
   - Neither the Eelgrass or Kentuck plans do that.
3) The proposed plan must have a high likelihood of ecological success with results that last.
   - Both of these proposed mitigations fail to do that.

It's hard to identify what's achieved in these two plans that can provide adequate compensation for the many adverse impacts that will occur during construction in Coos Bay and across southern Oregon.