



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000
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June 28, 2011

Ari Steinberg
Pacific International Terminals
1131 SW Klickitat Way
Seattle, WA 98134

Re: Request for a Clean Water Act, Section 401 Water Quality Certification for the Gateway Pacific Terminal project in Whatcom County

Dear: Mr. Steinberg:

On June 6, 2011 the Department of Ecology (Ecology) received a letter and the Joint Aquatic Resources Permit Application (JARPA) signature page. Within your letter you requested that Ecology initiate the formal review process for a Section 401 Water Quality Certification (Certification) for the Gateway Pacific Terminal project in Whatcom County.

Receipt of your letter started a one-year timeline for Ecology to approve, deny or waive the Certification. Please be aware that due to the complexity of the Gateway Pacific Terminal project and the requisite environmental analysis that will be required, issuance of a decision on your Certification request may not occur during the one-year timeframe. If Ecology is not able to issue its Certification decision within one year, Pacific International Terminals will need to withdraw and resubmit the request. Ecology will keep you informed regarding its progress on the requested Certification and if a renewed request is required.

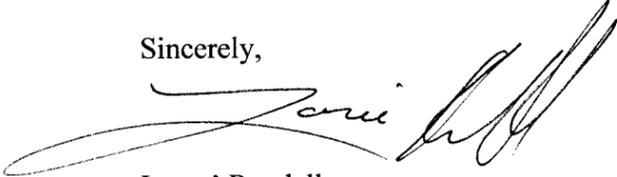
Contrary to a statement in the cover letter accompanying the JARPA signature page, Ecology does not have any means to “stop” the statutory clock while the NEPA/SEPA process is completed. Rather, as previously described, if the statutory one year time frame is close to expiring June 5, 2012 and Ecology is unable at that time to make a decision on Gateway Pacific Terminal’s Certification request, you will be notified and asked to withdraw and resubmit your application.



Mr. Ari Steinberg
June 28, 2011
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If you have any questions, please feel free to contact me at 360/407-6068.

Sincerely,

A handwritten signature in black ink, appearing to read "Loree' Randall". The signature is fluid and cursive, with a large initial "L" and "R".

Loree' Randall
401/ORR Unit Supervisor
Shorelands and Environmental Assistance Program

ecc: GPT MAP Team Members