WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive,
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax

J.E. "Sam" Ryan
Director

Major Project Permit
Master Land Use Application

File #(s): _____

Project Name: Gateway Pacific Terminal

- ☐ Administrative
- ☐ Binding Site Plan
- ☐ Critical Areas Reasonable Use
- ☐ Planned Unit Development
- ☐ Long Subdivision
- ☒ Shoreline Substantial Development Permit Revision
- ☐ Shoreline Conditional Use
- ☐ Shoreline Variance
- ☐ Zoning Conditional Use
- ☐ Zoning Variance
- ☒ Major Project Permit

Applicant

Name Skip Sahlin, Pacific International Terminals, Inc. Phone (206) 654-3525
Address 1131 SW Klickitat Way City Seattle
State WA Zip 98134 Email Skip.Sahlin@SSAMarine.com

Legal Property Owner

Name Skip Sahlin, Pacific International Terminals, Inc. Phone (206) 654-3525
Address 1131 SW Klickitat Way City Seattle
State WA Zip 98134 Email Skip.Sahlin@SSAMarine.com

Contact Person

Name Cliff Strong, AMEC Earth & Environmental, Inc. Phone (425) 368-0952
Address 11810 North Creek Parkway N City Bothell
State WA Zip 98011 Email cliff.strong@amec.com

Engineer

Name Bruce Larson, Ausenco Sandwell Phone (604) 684-9311
Address 885 Dunsmuir Street, Suite 600 City Vancouver
State BC Zip V6C 1N5 Email blarson@sandwell.com

Surveyor

Name Gill Lass, David Evans and Associates Phone (425) 259-4099
Address 119 Grand Ave Ste D City Bellingham
State WA Zip 98225 Email GJLA@DEAINC.com

Deed attached: ☐ Yes ☒ No Flood Zone: ☐ Yes ☒ No

Property interest of the applicant: ☒ Purchaser ☒ Lessee ☒ Other: Owner

Site address: 4750 Gulf Road – In the vicinity of Henry Road, Lonseth Road, Aldergrove Road, Powder Plant Road, and Gulf Roads.

Parcel size 1,200 acres

Legal Description: Lot _____ Block _____ Div_____ Plat _____

_____ 1/4 _____ 1/4 Section 17, 18, 19 T 39 North, R 01 East W.M.

Assessor's Parcel Number(s):

Upland Parcels	Tax parcels contiguous to DNR open water:	
039011-7473110	039512-4546546	039011-9327425
039011-7067334	039011-9092500	039011-9349425
039011-7205467	039011-9172456	039011-9388424
030911-7067334	039011-9199451	039011-9438360
030911-7065466	039011-9214451	039011-9454299
039011-8117050	039011-9252449	039011-9469346
039011-9424335	039011-9298423	
039011-9198377		
039011-7278062		
Parcel 14: 390117278062		

Zoning: Heavy Impact Industrial CompPlan: Major/Port Industrial UGA

Shoreline: Cherry Point Management Area Subarea: Major/Port Industrial UGA

Fire District: Fire District No. 7 School District: Ferndale School Dist 502

Water source: ☐ Well ☒ District/Association Whatcom County PUD

Sewage Disposal: ☒ Septic ☐ Sewer _____

Receipt # _____ Date Paid _____ Total Fees $7,145

I/we Skip Sahlin for Pacific International Terminals, Inc., hereby certifies that the above statements and the information contained in any papers or plans submitted herewith are true and accurate to the best of my knowledge.

Skip Sahlin
Signature of Applicant

Skip Sahlin
Signature of Owner

6-6-2011
Date

6-6-2011
Date

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Major Project Permit Application Criteria

The following items must be included within the proposed master plan application per WCC 20.88.205:

(1) General statement – a narrative description that in general terms identifies the purpose and intended use(s) for the site.

(2) Conceptual site development plan – showing to the appropriate level of detail, buildings and other structures, existing mature trees and landscaping, the pedestrian and vehicle circulation system, parking areas, open space and critical areas, buffers, and other required items. This information must cover the following:

(a) All existing improvements that will remain after the development of the proposed site;

(b) All improvements planned in conjunction with the proposed use;

(c) Conceptual plans for possible future uses; and

(d) General locations of usable open space, any land proposed to be dedicated for open space; pedestrian and transit connection between the site and public or private streets serving the development and connecting to off-site open space; internal circulation (both auto and pedestrian), location of proposed gates and fencing.

(3) Land Use. The master plan must include proposed functions, uses, and boundaries of uses by phase. The description must include information as to the general amount and type of functions of the use, hours of operation, and the approximate number of members, employees, visitors, and special events. For projects that include residential units, proposed minimum and maximum floor area densities, number of units and building heights must be indicated. For office/commercial and light impact industrial projects, minimum and maximum floor area ratios must be indicated.

(4) Phasing Plan. The master plan must include the proposed development phases, probable sequence for proposed developments, estimated dates, and interim uses of the property awaiting development. In addition, the plan should address any proposed temporary uses or location of uses during construction periods.

(5) Circulation, Transportation, and Parking. The master plan must include but is not limited to projections by phase of traffic impacts, probable safety concerns, internal circulation layout, parking requirements, ingress/egress locations, and proposed road standards for each phase. Specific requirements for transportation and parking include:

(a) The expected number of trips (peak daily), an analysis of the impact of those trips on the adjacent street system, and proposed mitigation measures to limit any projected negative impacts. Mitigation measures may include improvements to the street system or specific programs to reduce traffic impacts such as encouraging the use of public transit, carpools, vanpools, and other alternatives to single-occupancy vehicles.

(b) Projected peak parking demand, an analysis of this demand compared to proposed on-site and off-site supply, potential impacts to the no-street parking system and adjacent land uses, and mitigation measures.

(6) Utilities. The master plan must include evidence of service availability from primary service providers (water, sewer, power, cable, natural gas, telephone) and address stormwater drainage management both on and off-site.

(7) Environment. The master plan must identify critical areas as defined in Chapter 16.16 WCC and areas of special concern as defined by WCC 24.05.230. Mitigating measures for all environmental impacts identified by the applicant through a SEPA checklist, or EIS process and/or identified by agency staff, including but not limited to special development standards, modification of site layout, dedicated open space, and mitigation replacement areas must be identified. Identification of any hazardous wastes anticipated, special handling techniques and/or site designs required for containment must also be addressed. If an EIS is required, the EIS and master plan may, upon approval by the director, be combined into a joint document.

(8) Development Standards. The master plan may propose standards that will control development of the possible future uses that are in addition to, or substitute for, requirements of this chapter. These may be such things as height limits, setbacks, frontage, landscaping requirements, parking requirements, signage, view corridors, or facade treatments. Proposed standards that do not meet the minimum county standards must obtain the appropriate variance prior to county approval of the proposed standards. If the proposed design standards will apply to property located partially or totally within an urban growth area, concurrence of the affected city will be required.

To demonstrate that your proposal complies with the applicable major project permit requirements (WCC 20.88.130) please address the following criteria:

The major project permit shall be issued by the county council when the applicant has established that the proposed major development:

(1) Will comply with the development standards and performance standards of the zone in which the proposed major development will be located; provided where a proposed major development has obtained a variance from the development and performance standards, standards as varied shall be applied to that project for the purposes of this act.

(2) Where the project is conditionally permitted in the zone in which it is located, the project must satisfy the standards for the issuance of a conditional use permit for the zone in which the project is located.

(3) Will be consistent with applicable laws and regulations.

(4) Will not substantially interfere with the operation of existing uses.

(5) Will be served by, or will be provided with essential utilities, facilities, and services necessary to its operation, such as roads, drainage facilities, electricity, water supply, sewage disposal facilities, and police and fire protection. Standards for such utilities, facilities, and services shall be those currently accepted by the state of Washington, Whatcom County, or the appropriate agency or division thereof.

(6) Will not impose uncompensated requirements for public expenditures for additional utilities, facilities and services, and will not impose uncompensated costs on other property owned.

(7) Will be appropriately responsive to any EIS prepared for the project.

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Major Project Permit Application
Intake Checklist

The following requirements for a fully completed application and any other information must be provided in order to initiate a review for a Determination of Completeness.

Applicant Checklist		PDS Checklist
	1. Written and Other Data and Fees **Eleven (11) sets** of the required information (listed below) shall be submitted. The Administrator may require the applicant to submit the information in an electronic format, and may reduce the number of required sets if provided in an alternative format	
☒	a) Completed application form	☐
☒	b) Name, address and phone number of owner(s), applicant, and contact person	☐
☒	c) Names, addresses and telephone numbers of the involved engineers, surveyors, and consultants	☐
☒	d) Intended uses	☐
☐	e) List of variances and waivers requested	☐
☐	f) Names and addresses of all persons, firms, and corporations holding legal interests in the land, such as easements, of which the applicant has knowledge	☐
☒	g) Assessor's parcel number (of the parent parcel)	
☐	h) List of names and addresses of owners of property within 300′ of site's boundaries (based on the latest assessor's equalized tax roll) when within an urban growth area, or within 1,000 feet of site's boundaries when outside an urban growth area, together with corresponding parcel numbers and assessor's parcel map	☐
☐	i) Proposed covenants, conditions, and restrictions (CC&Rs)	☐
☐	j) SEPA checklist (Available on PDS website)	☐
☒	k) Preliminary Stormwater Proposal form (Available on Engineering website)	☐

Applicant Checklist		PDS Checklist
☒	l) Preliminary Traffic & Concurrency Information form (Available on Engineering website)	☐
☒	m) Land Disturbance Permit (Available on PDS website)	☐
☒	n) Proposed utilities	☐
☒	o) Critical area and soil reports, as specified in the applicable development standards. All reports shall be certified by qualified professionals experienced in the applicable field of science.	☐
☒	p) An Endangered Species Act (ESA) Checklist will be required to be filled out and submitted for any development permit located within the following areas: • FEMA designated floodplain and/or floodway • Riparian Buffer Zone (RBZ) as described by the Department of Natural Resources 2007 stream typing system and WDFW's 1997 stream buffer guidelines • Channel Migration Zone (CMZ) plus 50″ as identified according to Department of Ecology 2003 Please contact Critical Areas or Flood staff to determine if your property is located within any of the above noted areas.	☐
☒	q) Fees as specified in the Unified Fee Schedule	☐
	2. Map Data	
☒	a) Applicable map size is 24″ x 24″ to 24″ x 36″	☐
☒	b) Date of revisions, if any	☐
☒	c) Name of owner	☐
☒	d) Name, address, and telephone number of the surveyor or consultant preparing the map proposal	☐
☐	e) Name of proposed land division	☐
☐	f) Names or numbers of any adjacent divisions	☐
☒	g) General layout of proposal	☐
☒	h) Approximate locations of existing utilities, infrastructure, roads, drainage and rights-of-way within 300′ of the boundary of the proposed land division	☐
☒	i) Vicinity map at a scale not less than 1″ = 2,000′	☐
☒	j) Common engineering scale (1″=100′ or larger), sheet numbers, and north arrow	☐

Applicant Checklist		PDS Checklist
☒	k) Section, township, range, municipal and county lines in the vicinity	☐
☐	l) Location of monuments and fences located by any boundary survey and the date of the survey	☐
☒	m) General boundaries of the site with general dimensions shown, perimeter boundary marked with a bold line	☐
☐	n) Legal description of the land being subdivided	☐
☒	o) Proposed access (including proposed improvements to on-site and off-site roadways)	☐
☒	p) Other proposed on-site or off-site utilities and facilities	☐
☒	q) The location and widths of all proposed roads, rights-of-way, and easements.	☐
☒	r) When appropriate, location of natural features, including bodies of water, natural drainage areas, regulated watershed boundaries, critical areas, and buffers	☐
☒	s) Location of buildings, and parking on-site or contiguous to the site	☐
☒	t) General location of existing and proposed facilities, sanitation, and water facilities, easements (where appropriate), landscaping, common areas, and phasing boundaries	☐
☒	u) General plans of proposed water distribution systems, sewage disposal systems, and drainage systems. The plans shall include system location and sizes, sources of water supply, location, and size of storage reservoirs, location of drainage outlet, and other major features and shall be certified by a professional engineer.	☐
☐	v) Layout of proposed alleys, walkways, bicycle paths, and parcels to be dedicated or reserved for school, park, playground, well site or other use	☐
☒	w) Location of critical areas, shorelines and base flood elevation, where applicable	☐
	3. **Additional Information**	
☒	a) Title report	☐
☒	b) Written narrative of how the proposal will meet development and/or level of service standards for: i. Water supply	☐
☒	ii. Sewage disposal	☐

Applicant Checklist		PDS Checklist
☒	iii. Fire protection service	☐
☐	iv. Public school system	☐
☒	c) Project areas	☐
☒	d) Area in lots, square feet, and percentage of total	☐
☒	e) Zoning designations and zone density	☐
☐	f) Area of streets, area in right-of-way, and percentage of total	☐
☐	g) Area of parks, open space, and percentage of total	☐
☒	h) Area of impervious surface proposed	☐
☒	i) Soil types and classifications	☐
☒	j) Utility service types and name of provider	☐
☒	k) School and fire district	☐
☒	l) Boundary survey, prepared and certified by a professional land surveyor	☐
☒	m) Additional reports as required at the pre-application meeting, prepared by qualified professionals, including but not limited to:	☐
☐	i. Traffic impact analysis and concurrency study	☐
☐	ii. Stormwater design report	☐
☐	iii. Soils and/or geological report	☐
☒	iv. Wetlands delineation and/or critical areas assessment report	☐
☐	v. Soil testing results for pesticides for subdivisions on land historically used for raising row crops	☐
☒	n) Topographic map of sufficient contour interval, acceptable to the County Engineer or Subdivision Administrator, to show the topography of the land to be subdivided	☐

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Fee Responsibility

Venue and Jurisdiction: The parties hereto recognize and agree that the venue of any action involving their rights or obligations related to this application shall be in Whatcom County, and the parties' rights and obligations hereunder shall be determined, in accordance with the laws of the State of Washington.

Fee Guaranty: Notwithstanding that this application has been submitted in the name of a company, I personally guarantee payment of fees accrued according to the terms listed in the Whatcom County Unified Fee Schedule and that my personal guarantee is part of the consideration for review of the application.

I, Skip Sahlin, for Pacific International Terminals, Inc., hereby certify that the above statements and the information contained in any papers or plans submitted herewith are true and accurate to the best of my knowledge, and that the list of surrounding property owners is complete and current.

Skip Sahlin — 6-6-2011
Signature of Applicant — Date

Skip Sahlin — 6-6-2011
Signature of Owner — Date

I certify that I know or have satisfactory evidence that Skip Sahlin is the person who appeared before me, and said person(s) acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated 6-6-11

LENDA D. SUNDENE
COMMISSION EXPIRES
NOTARY
PUBLIC
1-17-12
STATE OF WASHINGTON

Notary Signature: Lenda D. Sundene

Printed Name: Lenda D. Sundene

Notary Public in and for the State of Washington

Residing at Issaquah, WA

My appointment expires: 1 / 17 / 12

Application received by: _____ Date: _____

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Agent Authorization

If you are authorizing an agent to apply for permits on your behalf, you must complete this form, which will provide authorization for a designated agent to apply for permits on your behalf. This form is required for the protection of the property owner. Planning and Development Services will not accept an application that is not either signed by all property owners or accompanied by this form.

I/we, Skip Sahlin for Pacific International Terminals, Inc., the owner(s) of the subject property, understand that by completing this form I hereby authorize AMEC Earth & Environmental to act as my agent. I understand that said agent will be authorized to submit applications on my behalf. I also understand that once an application has been submitted that all future correspondence will be directed to the agent.

Skip Sahlin — 6-6-2011
Signature of Applicant — Date

Skip Sahlin — 6-6-2011
Signature of Owner — Date

I certify that I know or have satisfactory evidence that Skip Sahlin is the person who appeared before me, and said person acknowledged it to be his free and voluntary act for the uses and purposes mentioned in this instrument.

Dated 6-6-11

LENDA D. SUNDENE
COMMISSION EXPIRES
NOTARY
PUBLIC
1-17-12
STATE OF WASHINGTON

Notary Signature: Lenda D. Sundene
Printed Name: Lenda D. Sundene
Notary Public in and for the State of Washington
Residing at Issaquah, WA
My appointment expires: 1/17/12

Application received by: _____ Date: _____

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Supplemental Application

File # _____

1. Name of adjacent water body: Strait of Georgia

2. Please provide a general description of the proposed project that includes the proposed use or uses and the activities necessary to accomplish the project (including the total cost or fair market value of the proposed development:

   The Gateway Pacific Terminal will be a multimodal, deep-water Terminal to provide storage and handling for the export and import of up to 54 million metric tons per year dry bulk commodities, including grain products, coal, potash, calcined petroleum coke, and other bulk commodities. The Terminal would initially manage export of calcined petroleum coke; potash; low-sulfur; low-ash coal, and other bulk products, though the type and quantity of dry bulk commodities would likely change over time depending upon customer and market demands. Commodities would be transferred to and from the Terminal by rail on the BNSF Railway's Custer Spur and by ship via a wharf. The Terminal would be developed on approximately 350 acres within a total project area of 1,200 acres (terminal plus railroad property). The project area is zoned for Heavy Impact Industrial use and is located in Whatcom County's Cherry Point Industrial Urban Growth Area. The Terminal would be designed to minimize impacts to associated resources while meeting the purpose and need for the project.

3. Please provide a general description of the property as it now exists including its physical characteristics, improvements, and structures:

   The project area is currently undeveloped and vegetated with red alder forest, pastures, hayfields, mowed utility corridors, and abandoned fields. Recent land uses have included pasture, hay farming, and firewood and pulpwood harvest. Pastures and hayfields are occasionally tilled and reseeded.

4. Please provide a general description of the vicinity of the proposed project including identification of the adjacent uses, structures and improvements, intensity of development and physical characteristics:

   Adjacent properties include the BP refinery to the northwest, rural farms to the east, the semi-developed Cherry Point Industrial Park to the south (and Intalco further southeast); and the Strait of Georgia to the south/southwest.

5. Please provide a general indication of the character of vegetation found on the site:

   The project area is currently undeveloped and vegetated with red alder forest, pastures, hayfields, mowed utility corridors, and abandoned fields. Recent land uses have included pasture, hay farming, and firewood and pulpwood harvest. Pastures and hayfields are occasionally tilled and reseeded.

6. a) Please indicate the quantity, source and composition of any fill that will be placed on the site whether temporary or permanent:

   The quantity, source and composition of fill are undetermined at this time. The amount of import material however is anticipated to be small.

   b) Please indicate the quantity, composition, and destination of any excavated or dredged material:

   The quantity, source and composition of excavated material are undetermined at this time. All excavated material is anticipated to be used on-site for construction of the Gateway project. No in-water dredging will take place.

7. Local contact person who will post notices (if other than Agent/Rep.):

Contact Name Cliff Strong, AMEC Earth & Environmental, Inc.
Mailing Address 11810 North Creek Parkway N City Bothell
State WA Zip 98011 Phone (425) 368-0952
Fax # 425.368.1001 Email cliff.strong@amec.com

8. Person whom the newspaper notice bill will be sent to (if other than Agent/Rep.). This person must be in the State of Washington:

Name Skip Sahlin, Pacific International Terminals, Inc.
Mailing Address 1131 SW Klickitat Way City Seattle
State WA Zip 98134 Phone (206) 654-3525
Fax # Email Skip.Sahlin@SSAMarine.com