



Meeting Notes

Multi-agency Permit (MAP) Team Gateway Pacific Terminal (GPT) Project

March 17, 2011

Please send corrections, edits, or additions to jane.dewell@ora.wa.gov.

-
- Locations** Ecology Offices, link via video conference:
- Bellingham - Field Office (Groucho and Harpo Rooms)
 - Bellevue - Northwest Regional Office (Room 2A)
 - Lacey - Headquarters/Southwest Regional Office (Room R3A-19)
- Purpose** Review and discuss project details. Complete project's regulatory process diagram and schedule. Complete the guidelines for the MAP Team's process.
-

Introduction

This was the first GPT MAP Team meeting since November 30, 2010, and was organized by the Governor's Office of Regulatory Assistance (ORA). The agenda and sign-in sheet are available on the website (Attachments 1 and 2).

Prior to group introductions, new team members were introduced and changes were stated:

- ▶ Alice Kelly, Department of Ecology (Ecology), Senior Planner in the Northwest Regional Office – will coordinate State Environmental Policy Act (SEPA) issues for Ecology.
- ▶ Skip Kalb and Michael Stanfill, Burlington Northern Santa Fe (BNSF) Railroad – BNSF improvements to Custer Spur are necessary to the GPT project, but permits are on a different timeline.
- ▶ Department of Natural Resources (DNR) change: Brady Scott replaces David Roberts.
- ▶ Nooksack Tribe change: Llyn Doremus has left and no replacement has been assigned.

Introductions were made in Bellevue, Olympia, and Bellingham meeting rooms.

This was a working meeting of the GPT MAP Team where initial reactions to draft documents ('active documents' on the website) were provided and discussed. One document was posted to the GPT MAP Team website in January 2011 (Pacific International Terminals, Inc. Property, Wetland Delineation Report – 2008). Other documents, listed below, were posted to the website on February 28, 2011:

- ▶ GPT Project Joint Aquatic Resource Permit Application (JARPA; 2011).
- ▶ GPT Project Information Documents (2011).
- ▶ GPT Preliminary Conceptual Compensatory Mitigation Plan (2011).



The goals of the meeting were stated:

- ▶ Identify key issues relative to future permit processes.
- ▶ Develop agendas for April and May meetings.
- ▶ Refine regulatory process diagram, milestones, schedule, and standard operating procedures (SOP).

We reviewed meeting agenda and MAP Team ground rules. The group agreed to make the remote/video conference meetings work since it saves time and travel for staff.

GROUND RULES

- ▶ Willingness to listen.
- ▶ Come to meetings prepared.
- ▶ Don't divide and conquer.
- ▶ Be open with relevant information.
- ▶ Distribute materials to MAP Team a minimum of 2 weeks ahead of meetings.
- ▶ Distribute and/or post relevant information to MAP Team website within 1 day of receipt.
- ▶ Begin and end meetings on time.
- ▶ Respect differences.
- ▶ Acknowledge problems or conflicts and deal with them openly and without delay.
- ▶ Work within your respective agencies to communicate issues and keep the correct people informed of decisions being made.

Announcements for upcoming meetings:

- ▶ A wetland briefing is scheduled in Bellevue on Thursday, March 31, 9 to 11 a.m. Additional offices will be added so team can participate from Lacey and Bellingham.
- ▶ Four dates were set in April (14 and 28) and May (12 and 25) for additional MAP Team meetings.

Action Items

The following action items were identified during the meeting.

- ▶ Provide meeting notes by March 24 to meeting attendees – ORA.
- ▶ Send invitation to team for March 31 wetland briefing – ORA.
- ▶ Cancel April 14 meeting – ORA.
- ▶ Team members submit requests for references by April 7 – prioritize which need to be posted to the website – Team.
- ▶ Team members submit comments on draft (active review) documents by April 7 – Team.
- ▶ April 28 meeting will begin addressing comments – agenda preparation ORA.



- ▶ Create secure tab on GPT MAP Team website to allow for team comments on preliminary and draft documents by March 23 – ORA.
- ▶ Remove dates from regulatory flow diagram (Corps request) – ORA.
- ▶ Determine steps for County to formally identify ‘Agency with Expertise’ for SEPA – Team.

Attendees

See sign-in sheet.

Discussion of Project Details

To open discussion of project details, meeting participants were instructed to identify ‘themes,’ ‘gaps,’ and ‘questions’ relative to the draft documents that were posted February 28 and that they reviewed. Themes would be used to help develop meeting agendas for April and May meetings. Gaps would provide input to the project proponent on missing issues or details.

Approximately 30 minutes would be spent following brain storming to address some questions, so breakout groups needed to decide which question they would bring back to the whole group. Notes from the brain storming sessions would be captured in the meeting record so even though not all questions or themes and gaps would be discussed in the all-group meeting, they would be included in the meeting record and could be dealt with in future meetings.

The MAP team was divided into five breakout groups to conduct brain storming and prioritizing: three in Bellingham and one each in Bellevue and Lacey. Notes taken on flip charts when the whole group was together are provided below, and breakout group notes are included as Attachment 3.

GROUP NOTES – PRIORITY THEMES

- ▶ BNSF project participation.
 - MAP Team role
 - MAP Team permit review
- ▶ Public participation in process – website.
- ▶ Real-time exchange with MAP Team review.
- ▶ Identify all permits and players, and sequence.
- ▶ Corps and County processes.
 - Clarity of SEPA/National Environmental Policy Act (NEPA) processes
 - Project proponent provide information and don’t assume conclusions
- ▶ Scope of study and green house gases – limits of study.
- ▶ Define changes to project (versus original proposal).
- ▶ Missing information – biological, physical information and data for agency analysis.
 - Marine habitat – many details



- Water quality
- Navigation and transportation
- Air quality
- Wetland mitigation
- Marine mitigation
- Storm water
- Wharf configuration

GROUP NOTES – GAPS

- ▶ Marine and amphibian surveys.
- ▶ Settlement agreement and compensatory mitigation.
- ▶ Data.
 - Tidal currents
 - Vessel traffic study
 - Details of BNSF project
 - Train traffic analysis
 - Geotechnical studies – pilings
- ▶ Also see 'missing information' under 'Themes.'

GROUP NOTES – QUESTIONS

Breakout groups posed questions during a 30 minute question and discussion time. Questions that were not brought up during this time are included in flip chart notes (Attachment 3). Brief responses are provided where discussion ensued.

- ▶ MAP Team and website and comments – confidentiality and nature of information sharing.
 - RESPONSE: Much of the GPT MAP team website is open to the public (tabs for 'Welcome,' 'Project Overview,' 'Project Library,' 'MAP Team,' 'Weekly Updates,' and 'Contact Us'). There are two secure tabs that have limited access for the planning team (ORA and the project proponent) and for ORA (Jane and Scott tasks). A secure tab on the website for MAP Team only will be added. This will be used for posting comments on preliminary and draft documents.
- ▶ Mitigation.
 - Joint or separate
 - By disciplines
 - By project
- ▶ Scoping versus early project review.



- RESPONSE: We are in early project review, not in formal scoping.
- ▶ NEPA/SEPA work with settlement agreement and studies.
 - The Corps is proceeding with the NEPA process, and needs to determine steps relative to BNSF project. Formal schedule and scoping, and request for proposal (RFP) are all pending.
 - The settlement agreement studies will be considered in NEPA/SEPA project review.
- ▶ Whatcom County request for state agency with expertise as part of SEPA review.
 - Does county need to send a formal letter?
 - Can MAP Team be this?
- ▶ Import/export materials and conveyance, and materials handling – explain how this works.
 - RESPONSE: Company will work on providing an overview of shipping terminal operations with input from engineers.
- ▶ Full build-out – what is it and when.
 - RESPONSE: Phases of project are reflected in draft project information document and more detail will be developed. Propose full-build out by 2026, but there are many factors that will affect this.

GROUP NOTES – MEETING AGENDAS

The April 14 meeting was cancelled because neither the Corps nor Whatcom County staff could make that date. The next MAP Team meeting will be April 28. Comments on draft documents will provide the basis for meeting content. April 7 was set as the deadline to submit comments to the MAP website; these will be used to develop detailed agendas for April 28 meeting and possibly May.

TOPICS FOR AGENDAS

APRIL 28 MEETING

- ▶ Studies and plans.
 - Adequacy of existing and scope for new/additional studies and plans
 - Complete reference list – get input on what references need to be posted to website
 - Chapter 6 of Project Information Document contains references
- ▶ Comments on studies.
 - Use as basis for meetings
 - Submit by April 7

MAY 12 & 25 MEETINGS

- ▶ Facility operations and project phases.



- ▶ Permits and roles.
- ▶ Elements of the environment.
 - Scoping issues
 - Environmental impact statement (EIS) consultations

Regulatory Process Diagram, Milestones, and Schedule

Scott Boettcher provided an overview of the process diagram, milestones, and schedule. These are working documents that will be reviewed and revised throughout the process. Comments from the group include the following:

- ▶ The Corps requested that dates be removed from the process diagram. Durations are okay but dates are not yet determined. Scoping has not formally begun and many schedule issues are uncertain.
- ▶ The County does not yet have a start date for the project; they are awaiting the project application.
- ▶ The NWCAA would become involved with the project before the EIS is final.

Finalize MAP Team Documents

Jane Dewell provided an overview of changes to the SOP, which was developed from documents reviewed in past as MAP Team 'agreement,' 'work plan,' and 'communication plan.'

Comments were provided and recorded. The revised SOP will be available on the website (MAP Team tab).

- ▶ There was discussion on whether MAP Team meetings are 'public.' Since the meetings are intended to allow for open deliberations on preliminary and draft documents the group agreed they were not open to the public.
- ▶ We discussed use of the website to facilitate communication on preliminary and draft documents. A secure tab will be defined for MAP team access to allow for comments.

Attachments

Attachment 1: Agenda

Attachment 2: Sign-in Sheet

Attachment 3: Flip Chart Notes – Breakout Groups