

CHRISTINE O. GREGOIRE
Governor



STATE OF WASHINGTON

GOVERNOR'S OFFICE OF REGULATORY ASSISTANCE

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August 4, 2011

Skagit County Board of County Commissioners
The Honorable Ron Wesen, Kenneth Dahlstedt and Sharon Dillon
1800 Continental Place, Suite 100
Mount Vernon, WA 98273-5625

Subject: Multi-Agency Permit Team for Proposed Gateway Pacific Terminal Project

Dear Commissioners Wesen, Dahlstedt and Dillon:

Thank you for your letter of June 28, 2011 to Governor Chris Gregoire raising concerns about the proposed Gateway Pacific Terminal project. Among the issues you raised were those related to increased rail traffic and the public process for environmental review. You also requested membership on the Multi-Agency Permit (MAP) Team for the proposed project.

You may know that this office has received several requests for membership on the MAP team and we have declined. The MAP Team is a working team that brings together the regulators and the applicants to ensure effective communication and coordination. The Gateway Pacific Terminal team includes local, state, regional, and federal agencies with permitting authority for the project. The applicant for the terminal project and The Burlington Northern Santa Fe, the applicant for the railroad improvements to the Custer Spur, are also team members. In addition, the Lummi and Nooksack Tribes have been invited to the team based on their relationship with the Army Corps of Engineers under section 106 of the National Historic Preservation Act.

The Governor's Office of Regulatory Assistance (ORA) has many years experience bringing regulators together in formal and informal MAP teams. These teams provide a great forum for broad based consideration of a total project. They help avoid piecemealing of issues and may result in a more holistic approach to the overall environmental and permit review. The team members, however, still work within their own regulatory framework for public notice, comments, permit decision making, issuance, and appeals.

We are advising interested stakeholders that the first major opportunity for public involvement will come as part of the joint environmental impact statement (EIS) process. The state Department of Ecology will be working closely with Whatcom County and the Army Corps of Engineers on the EIS and I understand they will respond separately to your questions about that process. As the EIS process and timelines come together, the details will be made widely available and also posted on the MAP

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Team website for the project. You can access that website by going to the ORA home page at <http://ora.wa.gov> and following the links to set up an account with Secure Access Washington.

I want to assure you that ORA is working hard to bring transparency to the environmental and permit review processes. The project is still in the very early phase of review and we are interested in hearing ideas about how to ensure interested parties know the best ways to be involved. As the review processes move forward, please feel free to contact me by telephone at 360-902-9823 or email: faith.lumsden@gov.wa.gov. You may also reach Jane Dewell, the ORA Regional Assistance Lead and Project Manager for the proposed Gateway Pacific Terminal project at 425-649-7124 or jane.dewell@ora.wa.gov. We look forward to hearing from you.

Sincerely,



Faith Lumsden
Director

Cc: Governor Christine Gregoire
Jane Dewell, Department of Ecology
Peter Goldmark, Commissioner of Public Lands (cpl@dnr.wa.gov)
Marty Loesch, Office of the Governor (marty.loesch@gov.wa.gov)
Ted Sturdevant, Director, Department of Ecology (tstu461@ecy.wa.gov)
Phil Anderson, Director, Department of Fish & Wildlife (director@dfw.wa.gov)
Paula Hammond, Secretary, Department of Transportation (hammonp@wsdot.wa.gov)
The Hon. Richard Weyrich, Skagit County Prosecuting Attorney (richardw@co.skagit.wa.us)