

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

April 16, 2012

Subject: Notice of Application for Gateway Pacific Terminals Major Project Permit, Zoning Variance and Shoreline Substantial Development Permit

Dear Whatcom County Property Owner:

Whatcom County Planning and Development Services (PDS) has accepted an application to develop land that is either within 300 feet of your property or you have specifically requested notices regarding this proposal. The County invites you to comment on this proposal. The public comment period for this application is thirty (30) days. **Written comments should be received by May 16, 2012**, however public comments may be submitted at any time prior to the closing of the record for the open record public hearing.

This notice is to give you the opportunity to comment on the proposal and review process. You may contact PDS by phone at (360) 676-6907 or by e-mail at pds@co.whatcom.wa.us. The file and supporting documents may be reviewed at Whatcom County Planning and Development Services, 5280 Northwest Drive, Bellingham, WA, 98226 and is also available online at www.whatcomcounty.us/pds/plan/current/gpt-ssa/index.jsp.

The County, the United States Army Corps of Engineers, and the Washington State Department of Ecology have agreed that State Environmental Policy Act (SEPA) and National Environmental Policy Act (NEPA) review shall be conducted through the preparation of a joint Environmental Impact Statement (EIS). The agencies will be issuing a joint Determination of Significance (DS) and scoping notice consistent with 42 U.S.C. § 4321-4347 and RCW 43.21C in a separate notice after the notice of application comment period has expired.

The applications will be reviewed under the Official Whatcom County Shoreline Management Program, Health Code, Flood Control, Zoning and Critical Areas Ordinances, and mitigation may be required pursuant to these ordinances.

To the extent known, the following county agencies may require the following permits not included in this application:

- Whatcom County Planning and Development Services – State Environmental Policy Act (SEPA) review, Land Disturbance Permits, Commercial Construction Permits and Certificates of Occupancy;
- Whatcom County Health Department – On-site Sewage System Design and Installation Permits and Water Verification; and
- Whatcom County Public Works – Division of Engineering – Revocable Encroachment Permit and Right-of-Way Vacation.

The following state and federal agencies may require the following permits not included in this application:

- United State Army Corps of Engineers (USACE) – Section 404 Clean Water Act Permitting, Section 10 Rivers and Harbors Act Permitting, Section 106 National Historic Preservation Act Review, National Environmental Policy Act (NEPA) review;
- United States Fish and Wildlife Service – Section 7 Endangered Species Act Consultation;
- National Oceanic and Atmospheric Administration (NOAA) Fisheries – Marine Mammals Protection Act Compliance, Section 7 Endangered Species Act Consultation, and Magnuson-Stevenson Act Compliance;
- Washington State Department of Fish and Wildlife (WDFW) – Hydraulic Project Approval (HPA);
- Washington State Department of Natural Resources – Aquatic Lands Act Lease, Forest Practices Permit;
- Washington State Department of Ecology (DOE) – Shoreline Substantial Development Permit Filing, Section 401 Clean Water Act Water Quality Certification, Coastal Zone Management Act Consistency Determination, National Pollutant Discharge Elimination System (NPDES) Industrial Stormwater Permit and NPDES General Stormwater Construction Permit;
- Northwest Clean Air Agency (NWCAA) – Clean Air Act Order of Approval to Construct; and
- United States Coast Guard (USCG) – Private Aids to Navigation.

You have the right to receive notice of and participate in any hearings, request a copy of the decision once made, and to appeal a decision when allowed by law. If you wish to receive notice of decisions and hearings, please contact PDS either at (360) 676-6907, pds@co.whatcom.wa.us , or in writing at 5280 Northwest Drive, Bellingham WA 98226. All requests for notification will be forwarded to the Whatcom County Hearing Examiner's office prior to public hearing. If you request notice of decisions you will receive the SEPA/NEPA DS and scoping notice and be established as an interested party. Notices of public hearings are mailed to interested parties three weeks prior to the hearing date.

Sincerely,



Tyler R. Schroeder
Planning Manager
Whatcom County Planning and Development Services

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Notice of Application

File Number: MDP2011-00001, VAR2012-0002 and SHR2011-00009

Assessor's Parcel Number: 390117065466, 390117205467, 390117067334, 395124546546, 390119092500, 390119172456, 390119424335, 390119198377, 390119214451, 390119327425, 390119349425, 390119469346, 390118117050, 390119388424, 390119199451, 390119438360, 390119246354, 390117473110, 390119298423, 390119252449, 390119454299, 390117278062, 390119440480, 390119502484, 390119512341, 390120095477, 390120135359, 390120151212, 390120337323, 390120340476, 390119505246

Project Name: Gateway Pacific Terminal

Applicant: Pacific International Terminals, Inc.

Date Submitted: June 10, 2011 (MDP) and March 19, 2012 (VAR and SHR)

Notice of Completeness Date: April 2, 2012

Notice of Application Date: April 16, 2012

Comments Due Date: May 16, 2012

Project Description: A deep water, multimodal terminal for the export and import of dry bulk commodities between rail and oceangoing vessels. The project area encompasses approximately 1,200 acres with development occurring on approximately 334 acres which will include two materials handling and storage areas and a wharf and trestle. Associated development would include a rail connection and improvements with Burlington Northern Santa Fe Railway's Custer Spur Industrial rail line. At full operation the facility would have the capacity to export and import 54 million metric tons per annum (Mtpa) of dry bulk commodities including, but not limited to coal, grain products, potash and calcined petroleum coke.

Zone: Heavy Impact Industrial

Comprehensive Plan Designation: Major/Port Industrial Urban Growth Area

Waterbody: Strait of Georgia

Shoreline Jurisdiction: Cherry Point Management Area

Site Address: 4750 Gulf Road

Required Studies: The Engineered Traffic Study, Ordinary High Water Mark Determination, Wetland Delineation and Determination Report and Preliminary Conceptual Compensatory Mitigation Plan have been submitted. Additional studies will be required throughout the review process.