

WHATCOM COUNTY

Planning & Development Services
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J.E. "Sam" Ryan
Director

April 02, 2012

Mr. Skip Sahlin, Pacific International Terminals, Inc.
c/o Mr. Cliff Strong
AMEC Environment & Infrastructure, Inc.
11810 North Creek Parkway N
Bothell, WA 98011

RE: Determination of Completeness – Gateway Pacific Terminal Major Project Permit (MDP2011-00001), Shoreline Substantial Development Permit (SHR2011-00009) and Zoning Variance Permit (VAR2012-00002)

Dear Mr. Sahlin:

The purpose of this letter is to inform you that the above referenced applications revised and submitted on March 19, 2012 have been determined to be complete as required by Whatcom County Code (WCC) 2.33.050.B. Based on review of the application materials, it has been determined that the submittal requirements of WCC 2.33.040 have been met as well as the minimum application requirements of the Whatcom County Shoreline Management Program (SMP) Section 23.60.050 and Whatcom County Zoning Code Section 20.88.205 (MDP). Note that according to WCC 2.33.050.D.3, a determination of completeness shall not preclude the county from requiring additional information or studies at any time prior to approval of the permits.

To the extent known, the following county agencies may also have jurisdiction over elements of the project permit applications:

- Whatcom County Planning and Development Services – State Environmental Policy Act (SEPA) Lead Agency, 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 is a list of other agencies that may have jurisdiction over elements of the project:

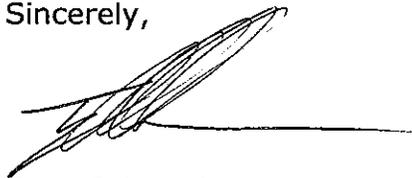
- United State Army Corps of Engineers (USACE) – Section 404 Clean Water Act Permitting, Section 10 Rivers and Harbors Act Permitting, Section 106 National Historic Preservation Act Review, National Environmental Policy Act (NEPA) Lead Agency;
- United States Fish and Wildlife Service – Section 7 Endangered 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 (DNR) – 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.

According to WCC 2.33.060, the next step in the permit process is the issuance of a notice of application. The notice of application is required to be issued within 14 days after the issuance of this determination of completeness. It is important to note that the notice of application will not include the SEPA Determination of Significance (DS) and scoping notice. The DS and scoping notice will be issued in the near future and will be a joint document issued by the USACE, the DOE and the County.

Please let me know if you have any questions and I look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler Schroeder', written over a horizontal line.

Tyler Schroeder
Planning Manager
Whatcom County Planning and Development Services