



Meeting Notes

Multi-agency Permit (MAP) Team
Gateway Pacific Terminal (GPT) Project
MAP Meeting
May 12, 2011

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

Locations	Ecology Offices, link via video conference: <ul style="list-style-type: none">• Bellingham – Field Office (Groucho Room)• Lacey – Headquarters/Southwest Regional Office (Room R0A-32)
Purpose	<ol style="list-style-type: none">1. A look ahead – a facilitated discussion on the coordinated decision-making process2. Continued discussion on Agency comments and studies

Introduction

This meeting was organized by the Governor's Office of Regulatory Assistance (ORA) to discuss the regulatory process diagram and decision making, and continue discussion of GPT project studies and agency comments. Materials from the meeting are posted to the GPT MAP Team website:

https://secureaccess.wa.gov/ofm/iprmt24/site/alias_1357/22878/map_team.aspx

Action Items

The following action items were identified during the meeting:

- The Washington Department of Fish and Wildlife (WDFW) map and email memo on WDFW's determination of regulatory streams under the State Hydraulic Code in the project area will be posted to the MAP team website. (Pacific International Terminals, Inc. provide to ORA.)
- A petition initiated by CommunityWise Bellingham is going to some MAP members. We discussed the following:
 - a. ORA will provide a proposal on how to include this and other types of public input on the GPT website.
 - b. ORA will post the petition and responses from Whatcom County and ORA to the website. (Whatcom County provide response to ORA.)
- ORA will remove the 'internal' tab from the MAP team website.
- ORA will update the regulatory process diagram and milestones based upon group input.



- ORA will complete as much as possible in the Phase VIII (Permit Decisions) milestone table, and then review with MAP team.
- Pacific International Terminals, Inc. will submit revised study reporting table (Table 5-1 expanded) to MAP team.
- Pacific International Terminals, Inc. will produce a Table of Studies and Documentation Concordance, including column for agencies with jurisdiction. (Pacific International Terminals, Inc. provide to ORA for MAP Team Website)
- Once studies table is available, identify appropriate sub-groups to review particular study scopes and methods. Detailed scope and methods to be provided for review by sub-groups. (MAP Team with ORA. Pacific International Terminals, Inc. to provide study plans to ORA.)
- Washington Department of Natural Resources (WDNR) will provide a list of studies required for the aquatic lease.
- Washington Department of Ecology (Ecology) will provide a list of study requirements related to sediment evaluation associated with Settlement Agreement (SA) and reflected in sampling and analysis plan (SAP).
- ORA will finalize the MAP Team Draft Quarterly Report with one revision.
- Preliminary wetland delineation information in the Custer Spur vicinity will be provided for the MAP team website (Pacific International Terminals, Inc. will provide to ORA.)
- ORA will determine presentation location (Bellevue or Bellingham) for May 25th meeting and let team know.

Check-in & Announcements

Action Items from past meetings were discussed:

- WDFW provided findings on their determination of which water courses are considered to be regulated streams under the state Hydraulic Code on the Gateway Pacific Terminal project site to Pacific International Terminals, Inc. In summary, Streams 1, 2, and 4 are the primary streams, with small segments of other portions. WDFW coordinated with Whatcom County on their decision.
- As requested, paper copies of Gateway Pacific Terminal Documents posted on the website were sent last week to agencies.
- Whatcom County had requested input on the status “State Agency with Expertise” under SEPA. WDNR provided a memo on this, and it was posted to the website on May 5.
- The topics of transportation and air emissions are currently being studied and will be presented at a later meeting.

Announcements:

- WDNR (Cyrilla Cook) provided comments on the marine environment presentation conducted April 28. Memo was posted to the website May 10.



- A website petition has been circulating and some on the MAP Team, as well as elected officials, have been receiving e-mails. It was initiated by CommunityWise Bellingham. The group discussed this, with the following outcomes:
 - a. *ORA will provide a proposal to the MAP Team on how to include this and other types of public input on the GPT website.*
 - b. *The petition and responses from Whatcom County and ORA will be posted to the website.*
 - c. *The following was important to MAP team: being aware of public input, understanding how agencies are responding to public input, and providing a standard or consistent response to comments.*
- ORA (Jane Dewell and Scott Boettcher) will be meeting on May 18 with three community groups that have been very active in commenting on the GPT project: Salish Land Policy, Re-sources, and CommunityWise Bellingham. Notes from the meetings will be posted to the website.
- The internal tab that was set up for agency draft comments is not needed and will be removed.

A Look Ahead – Regulatory Process Diagram and Milestones

Scott Boettcher led the group in review of the regulatory process diagram and milestones. Phase I (Pre-App) was examined and additions and changes to the diagram and milestones were noted.

Input on Phase I included the following:

- Distinguish between when an agency is submitting and when it is receiving documents.
- Clarify whether an agency process is pre-application or permit application review.
- Define clearly when formal ‘scoping’ phase begins as this is very important to agencies.
- The request for proposal (RFP) to identify a NEPA/SEPA contractor is issued by the Corps, not the project proponent.
 - Correction from Randel Perry, 5/19/2011: SSA will be issuing the RFP, advertising, interviewing and selecting the top 3 candidates. The Corps and Whatcom Co. will review and comment on the draft RFP, then review the candidates and select the contractor - or reject the 3 proposals and have SSA re-issue a modified RFP to get what we need (qualifications, experience, etc.).

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- The request for proposal (RFP) to identify a NEPA/SEPA contractor is issued by the Corps, not the project proponent.
- The County stated that it is most important to select the correct consultant team, not to meet a particular deadline. Eight weeks is more realistic, although it could be longer depending on who responds to RFP.



- The project proponent would like input from the County and the Corps on the best RFP process for attracting the right pool of applicants.
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- The County stated that it is most important to select the correct consultant team, not to meet a particular deadline. Eight weeks is more realistic, although it could be longer depending on who responds to RFP.
- The project proponent would like input from the County and the Corps on the best RFP process for attracting the right pool of applicants.

Phase II (Scoping) was not gone over in detail during the meeting since we were short on time.

A discussion on Phase VIII (Permit Decision) was begun but not completed, and the group requested that we move on to GPT project materials for the following reasons:

- It is too early to gather specific permit process information since there is not enough project detail for agencies to determine how involved the permitting might be.
- It would be more efficient to complete the milestone table with each agency outside of rather than during a MAP meeting. After table has been completed, we can review as a team.

GPT Project Studies and Agency Comments

Pacific International Terminals, Inc. Kristie Dunkin presented a more in-depth overview of studies and issues associated with the marine environment, expanding on what was presented during the April 29 meeting.

Questions were posed during the discussion and were captured in Flip Chart notes:

- Marine – missing items on first table in PowerPoint
 - *Coastal Zone Management (CZM)*
 - *Clean Water Act (CWA) – specific is more than Corps/Endangered Species Act (ESA)*
 - *Whatcom County permits*
 - *Section 401 – Ecology administers*
 - *WDNR Cherry Point Plan*
 - *Air issues – includes atmospheric deposition*
- Table of permits
 - *Provide draft table for team review ahead of meetings*
 - *In addition to column headings, include all permits, SA details, etc.*
- Genus/species – identify to genus for kelp
 - *This was input from USFWS via Melinda Gray, AMEC*
- Studies that are needed for aquatic lease
 - *A list will be provided by WDNR*
- Studies for Cherry Point Management Plan



- *Include sediment and water quality*
 - *Water quality, storm water, herring, new structures/operations*
- Studies related to sediment
 - *Ecology will provide*
 - *SA related – herring (multiple), SAP, repeat two seasons for baseline*
 - *Goal of SAP – to establish baseline conditions in spawning area*
- Vessel traffic needs to address
 - *DNR lease and SA requirements*
 - *Define scope in detail – air, water, sediment, safety, spills*
- Define overlaps between SA and studies
 - *There needs to be coordination between study requirements for SA and other requirements for the project*
- Establish specialized groups/sub-groups of MAP Team to review details of studies
 - *Prioritize which studies need attention (seasons required)*
 - *ID list of studies – send out for review*
 - *ID team – those needed to help refine study and provide*
 - *Methods and field protocols*
 - *Manage with e-mail and phone – don't necessarily need to meet*
- Review of studies (formerly Table 5-1)
 - *A new version was presented on PowerPoint slide*
 - *The table will be expanded then kept up to date and posted on website*
 - *Add columns:*
 - *Agencies with jurisdiction*
 - *Priority and timeframe*
 - *Permits required*
 - *Send draft to group for input*

Meeting Closing

We went over the following:

- Draft quarterly report. Removed column titled 'schedule met?' and finalized.
- May 25 meeting will include information on Custer Spur vicinity including wetlands and streams. Also on the agenda are a review of potential effects to streams and wetlands.
- May 25 Agenda is posted and meeting will be video-conference with three locations (Bellingham, Bellevue, and Lacey).
 - *Wetland map for Custer Spur will be provided before the meeting from Pacific International Terminals, Inc.*



- *The main location (where presenters attend meeting) will be determined next week.*
- June 14 meeting planned to cover storm water.
 - *Group asked whether any new material would be provided for this. No new information from what was presented in the project information document would be included.*
 - *There was discussion on whether this meeting was needed if no new material is to be provided for review.*
 - *A discussion on NPDES permitting and other needs more information*
 - *This issue is to be determined.*
- Team would like to receive PowerPoint presentations ahead of time so they can take notes.
- MAP agencies would like more direct responses to the comment letters provided April 7 on preliminary documents.
- Schedule a one-room MAP team meeting when scoping phase begins.