



Final Meeting Notes

Gateway Pacific Terminal, Multi-Agency Permit (MAP) Team Whatcom County Meetings

January 10, 2011

Please send corrections, edits, or additions to Jane.Dewell@ora.wa.gov.

Location	Bellingham, Whatcom County, WA (various offices)
Purpose	To meet County officials and discuss Gateway Pacific Terminal project

Meeting 1 – Planning and Development Services

This meeting included Sam Ryan, Director, Planning and Development Service, and Roland Middleton, Project Manager, Public Works Department, Whatcom County. Representatives of the Office of Regulatory Assistance (ORA) included Faith Lumsden, Jane Dewell, and Greg Hueckel.

Key Points

The lead reviewer for State Environmental Policy Act (SEPA) issues assigned by Whatcom County to the Gateway Pacific Terminal (GPT) project will likely be Tyler Schroeder. Roland Middleton will be working with Tyler on the SEPA Environmental Impact Statement (EIS); Roland was the SEPA reviewer for the original GPT project application. Wayne Fitch will provide shoreline review. These reviewers are working with ORA to integrate County processes into the MAP team process.

The County can collect an application fee and, above a certain amount, charge hourly for SEPA review. However, they need an application to get the process started. They are hoping to start a pre-application process, which also lets them recover costs. The pre-application information can be fairly simple and abbreviated. The County asked ORA to help convey the importance of starting the pre-application process to the applicant.

The County prefers to use their existing permit fee and hourly charge system for cost reimbursement rather than some other arrangement, such as cost-reimbursement contract through ORA.

Roland met with Muffy Walker, Army Corps of Engineers, to discuss a joint National Environmental Policy Act (NEPA)/SEPA document. The Corps is also awaiting an application so they can begin their formal process. The agencies plan to work together and coordinate their environmental review processes.

For the County, since the upland development is a large change from the original, the SEPA process will likely involve a supplemental EIS. After the application is submitted by the project proponent, the County can make a determination of significance and then proceed with the SEPA work. Project scoping would be coordinated with NEPA and SEPA with meetings occurring in Whatcom County. The County will work to produce a joint NEPA/SEPA document, if possible.



Another process will be the upland work, which requires a modification to the prior Major Development Proposal. This process requires a staff report and recommendation to the County Hearing Examiner and a decision by the County Council.

Roland attended a Birch Bay coordination meeting. It was attended by staff from Re Source, Nooksack salmon enhancement, government agencies, and community members. There was a lot of discussion about coal transport to the proposed terminal, and community volunteers are being recruited to scrutinize the GPT project area.

Regarding wetland mitigation in the project area, British Petroleum has accomplished mitigation which the County considers a good model.

Action Items

During the meeting, the following action items were identified:

- **County** will provide input to permit process diagram.
- **Project proponent** needs to submit pre-application request and information to the County to start the process.
- **County** will provide ORA and the project applicant with fee schedule for SEPA and project review.

Meeting 2 – Public Works Department

This meeting included Jon Hutchings, Assistant Director, and Roland Middleton, Project Manager, Public Works Department, Whatcom County. Representatives of ORA included Faith Lumsden, Jane Dewell, and Greg Hueckel.

Key Points

We discussed the challenges related to addressing the total maximum daily load (TMDL) developed for Lake Whatcom. The County believes there is not sufficient scientific information to support the TMDL as currently structured and is very concerned about how best to work with the Department of Ecology.

On 1/11/2011, the City of Bellingham requested that Ecology place a moratorium on new wells in Lake Whatcom watershed. This took the County by surprise.

Action Items

There were no action items associated with this meeting.

Meeting 3 – County Executive

This meeting included Pete Kremen, County Executive, and Roland Middleton, Project Manager, Public Works Department, Whatcom County. Representatives of ORA included Faith Lumsden, Jane Dewell, and Greg Hueckel.

Key Points

Mr. Kremen also spoke of the recent well moratorium that the City of Bellingham had requested.



There are environmental groups and individuals in the Bellingham and Whatcom County communities that are concerned about any development project. Coal is a hot topic and there would be a united front against coal transport in the County. Other hot topics include herring, salmon, and Tribal rights.

The number one issue in the County is jobs and the economy, so in earlier times the GPT project might have been a harder sell to the broader community. Mr. Kremen noted that today there is broad-based support for finding an appropriate way to proceed with the project.

There have been ongoing concerns about how staff at Ecology's Bellingham Field Office interact with the County. The County would like to improve working relationships.

Action Items

There were no action items associated with this meeting.