



Forest Practices Notice to Comply

1. FPA No. No FPA		2. Region Northwest		4. Class of Forest Practice <input type="checkbox"/> Class II <input type="checkbox"/> Class IV-General <input type="checkbox"/> Class III <input type="checkbox"/> Class IV-Special		5. Legal Subdivision S1/2	
NTC No. 130126		3. County Whatcom				Section 17,18	TWP 39
						Rge E/W 1E	
6. Landowner Pacific International Terminals, Inc.		7. Timber Owner Same as Landowner		8. Operator Same as Landowner			
Mailing Address 1131 SW Klickitat Way		Mailing Address		Mailing Address			
City, State (Province), Zip (Postal Code) Seattle, WA 98134		City, State (Province), Zip (Postal Code)		City, State (Province), Zip (Postal Code)			
Under authority of Ch. 76.09 RCW, Title 222 WAC - (Name of Violator): Pacific International Terminals, Inc. You are given this NOTICE TO COMPLY in connection with violation(s), deviation(s), damage(s), or potential damage(s) described below.							
9. Reasons for Notice: <input type="checkbox"/> Deviation from approved application <input checked="" type="checkbox"/> Violation of Forest Practices Act and/ or Rules <input type="checkbox"/> Immediate action is necessary to stop or to avoid material damage to public resources.						10. Damage Amount \$ NA	
						11. Assessed by: NA	
12. Description of violation(s), deviation(s), damage(s), or potential damage(s): Cutting and clearing of timber in excess of 5,000 board feet, including live, dead, and down material has occurred without an approved Forest Practices Application/ Notification (FPA/N). All trees and vegetation have been cut or pushed over in approximately 15 foot wide corridors totaling approximately 23,132 feet in length. Approximately 9.1 acres have been impacted in total. See attached map for approximate locations. Ground disturbance with heavy equipment appears to have occurred within forested wetlands. Trees have been pushed over and stumps removed. See attached map for approximate locations. Note: These activities have occurred on Whatcom County parcels # 390117065466, 390117065467, 390117067334, 390117278062							
13. Violation of WAC(s): 222-20-010(1)				14. Violation Observed: <u>08/01/2011</u> at: <u>02:00</u> <input type="checkbox"/> am <input checked="" type="checkbox"/> pm Date(mm/dd/yyyy) Time			
				15. Steps described in #16 must be completed by: <u>03/31/2014</u> Date(mm/dd/yyyy)			
16. You must complete the following steps: No further timber felling, cutting, or clearing shall occur without first obtaining an approved FPA/N. Reforestation stocking standards of WAC 222-34-010(2) shall apply and must be met by March 31, 2014. Note: Whatcom County will review and approve a mitigation plan for any impacts to forested wetlands resulting from these clearing activities.							
17. The operator, timber owner or forest landowner may request a hearing before the department to review this Notice to Comply. To be valid, the department must receive your written request at the region office within fifteen (15) calendar days of the Date of Service (box 19). CONTACT Northwest Region Office with any questions. Telephone: (360) 856-3500							
18. Signature and Printed Name of Person Order Given / Mailed to: <u>MARK KNUDSEN</u>				19. Date of Service 08/12/2011		20. Signature of Compliance Officer <u>[Signature]</u>	
21. (Office Use Only) Date: <u>08/15/11</u> Initials: <u>BE</u> (mm/dd/yyyy) Copies Sent To: <input checked="" type="checkbox"/> Timber Owner <input checked="" type="checkbox"/> Landowner <input checked="" type="checkbox"/> FPDM <input checked="" type="checkbox"/> FP Coordinator <input checked="" type="checkbox"/> Other <input type="checkbox"/> Other Agencies <u>WRI, DOE, DOR, WDFW</u> <u>Whatcom Co.</u>				22. Title of Compliance Officer Forest Practices Forester		23. Position No. 5299	

emailed 8/15/11 BE





ICN No. 130128	Legal Subdivision S 1/2	Section 17,18	TWP 39	RGE E/W 1E	Application / Notification # No FPA	Class
Landowner Pacific International Terminals, Inc.		Timber Owner Same as Landowner		Operator Same as Landowner		
Mailing Address 1131 SW Klickitat Way		Mailing Address		Mailing Address		
City, State (Province), Zip (Postal Code) Seattle, WA 98134		City, State (Province), Zip (Postal Code)		City, State (Province), Zip (Postal Code)		
Meeting Location DNR NW Region Office		Telephone Conference <input type="checkbox"/>	Date 8/12/2011	Time 9am	Region NW	
<p align="center">Subjects Discussed:</p> <p>A meeting was held to discuss timber cutting and clearing that has taken place in approximately 15 ft wide corridors totaling approximately 23,132 ft. Approximately 9.1 acres have been impacted.</p>						
<p align="center">Decisions Made:</p> <p>The Landowner informed the group that the intent of clearing these corridors was not conversion of the site. The Landowner stated that these corridors were temporary in nature and would be reforested while further potential permitting is underway. The timeframe of this permitting process is likely 3-5 years.</p> <p>DNR does not consider this timber clearing as conversion activities as defined in RCW 76.09.020. It is considered class III forest practices activities that would have required a FPA/N.</p> <p>Because an FPA/N was not approved by DNR for this activity, NTC 130126 was issued requiring reforestation requirements be met.</p>						
PRINT Participants' Names MARK KNOWSEN Ari Steinberg Cliff Strong Kristie [unclear] THER R. SCHROEDER		*SIGNATURES of Participants 		Representing SSA MARINE SSA Marine AMEC for SSA Marine AMEC / SSA Marine WHATCOM COUNTY MS		Copies Mailed <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Position No. 5299	Signature & Title of DNR Representative: Forest Practice Forester 			Date 8/12/11	Work Phone 360-856-3500	
<p>* (Participant signature means Note is correct for subjects discussed and decisions made at the meeting.) Did not attend -- mail copies to: <input type="checkbox"/> Timber Owner <input type="checkbox"/> Landowner <input type="checkbox"/> Others:</p>						