



## Salish Land Policy Solutions

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April 27, 2011

*Via Electronic Mail  
jane.dewell@ora.wa.gov*

All Agency Representatives  
iMAP Coordinating Team  
c/o Ms. Jane Dewell  
Governor's Office of Regulatory Assistance  
3190 160th Ave SE  
Bellevue, WA 98008-5452  
(425) 649-7124 or (425) 577-8445

**Re: Gateway Pacific Terminal iMAP Review**

Dear Ms. Dewell and Agency Representatives:

We are writing to each of the representatives on the iMAP review team, established by the Governor's Office of Regulatory Assistance (ORA) for review of the Gateway Pacific Terminal. Prior to concluding agency draft comment letters at your April 28, 2011 meeting, we ask that you consider the attached list of questions and information.

As one of the members of the public with limited access to review the selective files you have provided online, we noticed that the ORA affords the applicant an opportunity to post their press releases. The applicant has utilized this free government service at least four times to post their views on the process for public review. Please treat this communication as a press release from Salish Land Policy Solutions. We believe this state-funded press-release communication service should be made available for our comments, in the same manner provided for the applicant's benefit.

We represent some local business people and property owners from the Whatcom County community who are interested in evaluating the merits of the expansion proposal for the Gateway Pacific Terminal, described in the JARPA application. As we began to review available public materials, we soon learned that the ORA and participating agencies appear to have constructed a "firewall" behind which information and agency comments about the proposal are kept from public view.

As we monitored the weekly updates for your "iMAP" team, we also found that the kinds of questions being asked by the agencies do not cover obvious questions that arise about impacts to the community, locally and at large. We are writing in hopes of assisting you to open the process and to ensure you consider the critical substantive issues concerning project impacts and mitigation.

While our clients have not taken a position on the project, they are increasingly concerned about the lack of good information and analysis available to the public. As explained in the attached "Addendum E," opening up the public process would go a long way to avoiding a building public perception that the iMAP review process is a skewed process. We urge you to take some time now to consider an open process, thus reversing the building public perception that you are utilizing public resources to refine a private proposal.

We presume the agencies involved want to avoid the appearance that the iMAP process is allowing agencies and a private party to predetermine the outline of key issues that will be evaluated during the forthcoming environmental review. That perception can be reversed by, at a minimum, allowing the public access to the same meeting videos and writings you are allowing the applicant to see, in real-time.

Thank you for considering this letter, the attached comment memorandum and press release, and Appendices A through E.

Very truly yours,



Tom Ehrlichman

encl.

cc: All iMAP Agencies and Representatives



Barbara Dykes