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From: Tom Ehrlichman [mailto:tom@salishlpsolutions.com]

Sent: Saturday, March 03, 2012 4:03 PM

To: 'Perry, Randel J NWS'; 'Eugenio, Francis X NWS'; 'Walker, Michelle NWS'; 'Bennett, Matthew J NWS'; 'Brock, Joseph W NWS'

Cc: barbara@salishlpsolutions.com; Dewell, Jane (ORA); Kelly, Alice (ECY); 'Tyler Schroeder'

Subject: RE: U.S. Corps of Engineers Gateway Violations (UNCLASSIFIED)

To whom it may concern:

We are not requesting documents in this email. Would you kindly describe to us the status of the after-the-fact approval process for the PIT wetland and archeological disturbance, so that we are up to speed? We have not yet received any notices from you as to opportunities for public comment and we do not know whether you have received any applications or issued an authorizations.

Specifically, could you please let us know the status of the following:

1. Was the JARPA application for the disturbance filed as you required in your letter to PIT?
2. Was the Tolling Agreement executed by PIT and the corps? If not, is it in negotiation?
3. What type of authorization is the corps considering?
4. Are there any opportunities for public comment on those authorizations, prior to approval?
5. Are the application materials available online anywhere for the public to view? If not, could they be posted on the ORA website?
6. Has the Corps issued any authorizations? If so, what kind and on what date? Are they available for viewing online? If not, could they be posted on the ORA website?
7. How can the public obtain copies of any authorizations?
8. Did PIT comply with requirements for Section 106 related to archeological or cultural disturbance? Have they submitted all required materials for your 106 review related to the disturbance?
9. Are there any agreements, either in negotiation or signed, related to Section 106 compliance, both related to the disturbance or the coal terminal project itself? If so, who are the parties to the agreements? If signed, are those agreements public records and how can the public obtain copies?

We are copying your NEPA/SEPA co-leads and the ORA on this email. By that copy request that ORA, DOE and Whatcom County PDS post this email and your responses on their websites for purposes of public education.

Thank you for your consideration of these requests. We continue to work to provide information of interest to the public regarding the Cherry Point coal terminal project.

Very truly yours,

Tom Ehrlichman  
Salish Land Policy Solutions