

Appendix B

**Determination of Significance, Notification Letter
and Mailing List**

WHATCOM COUNTY GIVES PUBLIC NOTICE THAT THE FOLLOWING SEPA THRESHOLD DETERMINATION OF SIGNIFICANCE (DS) HAS BEEN ISSUED TODAY SUBJECT TO A 120 DAY COMMENT PERIOD CONCLUDING ON JANUARY 21, 2013. File: SEP2011- 00047. **Description:** A deepwater, multimodal terminal for the export and import of dry bulk commodities between rail and oceangoing vessels has been proposed within the Cherry Point Industrial Urban Growth Area (UGA). The project area would encompass approximately 1,500 acres with development occurring on approximately 334 acres. If approved, the proposal would include two materials handling and storage areas and a wharf and trestle; associated development would include a rail connection and improvements with BNSF Railway's Custer Spur Industrial rail line. At full operation, the industrial facility would have the capacity to export and import 54 million metric tons per annum (Mtpa) of dry bulk commodities including, but not limited to coal, grain products, potash, and calcined petroleum coke. **Proponent:** Pacific International Terminals, Inc. **Location:** The proposed Gateway Pacific Terminal site is located at Cherry Point at and near 4750 Gulf Road, Ferndale, WA. The area is located with Sections 17, 18, and 19; Township 39 North; Range 01 East. **Zoning:** High Impact Industrial/Cherry Point Industrial Urban Growth Area (UGA). **Agency:** Whatcom County Planning and Development Services and the Washington State Department of Ecology (Ecology) will be co-lead agencies under SEPA. The U.S. Army Corps of Engineers (Corps) will be the lead agency under NEPA. Whatcom County, Ecology, and the Corps will be considered co-lead agencies. **EIS Required:** The co-lead agencies have determined that the proposal is likely to result in significant adverse impacts to the environment and, pursuant to 42 U.S.C. 4332(C) (NEPA) and RCW 43.21C (SEPA), an environmental impact statement is required. The co-lead agencies have determined that a combined NEPA/SEPA environmental impact statement (EIS) will be prepared. In accordance with Washington Administrative Code (WAC) 197-11-408, a copy of the Determination of Significance (DS) for the project is hereby transmitted. A separate Notice of Intent (NOI) will be posted in the Federal Register by the Corps to initiate the NEPA process. The SEPA lead agencies have identified the following for discussion in the EIS: Under SEPA, the EIS will examine the Gateway Pacific Terminal proposal on the proposed site within the Cherry Point Industrial UGA. Elements of the environment (WAC 197-11-444) that have been preliminarily identified for discussion include earth, air, water, plants and animals, energy and natural resources, environmental health, noise, land and shoreline use, transportation, public services and utilities. **Alternatives:** Alternatives to the Gateway Pacific Terminal proposal will be determined through the scoping process according to WAC 197-11-440(5)(b). The No Action alternative will also be examined. **Scoping:** Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS within a 120-day expanded scoping comment period beginning on September 24, 2012 and runs through January 21, 2013. You may comment on alternatives, probable significant adverse impacts, mitigation measures, and licenses or other approvals that may be required. Public scoping meetings will be held within Washington State in the following cities in order of occurrence: Bellingham: October 27, Squalicum High School, 3773 E McLeod Road, Bellingham, WA between the hours of 11:00 a.m. and 3:00 p.m.; Friday Harbor: November 3, Friday Harbor High School, 45 Blair Avenue, Friday Harbor, WA between the hours of 12:00 p.m. and 3:00 p.m.; Mount Vernon: November 5, McIntyre Hall, 2501 E College Way, Mount Vernon, WA between the hours of 4:00 p.m. and 7:00 p.m.; Seattle: November 13, North Seattle Community College, Wellness Center Gym, 9600 College Way N, Seattle WA between the hours of 4:00 p.m. and 7:00 p.m.; Ferndale: November 29, Ferndale Events

Center, 5715 Barrett Road, Ferndale, WA between the hours of 3:00 p.m. and 7:00 p.m.; Spokane: December 4, Spokane County Fairgrounds Plaza, 404 N Havana Street, Spokane Valley, WA between the hours of 4:00 p.m. and 7:00 p.m.; Vancouver: December 12, Clark College Gaiser Student Center, 1933 Fort Vancouver Way, Vancouver, WA between the hours of 4:00 p.m. and 7:00 p.m. **Documents Available:** Environmental background documents and other materials indicating likely environmental impacts can be reviewed at <http://www.co.whatcom.wa.us/pds/index.jsp> or at Whatcom County's offices. **Written Comments:** Provide comments through January 21, 2013 for consideration in the proposed scope of the EIS. Comments may be made via the web at <http://www.eisgatewaypacificwa.gov> or in writing to Attn: Tyler Schroeder, Designated SEPA Official GPT/BNSF Custer Spur EIS Co-Lead Agencies, c/o CH2MHILL, 1100 112th Avenue NE, Suite 400 Bellevue, WA 98004. THERE IS NO AGENCY APPEAL OF THIS DETERMINATION OF SIGNIFICANCE (WAC 197-11-680(3)(a)(ii)).

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive,
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan
Director

Whatcom County
Determination of Significance & Request for Comments on Scope of EIS for
Gateway Pacific Terminal / Custer Spur

Description of Proposal: A deepwater, multimodal terminal for the export and import of dry bulk commodities between rail and oceangoing vessels has been proposed within the Cherry Point Industrial Urban Growth Area (UGA). The project area would encompass approximately 1,500 acres with development occurring on approximately 334 acres. If approved, the proposal would include two materials handling and storage areas and a wharf and trestle. Associated development would include a rail connection and improvements with BNSF Railway's Custer Spur Industrial rail line. At full operation, the facility would have the capacity to export and import 54 million metric tons per annum (Mtpa) of dry bulk commodities including, but not limited to coal, grain products, potash, and calcined petroleum coke.

Proponent: Pacific International Terminals, Inc.

Location of Proposal: The proposed Gateway Pacific Terminal site is located at Cherry Point at and near 4750 Gulf Road, Ferndale, WA. The area is located with Sections 17, 18, and 19; Township 39 North; Range 01 East. Parcel numbers include:

390117065466, 390117205467, 390117067334, 395124546546, 390119092500,
390119172456, 390119424335, 390119198377, 390119214451, 390119327425,
390119349425, 390119469346, 390118117050, 390119388424, 390119199451,
390119438360, 390119246354, 390117473110, 390119298423, 390119252449,
390119454299, 390117278062, 390119440480, 390119502484, 390119512341,
390120095477, 390120135359, 390120151212, 390120337323, 390120340476,
390119505246

Lead Agency: Whatcom County Planning and Development Services and the Washington State Department of Ecology (Ecology) will be co-lead agencies under State Environmental Policy Act (SEPA). The U.S. Army Corps of Engineers (Corps) will be the lead agency under National Environmental Policy Act (NEPA). Whatcom County, Ecology, and the Corps will be considered lead agencies.

EIS Required: The lead agencies have determined that the proposal is likely to result in significant adverse impacts to the environment and, pursuant to 42 U.S. Code (U.S.C.) 4332(C) (NEPA) and Revised Code of Washington (RCW) 43.21C

(SEPA), an environmental impact statement (EIS) is required. The lead agencies have determined that a combined NEPA/SEPA EIS will be prepared. A separate Notice of Intent (NOI) will be posted in the Federal Register by the Corps to initiate the NEPA process.

The SEPA lead agencies have preliminarily identified the following for discussion in the EIS: Under SEPA, the EIS will examine the environmental impacts of the Gateway Pacific Terminal proposal on the proposed site within the Cherry Point Industrial UGA and the related Custer Spur project. Elements of the environment (WAC 197-11-444) that have been identified for discussion are listed below. Issues and elements to be discussed under NEPA are included in the NOI.

Natural Environment

Earth

- Geology
- Soils
- Topography
- Unique physical features
- Erosion/enlargement of land area (accretion)

Air

- Air quality
- Odor
- Climate

Water

- Surface water movement/quantity/quality
- Runoff/absorption
- Floods
- Groundwater movement/quantity/quality
- Public water supplies

Plants and animals

- Habitat for and numbers or diversity of species of plants, fish, or other wildlife
- Unique species
- Fish or wildlife migration routes

Energy and natural resources

- Amount required/rate of use/efficiency
- Source/availability
- Nonrenewable resources
- Conservation and renewable resources
- Scenic resources

Built Environment

Environmental health

- Noise
- Risk of explosion
- Releases or potential releases to the environment affecting public health, such as toxic or hazardous materials

Land and shoreline use

- Relationship to existing land use plans and to estimated population
- Light and glare
- Aesthetics
- Recreation
- Historic and cultural preservation

Transportation

- Transportation systems
- Vehicular traffic
- Waterborne and rail traffic
- Movement/circulation of people or goods
- Traffic hazards

Public services and utilities

- Fire
- Police
- Parks or other recreational facilities
- Maintenance
- Communications
- Water/storm water
- Other governmental services or utilities.

Alternatives: Alternatives to the Gateway Pacific Terminal proposal will be determined through the scoping process according to WAC 197-11-440(5)(b). Reasonable alternatives shall include actions that could feasibly attain or approximate the proposal's objectives, but at a lower environmental cost or

decreased level of environmental degradation. The No Action Alternative will also be evaluated.

Scoping: Agencies, affected tribes, and members of the public are invited to comment on the scope of the EIS within a 120-day expanded scoping comment period beginning on September 24, 2012 and closing January 21, 2013. You may comment on alternatives, probable significant adverse impacts, mitigation measures, and licenses or other approvals that may be required.

Public scoping meetings will be held within Washington State in the following cities in order of occurrence:

Bellingham: 11:00 a.m. - 3:00 p.m., October 27, Squalicum High School, 3773 E McLeod Road, Bellingham, WA;

Friday Harbor: 12:00 p.m. - 3:00 p.m., November 3, Friday Harbor High School, 45 Blair Avenue, Friday Harbor, WA;

Mount Vernon: 4:00 p.m. - 7:00 p.m.; November 5, McIntyre Hall, 2501 E College Way, Mount Vernon, WA;

Seattle: 4:00 p.m. - 7:00 p.m., November 13, North Seattle Community College Wellness Center Gym, 9600 College Way N, Seattle WA;

Ferndale: 3:00 p.m. - 7:00 p.m., November 29, Ferndale Events Center 5715 Barrett Road, Ferndale, WA;

Spokane: 4:00 p.m. - 7:00 p.m., December 4, Spokane County Fairgrounds Plaza, 404 N Havana Street, Spokane Valley, WA;

Vancouver: 4:00 p.m. - 7:00 p.m., December 12, Clark College Gaiser Student Center, 1933 Fort Vancouver Way, Vancouver, WA.

Written Comments: Provide comments via the web at www.eisgatewaypacificwa.gov or to the Lead Agency Contact Person (see below) through January 21, 2013. Notifications about the Draft EIS publication and public meetings and hearings will be made in accordance with adopted County, State, and Federal procedures. Interested parties who sign up on mailing lists or contact the agencies with a request to receive notices will also receive notices.

Documents Available: Environmental background documents and other materials indicating likely environmental impacts can be reviewed at our offices and on our website at: <http://www.co.whatcom.wa.us/pds/index.jsp>

Responsible Official: Tyler R. Schroeder

Position/Title: Designated SEPA Official

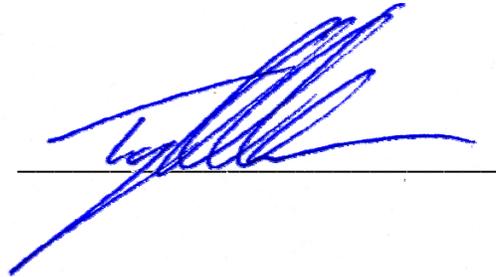
Address: GPT/BNSF Custer Spur EIS Co-Lead Agencies
c/o CH2MHILL, 1100 112th Avenue NE, Suite 400
Bellevue, WA 98004

Email: tschroed@co.whatcom.wa.us

Telephone: (360) 676-6907

Date: September 24, 2012

Signature: _____

A handwritten signature in blue ink is written over a horizontal line. The signature is stylized and appears to be 'T. Schroed'.

Mark Lowry
Northwest Washington Central Labor Council
1700 North State Street
Bellingham, WA 98225

Bishop Martin D. Well
Eastern WA Idaho Synod Evangelical Lutheran Church in
America
314 S. Spruce Street, Suite A
Spokane, WA 99201

Wendy Steffensen
Whatcom County Marine Resources Committe
322 N. Commercial Street, #110
Bellingham, WA 98225

Karrie Cooper
Stewardship Network of the San Juans
P.O. Box 2133
Friday Harbor, WA 98250

Chairman Harry Smiskin
Yakama Tribal Council
P.O. Box 151
Toppenish, WA 98948

Dana Scheffler
Park and Recreation District
P.O. Box 241
White Salmon, WA 98672

Doug Thomas
Bellingham Cold Storage
P.O. Box 895
Bellingham, WA 98227

Andy Billig
State of Washington, House of Representatives
P.O. Box 40600
Olympia, WA 98504-0600

Joan Crooks
Washington Environmental Council
1402 3rd Avenue
Seattle, WA 98101

Heather McCartney
City of Mukilteo
11930 Cyrus Way
Mukilteo, WA 98275

Terry Bornemann
City of Bellingham Planning Department
210 Lottie St.
Bellingham, WA 98225

Kellie Linville
City of Bellingham
210 Lottie St.
Bellingham, WA 98225

Regina Delahunt
Whatcom County Health Dept.
Environmental Health Division
509 Girard Street
Bellingham, WA 98225

Helen Price Johnson
Island County Commission
206 10th Ave. SE
Olympia, WA 98501

Glen Cook
City of Winlock
P.O. Box 777
Winlock, WA 98596

Adjacent Property Owner
Alumet Corporation & Intalco Aluminum Corporation
201 Isabella Street
Pittsburgh, PA 15212-5858

Amy Kraham
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

U.S. Army Corps of Engineers Seattle District Regulatory
Branch
NW field office
144010th Street, Suite 102
Bellingham, WA 98225-7028

Stan Walsh
Skagit River System Cooperative
11426 Moorage Way
LaConner, WA 98257

Brian Cladoosby
Swinomish Indian Tribal Community
11404 Moorage Way
LaConner, WA 98257

Kathleen Brown
Adjacent to Property Owner
4915 Samish Way #21
Bellingham, WA 98229-8952

Richard and Maria Alvarado
Adjacent to Property Owner
6008 Kickerville Road
Ferndale, WA 98248-9607

Melvin and Jeanne Marcoux
Adjacent to Property Owner
6128 Kickerville Road
Ferndale, WA 98248-9617

Garrett and Lawanda Lemley
Adjacent to Property Owner
6188 Kickerville Road
Ferndale, WA 98248-9617

David and Kathleen Wells
Adjacent to Property Owner
P.O. Box 3104
Ferndale, WA 98248-3104

L. James and Linda Kolbo
Adjacent to Property Owner
4017 Mayne Lane
Ferndale, WA 98248-9578

BP West Coast Products, LLC
Adjacent to Property Owner
P.O. Box 5015
Buena Park, CA 90622-5015

Atlantic Richfield Company
Adjacent to Property Owner
P.O. Box 512485
Los Angeles, CA 90051-0485

BNSF Railway Company
Adjacent to Property Owner
P.O. Box 961089
Fort Worth, TX 76161-0089

Baker Septic
Adjacent to Property Owner
P.O. Box 2128
Ferndale, WA 98248-2128

Campbell Land Corporation
Adjacent to Property Owner
6568 Lambert Crest
Delta, BC, Canada V4E1R8

Cherry Point Industries, LLC
Adjacent to Property Owner
10587 108 St. NW
Edmonton, AB, CA T5H2Z8

Washington State Dept of Natural Resources
Adjacent to Property Owner
P.O. Box 47016
Olympia, WA 98504-7016

Washington State Dept of Game
Adjacent to Property Owner
600 Capitol Way N
Olympia, WA 98504-1076

WA STATE DEPT OF NATURAL RESOURCES
ENVIRONMENTAL & LEGAL AFFAIRS SECTION
PO BOX 47015
OLYMPIA, WA 98504-7000

NOOKSACK INDIAN TRIBE
NATURAL RESOURCES DEPARTMENT
5048 MT BAKER HWY
DEMING, WA 98244

LUMMI NATION TRIBE
NATURAL RESOURCES DEPARTMENT
2616 KWINA RD
BELLINGHAM, WA 98226

CITY OF BELLINGHAM
PLANNING DEPARTMENT
210 Lottie Street
Bellingham, WA 98225

CITY OF LYNDEN
PLANNING DEPARTMENT
300 4th Street
Lyden, WA 98264

CITY OF BLAINE
PLANNING DEPARTMENT
344 H Street
Blaine, WA 98230

CITY OF FERNDALE
PLANNING DEPARTMENT
PO Box 936
Ferndale, WA 98248