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May 15, 2012

Tyler Schroeder, SEPA Official
Whatcom County PDS
5280 Northwest Drive
Bellingham, WA 98226

RE: Notice of Application for permit #'s MDP2011-00001 / SHR2011-00009 / VAR2011-00002

Dear Mr. Schroeder:

At a City Council meeting on May 7, 2012, information was presented by a local community group regarding a rail siding which may be part of the Gateway Pacific Terminal (GPT). The City has not performed any rail studies of its own, nor has it exhaustively reviewed the studies cited to it at the May 7th meeting. While the City does not claim to have rail expertise, City staff reviewed the above-referenced application materials, including exhibits and other supporting documents, and did not find any mention of this additional potential impact of the project. If the siding is indeed a part of the project it should be considered in the application.

The GPT Revised Project Information Document (RPID) does include a description of two sets of receiving and departure tracks, one at Custer and another at the connection point to the proposed terminal. These tracks are intended to "avoid blockage of at-grade public crossings or blocking of the BNSF Railway's main lines." Additionally, the RPID notes that a second parallel track may be necessary between the two sets of receiving and departure tracks to "protect existing rail service and switching capabilities for all customers along the line and efficiently accommodate increased rail traffic to and from the GPT."

We understand that submittal of these comments is separate from the submittal procedures associated with upcoming scoping under SEPA for the subject proposal. We acknowledge that the applications for the project may very well have been complete according to the procedural submittal requirements specified in WCC 2.33.050. However, the Notice of Application deadline for comments ending on May 16, 2012 does not preclude the County from requesting additional information in order to commence a thorough and complete review of the proposal pursuant to WCC 2.33.050.D.

Therefore, we respectfully recommend that Whatcom County PDS submit to the applicant a formal "request for additional information" pursuant to WCC 2.33.050.D.3 regarding off-site improvements within Bellingham's city limits that may be necessary in order for the Gateway Pacific Terminal to function as characterized in the application materials cited above.

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If the siding is required to be constructed within Bellingham in order for the project to function as portrayed in the application materials, consideration of it should not be deferred nor required as mitigation for the proposal's adverse off-site impacts as a result of an Environmental Impact Statement (EIS).

Finally, including the siding in the application materials and therefore allowing it to be eligible for scoping under SEPA (and NEPA) could be beneficial to the applicant. The siding could be considered simultaneously with the proposal itself and therefore would alleviate a deferred thorough review and analysis as part of a *separate* EIS process.

Sincerely,



Mayor Kelli Linville



Terry Bornemann, President
Bellingham City Council

C: Bellingham City Council
Jeannie Summerhays, DOE
Randel Perry, USCOE
Jack Louws, Whatcom County Executive