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WHATCOM COUNTY COUNCIL  
**Special Committee of the Whole**

December 4, 2018

**CALL TO ORDER**

Council Chair Rud Browne called the meeting to order at 3:00 p.m. in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.

**ROLL CALL**

**Present:** Barbara Brenner, Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey, and Satpal Sidhu.

**Absent:** None.

**COMMITTEE DISCUSSION**

**1. DISCUSSION REGARDING PRELIMINARY DRAFT COMPREHENSIVE PLAN AND ZONING AMENDMENTS – CHERRY POINT (DISCUSSION TO FOCUS ON INDUSTRY RESPONSES TO QUESTIONS ASKED BY COUNCIL IN SEPTEMBER) (AB2018-076D)**

Laura McKinney, Alcoa Intalco Works, played a video and gave a presentation on what they do at Alcoa. She answered questions about the fossil fuels used at Alcoa in the production process, plans for modernizing the Alcoa facility in Ferndale, clean operations compared to other smelters in other countries, and air quality emissions.

Tim Johnson, Phillips 66 Ferndale, spoke about renewable energy projects at the refinery. He referenced the November letter to the Council and answered questions about impacts to transportation systems, liability and insurance coverage for receiving crude oil by rail, disaster response agencies learning about each others policies and procedures, shifting to a lower carbon footprint by reducing demand instead of reducing supply, how the current moratorium restricts refining or other business growth, who would be responsible for a derailment in Bellingham, and whether crude or refined oil is more combustible.

Pam Brady, BP Cherry Point Refinery, gave a presentation on the refinery's history, current volume produced, employment numbers, location, environmental stewardship, efforts toward energy transition, risk management, and oil spill response.

Brady and Jim Verburg, BP Cherry Point Refinery, answered questions on the definition of biomass, audit agencies, whether there is opportunity at the refinery to further reduce emissions, whether old rail cars are used for shipment, sources of crude oil, the industry's responsibility to quell misinterpretation of the Council's intent in passing certain legislation, liability if there were a train derailment, and the amount of crude oil storage capacity necessary for refining operations.

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2 **DISCUSSION AND RECOMMENDATION TO COUNCIL**  
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4 **1. ORDINANCE AMENDING WHATCOM COUNTY CODE 24.11, DRINKING WATER**  
5 **(FROM NOVEMBER 7, 2018) (AB2018-303)**  
6

7 *Byrd moved* to recommend adoption to the full Council.  
8

9 The motion was seconded.  
10

11 The following staff answered questions:

- 12 • Karen Frakes, Prosecutor’s Office
  - 13 • Gary Stoyka, Public Works Department
  - 14 • Mark Personius, Planning and Development Services Department
- 15

16 Councilmembers and staff discussed legal review, review by the Water Utility  
17 Coordinating Committee (WUCC) and Planning Commission, avoiding case-specific changes,  
18 Council’s regulatory authority loans, the Comprehensive Plan amendment process, the  
19 County Council’s authority, a review of the relationship between water associations and the  
20 County Code, the Comprehensive Plan docket schedule, and hiring outside legal counsel.  
21

22 The motion carried by the following vote:

23 **Ayes:** Brenner, Byrd, Frazey, and Sidhu (4)

24 **Nays:** Donovan and Buchanan (2)

25 **Abstains:** Browne (1)  
26  
27

28 **OTHER BUSINESS**  
29

30 There was no other business.  
31

32  
33 **ADJOURN**  
34

35 The meeting adjourned at 5:11 p.m.  
36

37 The Council approved these minutes on \_\_\_\_\_, 2018.  
38

39 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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44 \_\_\_\_\_  
45 Dana Brown-Davis, Council Clerk

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Rud Browne, Council Chair

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49 \_\_\_\_\_  
50 Jill Nixon, Minutes Transcription