

Whatcom County Council (Special)

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Minutes - Final

VIRTUAL WORK SESSION (CHERRY POINT)

Wednesday, October 28, 2020

1:30 PM

Virtual Meeting

COUNCILMEMBERS

Rud Browne
Barry Buchanan
Tyler Byrd
Todd Donovan
Ben Elenbaas
Carol Frazey
Kathy Kershner

CLERK OF THE COUNCIL

Dana Brown-Davis, C.M.C.

Call To Order

Council Chair Barry Buchanan called the meeting to order at 1:30 p.m. in a virtual meeting.

Roll Call

Present: 6 - Rud Browne, Barry Buchanan, Tyler Byrd, Todd Donovan, Carol Frazey and Ben Elenbaas

Absent: 1 - Kathy Kershner

Discussion and Possible Approval of Motions

1. [AB2020-345](#) Discussion of proposed Cherry Point amendments

Eddy Ury, Re Sources, updated the Councilmembers on progress made since they last met and the following participants introduced themselves:

- Alex Ramel, Stand.earth
- Anna Doty, Washington Environmental Council (WEC)/Washington Conservation Voters (WCV)
- Carl Weimer, Pipeline Safety Trust
- Pam Brady, BP
- Jim Verburg, BP
- Jeff Chalfant, BP
- Gavin Carscallen, Petrogas
- Andrew Gamble, Petrogas
- Holli Johnson, Western States Petroleum Association (WSPA)
- Tim Johnson, Phillips 66
- Brad Brown, Philips 66
- Erin Strang, Phillips 66
- Trevor Smith, Laborers Local 292

Timestamp: 00:13:27

Ury shared the document "Cherry Point Stakeholder Jointly Proposed Revisions" (on file) and updated the Councilmembers. He corrected language in Section 20.74.055 (2) (on file).

The following participants discussed with Councilmembers and answered questions:

- Eddy Ury
- Tim Johnson

Timestamp: 00:36:35

Browne moved to adopt the changes provided in this document, entitled "October 28, 2020 Cherry Point Stakeholder Jointly Proposed Revisions" to Section 20.74.055 and adding the definition 20.97.160 Intermediate Materials. The motion was seconded by Donovan.

Councilmembers discussed the motion.

The motion carried by the following vote:

Aye: 5 - Browne, Buchanan, Byrd, Donovan, and Frazey

Nay: 1 - Elenbaas

Absent: 1 - Kershner

Timestamp: 00:39:54

Browne moved to amend Section 20.68.150 Items C and D as follows:

C. Cumulatively increases the maximum ~~transshipment~~ fossil fuel storage capacity of ~~unrefined fossil fuels from~~ the facility by more than 10,000 barrels (or 420,000 gallons) ~~per day~~.

D. Could result in any increase of crude oil-by-rail shipments

and to amend Section 20.88.120 as follows:

20.88.100 Major project permits.

.110 All major developments shall, prior to any construction, obtain 1030 a major project permit.

.120 A major project permit will be required for mitigation banks proposed in accordance with the provisions of Chapter 16.16 WCC and for any proposed development that meets any two of the following conditions:

- Cost (estimated construction cost exclusive of land value) \$5,000,000
- Size Retail 75,000 square feet office or industrial (gross leasable floor space) 200,000 square feet
- Residential 300 dwelling units
- motel/hotel 200 units
- Number of Employees 250
- SEPA Review An EIS is required
- Could result in any increase of crude oil-by-rail shipments

Councilmembers discussed the motion and ***Browne clarified*** that the motion is to present the proposed amendments to the industry.

Browne amended his motion to change the language on Section 20.68.150 item D and the last bullet of Section 20.88.120 as follows:

(Section 20.68.150)

D. Could result in any increase of crude oil-by-rail shipments beyond which has been previously approved

And

(Section 20.88.120 bullet points)

- Cost (estimated construction cost exclusive of land value) \$5,000,000
- Size Retail 75,000 square feet office or industrial (gross leasable floor space) 200,000 square feet
- Residential 300 dwelling units
- motel/hotel 200 units
- Number of Employees 250
- SEPA Review An EIS is required
- Could result in any increase of crude oil-by-rail shipments beyond which has been previously approved

The following participant spoke:

- Tim Johnson

Browne's motion was seconded by Byrd.

The amended motion carried by the following vote:

Aye: 6 - Buchanan, Byrd, Donovan, Elenbaas, Frazey, and Browne

Nay: 0

Absent: 1 - Kershner

Timestamp: 00:53:28

Councilmembers discussed language regarding greenhouse gas, facility emissions, and insurance.

The following participants spoke:

- Jim Verburg
- Eddy Ury
- Alex Ramel

Timestamp: 01:11:25

Councilmembers discussed the next steps and a next meeting date with the following people:

- Eddy Ury
- Dana Brown-Davis, Clerk of the Council

This agenda item was **DISCUSSED AND MOTION(S) APPROVED.**

Items Added by Revision

There were no agenda items added by revision.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 2:47 p.m.

The County Council approved these minutes on November 10, 2020.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Dana Brown-Davis, Council Clerk

Barry Buchanan, Council Chair

Kristi Felbinger, Minutes Transcription

SIGNED COPY ON FILE