



**Pacific International
Terminals**
A Carrix Enterprise

1131 SW Klickitat Way
Seattle Washington
98134

800/422-3505 tel
206/623-0179 fax

June 21, 2021

Via email: jkarcher@co.whatcom.wa.us

Jim Karcher, County Engineer
Whatcom County Public Works
5280 Northwest Drive
Bellingham, WA 98226

Subject: Temporary Closure and Signage at Gulf Road South of Henry Road

Dear Mr. Karcher,

Pacific International Holdings, LLC (“PIH”) owns 1097-acres of uplands and 14-acres of tidelands within the Cherry Point Industrial District in Whatcom County, Washington State (the “Property”). The Property is adjacent to the BP Cherry Point Refinery, Cherry Point Industrial Park and ALCOA Intalco Works properties. We have seen an increase in illegal activities, including illegal dumping, abandoned vehicles, alcohol and drug use, the discharging of firearms, unauthorized fires, destruction of private property, and trespass along Whatcom County (“County”) rights-of-way and onto private property. These illegal activities are a public health, safety and security concern specifically along the section of Gulf Road just south of the intersection with Henry Road. Unfortunately, current efforts by law enforcement, private security and adjacent property owners to stop the misconduct have been ineffective

Accordingly, PIH is requesting County Public Works recommend to Whatcom County Council Public Works & Health Committee an ordinance to temporarily close this section of County right-of-way found in **Exhibit A** and **Exhibit B**. The closure would address public health, safety, and security concerns, control unauthorized uses of private land and limit potential liability from public activities occurring from, and on the County right-of-way.

PIH is proposing a two-tiered approach which has been successful in curtailing illegal activities at Cherry Point in the past. First, we would like to continue our efforts to educate the public by installing accurate signage making clear that property not directly on the County right-of-way is private and closed to the public. And second, we would like to put in place a temporary closure ordinance such as ORD.#2001-53 and ORD.#2002-001. These ordinances temporarily closed Aldergrove Road, Gulf Road, Lonseth Road and Henry Road due to frequent trespassing and illegal dumping activity; both ordinances are attached to this letter. We request a similar ordinance temporarily closing the southern section of Gulf Road from the corner of Henry Road adjacent to the currently installed gate at Henry Road as depicted in **Exhibit B**. PIH will have the responsibility for constructing gates, coordinating access for emergency vehicles, authorized personnel and affected adjacent property owners, and for removing the gates at the end of the closure.

Regarding signage, PIH requests the County post signs that accurately describes their right-of-way at Gulf Road. This can be seen throughout the County as a means of notifying the public of what is expected. Signage should state, for example: (a) “End of County Right of Way, No



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Outlet” (b) “No Public Access”, (c) “No Beach Fires Permitted”; and (d) Day Use Permitted on Whatcom County Right-of-Way Only.” These signs are necessary to curb illegal and dangerous activities that are currently being facilitated by the County’s right-of-way at Gulf Road.

We believe there is support for a temporary closure ordinance and accurate signage providing clarity at Gulf Road from Whatcom County Sheriff’s Office, Whatcom County Fire District #7, and adjacent landowners. The closure could still allow for pedestrian access on the County right-of-way but eliminate the vehicular access stemming illegal activity at Gulf Road. It also would help alleviate the immediate need for the County to repair the washed-out section of Gulf Road that is causing encroachment from public vehicular use onto PIH’s property.

PIH has had a standing no trespass letter filed with Whatcom County Sheriff’s Office. But neither the Whatcom County Sheriff’s Office nor Whatcom County Fire District #7 have the resources to dedicate patrol officers to monitor the illegal activities on an ongoing basis or respond to fires left burning on the County right-of-way and private property in this area. The unfettered public access may create liability for both the County and PIH as landowners. As private landowners, we owe no duty to trespassers except to refrain from causing willful or wanton injury. Nonetheless, we do not want to see accidents or illegal activities at Gulf Road, and we want to stop destruction of private property and impacts to the environment caused by the illegal activities.

Please find enclosed the following documents to facilitate your consideration of PIH’s request for temporary closure of Gulf Road:

- Exhibit A: Legal Description
- Exhibit B: Maps and Exhibits
- Exhibit C: Proposed Draft Ordinance
- Exhibit D: Existing Ordinances: Whatcom County Ordinance No 2001-053, Whatcom County Ordinance No 2002-001
- Exhibit E: Pacific International Holdings letter to WCSO

We sincerely appreciate County Public Works working with us to resolve the health, safety, security and trespassing issues at Gulf Road.

Sincerely,

Skip Sahlin
Vice President, Project Development

Enclosures



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Exhibit A: Legal Description

GULF ROAD CLOSURE LEGAL DESCRIPTION

THAT PORTION OF THE GULF ROAD (COUNTY ROAD NO. 340) RIGHT OF WAY SITUATED IN NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 1 EAST OF W.M., LYING SOUTH OF THE SOUTH MARGIN OF HENRY ROAD RIGHT OF WAY AND WEST OF THE PORTION OF VACATED GULF ROAD PER AUDITOR'S FILE NO. 940510068.

THE NORTH/SOUTH PORTION OF GULF ROAD RIGHT OF WAY IS 50 FEET WIDE FROM HENRY ROAD TO THE INTERSECTION OF THE STRAIT OF GEORGIA.

THE WEST/EAST PORTION OF GULF ROAD RIGHT OF WAY PARALLEL WITH THE SHORE OF THE STRAIT OF GEORGIA IS 40 FEET WIDE AS ESTABLISHED BY DEED PER AUDITOR'S FILE NO 510394. CENTERLINE OF THIS 40 FOOT WIDE RIGHT OF WAY WAS ESTABLISHED BY ASBUILT LOCATION OF EXISTING ROADWAY.

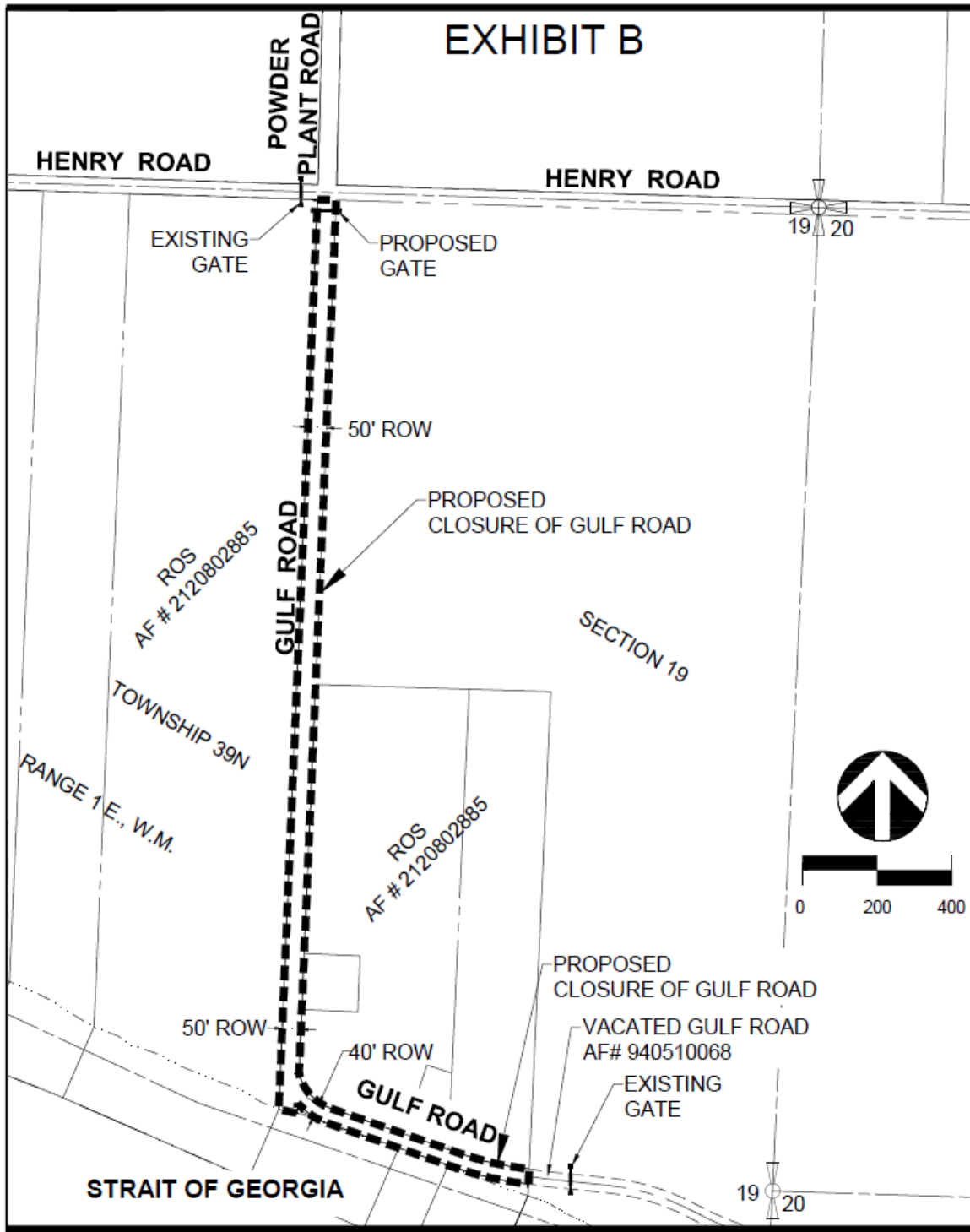
CONTAINING 148,742 SQUARE FEET (3.4 ACRES)-MORE OR LESS.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

SEE ATTACHED EXHIBIT "B"



Exhibit B: Maps and Exhibits

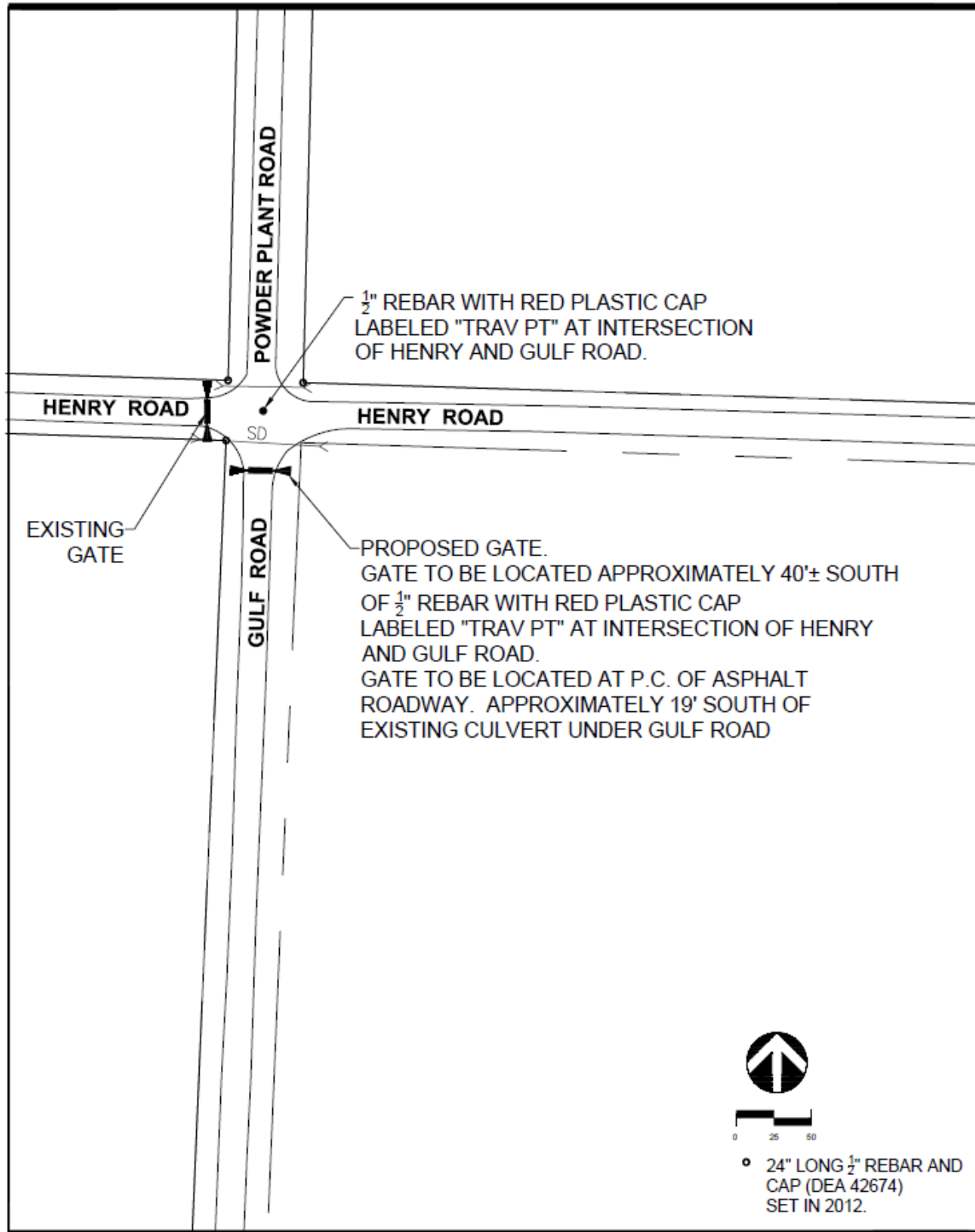




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Exhibit C: Proposed Draft Ordinance

<Remaining page is blank>

SPONSORED BY: _____

PROPOSED BY: Public Works

INTRODUCTION DATE: _____

ORDINANCE NO. _____

ORDERING THE TEMPORARY CLOSURE OF GULF ROAD SOUTH OF HENRY ROAD

WHEREAS, the Whatcom County Council has been requested by Pacific International Holdings to close a portion of Gulf Road south of Henry Road (a "County right-of-way"), as depicted and described on attached Exhibits A and B, for public health, safety, security, and liability reasons; and

WHEREAS, the closure is requested due to pervasive dumping, abandoned vehicles, alcohol and drug use, the discharging of firearms, unauthorized fires, destruction of private property and trespass (hereinafter, "illegal activities"), having taken place along that portion of County's right-of-way and on adjoining vacant private properties for many years; and

WHEREAS, the increased frequency of illegal activities on the County's right of way and on the adjoining vacant private properties create significant threats to public health, safety, environmental damage and liability on both the County right-of-way and adjoining properties; and

WHEREAS, the Whatcom County Sheriff's Office has dispatched Sheriff's Deputies to the area on numerous occasions over the years at taxpayers' expense to respond to the illegal activities and has indicated support for a closure to conserve Sherriff's Office resources; and

WHEREAS, Whatcom County Fire District #7 has been forced to utilize public resources to respond to fires set on both the County right-of-way and by trespassers on private adjoining properties; and

WHEREAS, the affected adjacent property owners have indicated support for the closure; and

WHEREAS, law enforcement, private security and adjacent property owners efforts to stop the illegal activities have been ineffective; and

WHEREAS, the County right-of-way dead ends and there are no residential structures along the County right-of-way, and

WHEREAS, the closure of a portion of the County's right-of-way will not eliminate pedestrian public access to the County right-of-way, but will restrict vehicular traffic to emergency vehicles and authorized personnel; and

WHEREAS, Whatcom County Public Works will install accurate signage notifying the public that the property not directly on the County right-of-way is private and closed to the public; and

WHEREAS, Pacific International Holdings shall bear the responsibility for constructing gates, coordinating access for emergency vehicles, authorized personnel and affected adjacent property owners, and for removing the gates at the end of the closure; and

WHEREAS, Whatcom County shall bear the responsibility for maintaining the County's infrastructure, namely Gulf Road, any easements and appurtenant structures within the County right-of-way, in the current surveyed position and condition or better throughout the period of the closure, and Pacific International Holdings shall ensure the County has access to that portion of Gulf Road subject to the closure to do any required maintenance or repair; and

WHEREAS, nothing herein shall be construed to obviate or limit the right of Pacific International Holdings at a future date to petition for vacation under RCW 36.87.130 of the portion of Gulf Road subject to this Ordinance; and

WHEREAS, the County Council held a public hearing on the proposed closure on _____, 2021, and is authorized to close the road according to the provisions of RCW 36.32.120.

NOW THEREFORE BE IT ORDAINED by the Whatcom County Council that the Public Works Department of Whatcom County is hereby directed, subject to further consideration for re-establishing access for adjoining property owners, to close a portion of Gulf Road south of Henry Road.

ADOPTED this _____ day of _____, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Council Clerk

Council Chair

APPROVED AS TO FORM:

() Approved () Denied

Civil Deputy Prosecutor

County Executive

Date: _____

EXHIBIT “A”

GULF ROAD CLOSURE LEGAL DESCRIPTION

THAT PORTION OF THE GULF ROAD (COUNTY ROAD NO. 340) RIGHT OF WAY SITUATED IN NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 1 EAST OF W.M., LYING SOUTH OF THE SOUTH MARGIN OF HENRY ROAD RIGHT OF WAY AND WEST OF THE PORTION OF VACATED GULF ROAD PER AUDITOR’S FILE NO. 940510068.

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CONTAINING 148,742 SQUARE FEET (3.4 ACRES)-MORE OR LESS.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

SEE ATTACHED EXHIBIT “B”

EXHIBIT "B"

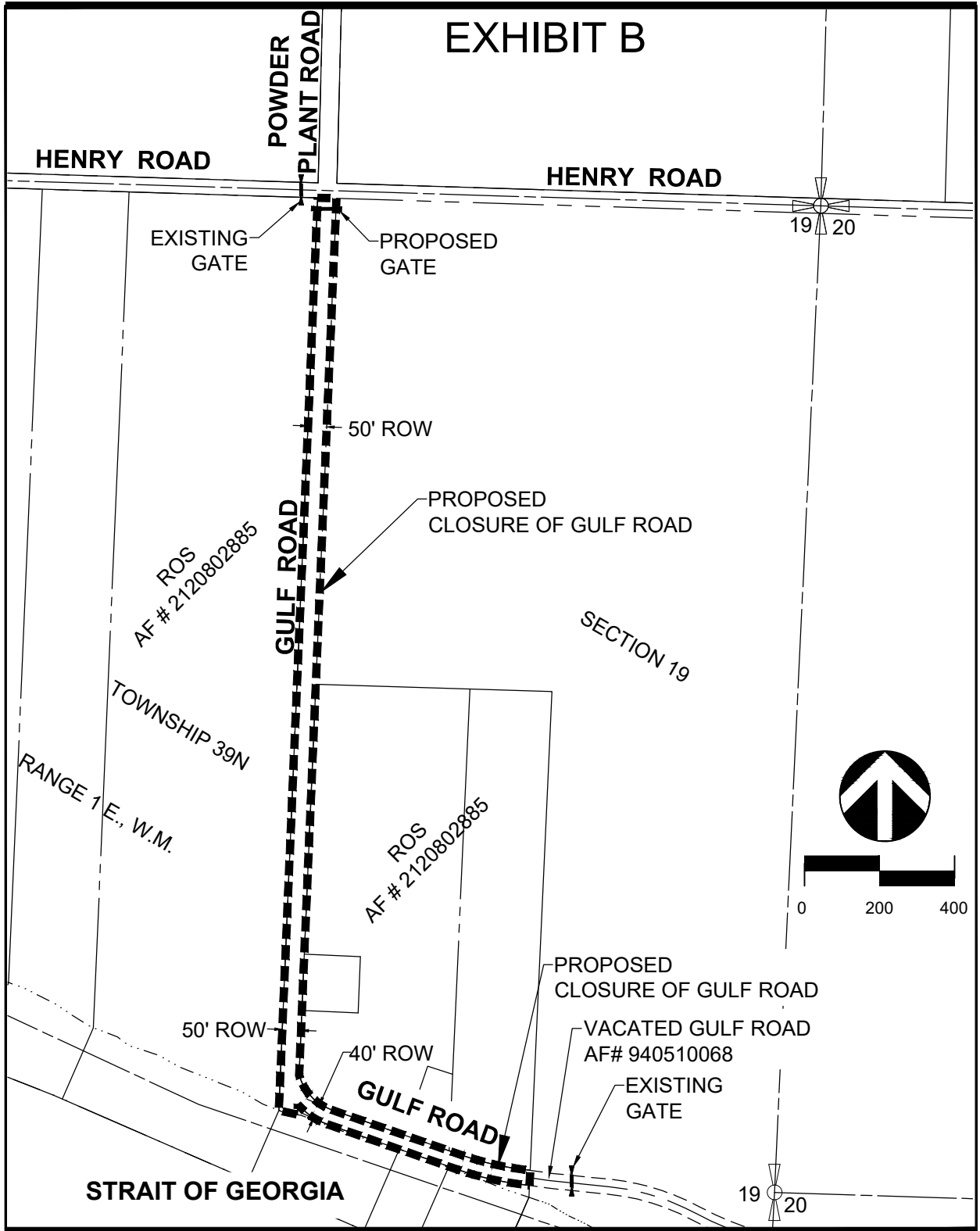
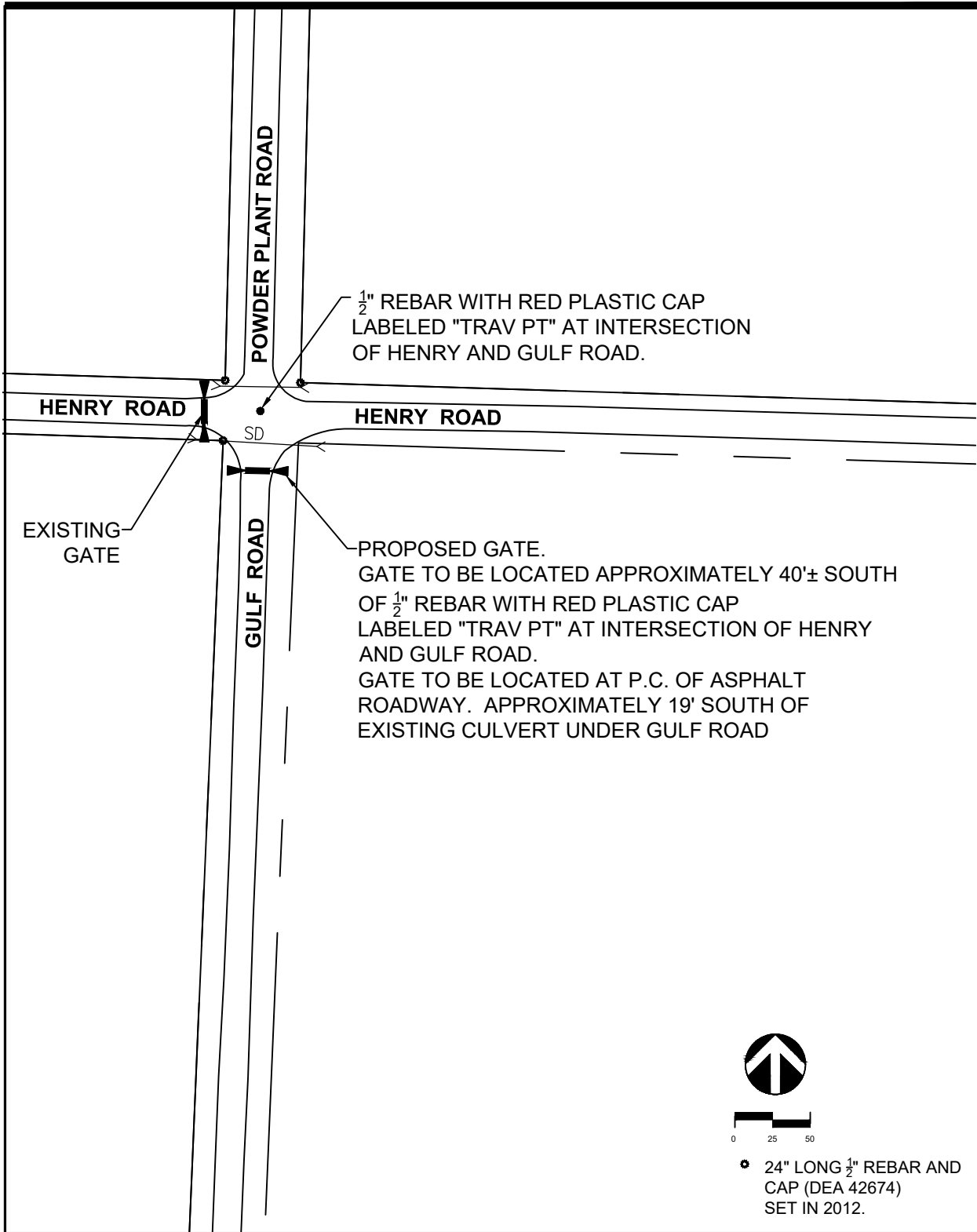


EXHIBIT B		 <p>DAVID EVANS AND ASSOCIATES INC. 1620 W. Marine View Drive, Suite 200 Everett Washington 98201 Phone: 425.259.4099</p>	<p>GULF ROAD CLOSURE EXHIBIT MAP</p>
DATE: 6-14-2021	DESIGN: GJLA		
FILE: PIT10008	DRAWN: GJLA		
SV-EM-10-PIT10008			
E:\g1_06\14\21 1:49pm - P:\P\PIT100000008\0400CAD\SV\SHEETS\sv-em-10-pit10008-Gulf Road Vacation.dwg			



EXHIBIT

DATE: 6-01-2021 DESIGN: GJLA

FILE: PITI0008 / SV-EM-09-PITI0008 DRAWN: GJLA



DAVID EVANS AND ASSOCIATES INC.
 1620 W. Marine View Drive, Suite 200
 Everett Washington 98201
 Phone: 425.259.4099

GULF ROAD
 PROPOSED GATE
 EXHIBIT MAP



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Exhibit D: Existing Ordinances: Whatcom County Ordinance No 2001-053, Whatcom County Ordinance No 2002-001

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CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Bruce Mills	BGM	9-27	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <p style="font-size: 2em; margin: 0;">RECEIVED</p> <p style="font-size: 1.5em; margin: 0;">OCT 02 2001</p> <p style="font-size: 1.2em; margin: 0;">WHATCOM COUNTY COUNCIL</p> </div>	10-9-01	Public Works Committee / Introduction
Division Head: Bruce Mills	BGM	9-27		10-23-01	Hearing
Dept. Head:	Jm	9/28/01		11/13/01	PW + COUNCIL
Prosecutor	JK	9/28/01			
Purchasing/Budget:	Jed	10/26/01			
Executive:	PK	10-2-01			

SUBJECT:

Discussion of Proposed Closure of Henry Road and Lonseth Road, West of Powder Plant Road

ATTACHMENTS:

1. Memo to County Executive and Council
2. Letter from BP
3. Map
4. Proposed Ordinance

Related County Contract #:

Should Clerk schedule a hearing: NO / / YES / / Requested Date: 10/23/01

SUMMARY STATEMENT:

Whatcom County has been requested by BP Cherry Point Refinery to close Henry Road and Lonseth Road, west of Powder Plant Road. The closure is requested because of frequent illegal dumping, trespass and shooting activities.

Ordinance & Resolution Distribution Request
To keep down our copying costs, indicate only those who must receive a copy after Council action. List names to the right.

ADS Facilities Management	
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	Bruce Mills
Sheriff	
Superior Court	
Treasurer	
Other	

RECOMMENDED ACTION:

Request that the proposed ordinance be introduced to the County Council for consideration and adoption.

COUNCIL ACTION TAKEN:

- 2001 - 329 10/9/2001: Introduced
- 10/23/2001: Held to 11/13 Public Works Committee and Council
- 11/13/2001: Amended and adopted 6-1, Hoag opposed, Ord. #2001-053

Relat:

Ordinance or Resolution Number (this item): **ORD.# 2001-053**

SPONSORED BY: Consent

PROPOSED BY: Public Works

INTRODUCTION DATE: October 9, 2001

ORDINANCE NO. 2001-053

**ORDERING THE CLOSURE OF HENRY ROAD AND LONSETH ROAD
WEST OF POWDER PLANT ROAD**

WHEREAS, the Whatcom County Council has been requested by BP Cherry Point Refinery to close Henry Road and Lonseth Road, each west of Powder Plant Road, and

WHEREAS, the closure is requested because illegal dumping has taken place in that area for many years and efforts to stop the dumping have been ineffective, and because of frequent trespass and illegal shooting activities on adjoining vacant property, and

WHEREAS, these roads are dead-end roads with no residential structures along them, and


WHEREAS, the County Council held a public hearing on the proposed closure on October 23, 2001, and is authorized to close the road according to the provisions of RCW 36.32.120.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Public Works Department of Whatcom County is hereby directed, subject to further consideration for re-establishing access for adjoining property owners, to close Henry Road and Lonseth Road, west of Powder Plant Road.

BE IT FURTHER ORDAINED that two parking spaces will be provided by BP Cherry Point Refinery at the east end of Henry Road, just west of Powder Plant Road, along with a sign designating pedestrian and non-motor vehicle access along Henry Road.

ADOPTED this 13th day of November, 2001.

ATTEST:


Dana Brown-Davis, Council Clerk

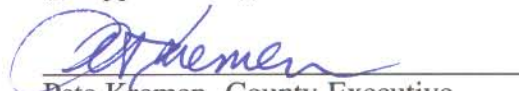
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON


L. Ward Nelson, Council Chair

APPROVED AS TO FORM:


Civil Deputy Prosecutor

Approved Denied


Pete Kremen, County Executive
Date: 12-11-01

WHATCOM COUNTY
DEPARTMENT OF PUBLIC WORKS

DIVISION OF ENGINEERING

Jeffrey M. Monsen, P.E. - Director

Bruce G. Mills, P.E. - County Road Engineer

5280 Northwest Drive, Suite C
Bellingham, WA 98226

MEMO TO: Pete Kremen, County Executive and
County Council Public Works & Capital Projects Committee Members

FROM: Bruce Mills, County Road Engineer *Bruce*

DATE: September 27, 2001

SUBJECT: Possible Closure of Henry Road and Lonseth Road,
West of Powder Plant Road

RECEIVED

SEP 28 2001

PETE KREMEN
COUNTY EXECUTIVE

Background:

Whatcom County received a request from BP Cherry Point Refinery to close Henry Road and Lonseth Road, just west of Powder Plant Road. BP supplied the County with a copy of over 100 incident reports of security issues they have dealt with on these two dead-end unoccupied roads in the past 15 years. These incidents involve frequent illegal dumping of trash, trespass, destruction of property, and illegal shooting activities, which endanger BP workers and other neighbors.

Whatcom County Public Works has spent significant time and resources in frequently collecting and disposing of dumped materials, and the Sheriff's department has logged many calls in response to these two dead-end roads.

Recently BP completed purchase agreements to obtain ownership of all land that adjoins these two sections of road, which have no residential structures along them. BP is anxious to close these roads at this time, as a security measure, and they are willing to install locking gates, at their own expense, and to provide keys to applicable County personnel.

Information:

Letter from BP Cherry Point Refinery
Map of affected area

Requested Action:

The Public Works Department recommends the closure of these two sections of road. We request that the County Council review, introduce and adopt the proposed ordinance to close Henry Road and Lonseth Road, west of Powder Plant Road.

Should you have questions, please contact me.

Thank you.

cc: Jeff Monsen

bgm\



BP Cherry Point Refinery
4519 Grandview Road
Blaine, WA 98230

August 6, 2001

Honorable Pete Kremen
County Executive
Whatcom County
311 Grand Avenue
Bellingham, WA 98225

Re: Cherry Point Road Closures

Dear Pete:

We would appreciate your help in resolving an issue that concerns BP and the employees of the Cherry Point Refinery. We own property adjacent to the ends of the Henry and Lonseth roads on the west side of the Gulf road. These roads have chronically suffered from undesirable activities including the illegal dumping of garbage, vandalizing of vehicles, damage from campfires, and shootings heard over the Cherry Point dock.

Over the past 16 years, our refinery security personnel have logged a list of over 100 incidents notable enough to be recorded at these sites. However, the frequency and severity of these incidents are becoming more of a problem. The latest and most dangerous of these was the destruction of a tree, which was shattered by shots from a high-powered rifle. These shots were heard overhead by Cherry Point employees working on our dock facility, who in fear of becoming injured, found safety inside. While we don't believe that the shots were aimed at our people, we are concerned that it could happen again with a different outcome.

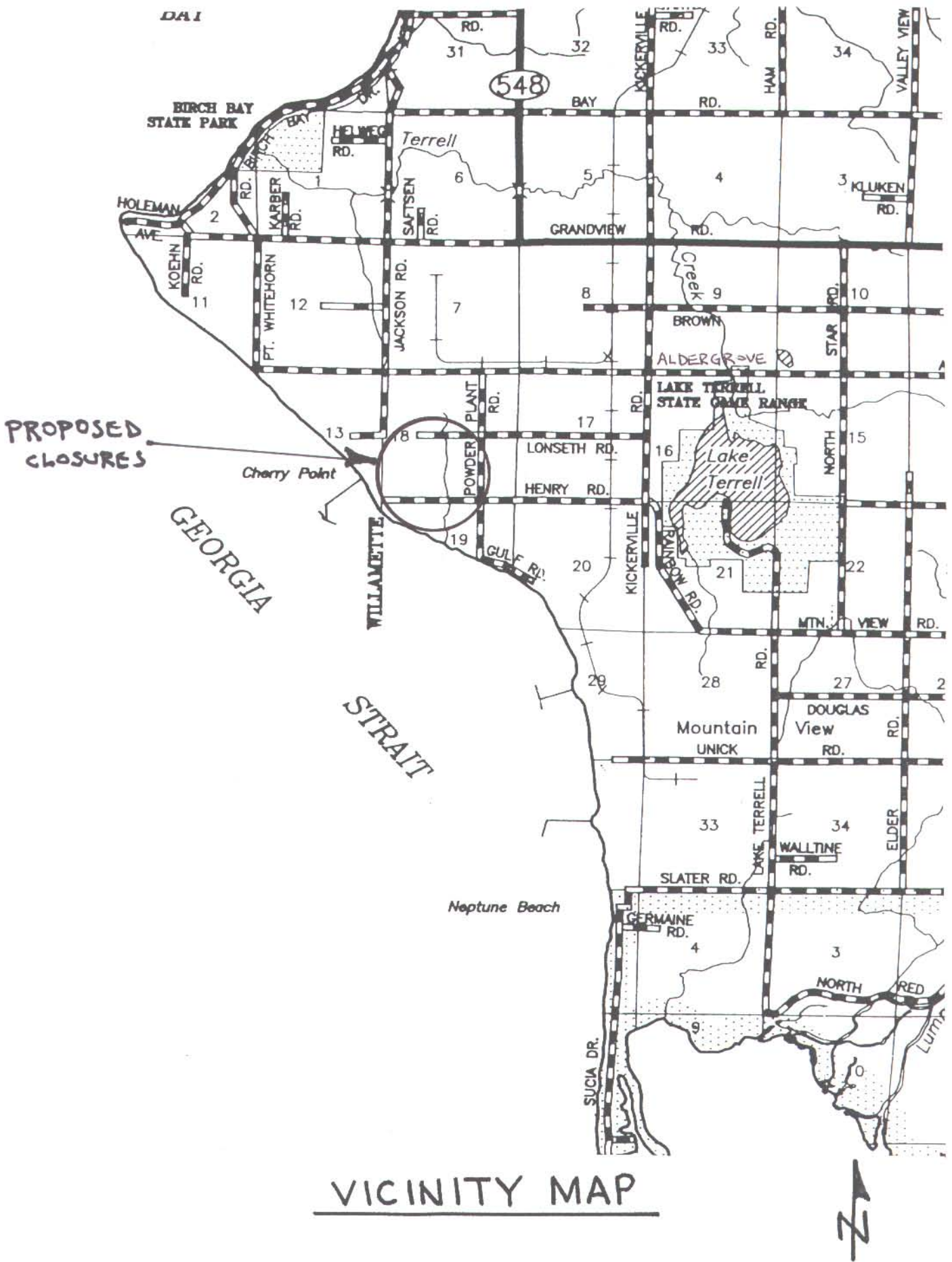
This situation could be avoided in the future by blocking the access to the Gulf and Henry roads. Property owners that require access to the road could be issued keys to a lock on the gate. This would not affect any shoreline access in the area.

BP Cherry Point Refinery values its employees and our safety record. We would sincerely appreciate the county's help on this matter.

Respectfully,

A handwritten signature in cursive script that reads "Scott Walker".

Scott Walker
External and Governmental Affairs



CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator: Bruce Mills	BGM	12-10		12-11-01	Introduction
Division Head: Bruce Mills	BGM	12-10		1-15-02	Hearing
Dept. Head:	Jm	12/10/01			
Prosecutor	JK	12/10/01			
Purchasing/Budget:					
Executive:	PK	12-11-01			

SUBJECT:

Discussion of Proposed Closure of Portions of Aldergrove Road and Gulf Road

ATTACHMENTS:

1. Memo to County Executive and Council
2. Letters from BP and Chevron
3. Maps of affected area
4. Proposed Ordinance

Related County Contract #:

Should Clerk schedule a hearing: NO / / YES / / Requested Date: 1/15/02

SUMMARY STATEMENT:

Whatcom County has been requested by BP Cherry Point Refinery to close portions of Aldergrove Road and Gulf Road. The closure is requested for security purposes to limit vehicular traffic from accessing potentially vulnerable refinery facilities.

Ordinance & Resolution Distribution Request

To keep down our copying costs, indicate only those who must receive a copy after Council action. List names to the right.

ADS Facilities Management	
ADS Finance	
ADS Human Resources	
ADS Info Services	
Assessor	
Auditor	
Cooperative Extension	
District Court	
Executive	
Health	
Hearing Examiner	
Jail	
Juvenile	
Parks	
Planning	
Prosecutor	
Public Works	Bruce Mills
Sheriff	
Superior Court	
Treasurer	
Other	

RECOMMENDED ACTION:

Request that the proposed ordinance be introduced to the County Council for consideration and adoption.

COUNCIL ACTION TAKEN:

2001 - 442 12/11/2001: Introduced
1/15/2002: Adopted 7-0, Ord. #2002-001

Relat

Ordinance or Resolution Number (this item): **ORD.# 2002-001**

SPONSORED BY: Pete Kremen, County Executive, and

Ward Nelson, County Council Chair

PROPOSED BY: Public Works

INTRODUCTION DATE: 12/11/01

ORDINANCE NO. 2002-001

ORDERING THE CLOSURE OF ALDERGROVE ROAD,
FROM JACKSON ROAD TO 0.3 MILES EAST OF GULF ROAD,
AND GULF ROAD (AKA POWDER PLANT ROAD),
FROM LONSETH ROAD TO ALDERGROVE ROAD

WHEREAS, the Whatcom County Council has been requested by BP Cherry Point Refinery to close a portion of Aldergrove Road, from Jackson Road to 0.3 miles east of Gulf Road, AND a portion of Gulf Road (aka Powder Plant Road), from Lonseth Road to Aldergrove Road, and

WHEREAS, the closure is requested for security reasons to limit vehicular traffic from accessing potentially vulnerable refinery facilities, and

WHEREAS, the closure of these portions of roads will not eliminate public access to other destinations in this area, and there are no residential structures along said road portions, and

WHEREAS, BP Cherry Point Refinery will accept responsibility to maintain said portions of roads during the length of closure, and to construct gates, a guard station and proper turnarounds, along with removal of said facilities at the end of said closure, and

WHEREAS, the County Council held a public hearing on the proposed closure on January 15, 2002, and is authorized to close the roads according to the provisions of RCW 36.32.120.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Public Works Department of Whatcom County is hereby directed, subject to further consideration for re-establishing access for adjoining property owners and the public, to close Aldergrove Road, from Jackson Road to 0.3 miles east of Gulf Road, AND a portion of Gulf Road (aka Powder Plant Road), from Lonseth Road to Aldergrove, to vehicular traffic.


BE IT FURTHER ORDAINED that as a condition of closure, BP Cherry Point Refinery will install proper signs and gates approved by Whatcom County Public Works at each closure location allowing pedestrian and non-motor vehicle access along said portions of closed roads.

ADOPTED this 15th day of January, 2002.


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WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

ATTEST:



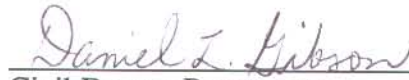
Dana Brown-Davis, Council Clerk




L. Marco Nelson, Council Chair

APPROVED AS TO FORM:

Approved Denied



Daniel L. Gibson
Civil Deputy Prosecutor



Pete Kremen, County Executive
Date: 1-23-02

**WHATCOM COUNTY
DEPARTMENT OF PUBLIC WORKS**

DIVISION OF ENGINEERING

Jeffrey M. Monsen, P.E. - Director

Bruce G. Mills, P.E. - County Road Engineer

5280 Northwest Drive, Suite C
Bellingham, WA 98226

MEMO TO: Pete Kremen, County Executive and
County Council Members

RECEIVED

FROM: Bruce Mills, County Road Engineer *Bruce*

DEC 11 2001

DATE: December 10, 2001

**PETE KREMEN
COUNTY EXECUTIVE**

SUBJECT: Possible Closure of Portions of Aldergrove Road and Gulf Road

Background:

Whatcom County received a request from BP Cherry Point Refinery to close a portion of Aldergrove Road, from Jackson Road to 0.3 miles east of Gulf Road, AND a portion of Gulf Road (aka Powder Plant Road), from Lonseth Road to Aldergrove.

BP Cherry Point feels strongly that the closure is necessary for security reasons to limit vehicular traffic from accessing potentially vulnerable refinery facilities, especially in light of recent terrorist activities and national security concerns.

Upon examination, proposed closure of these portions of roads will not eliminate public access to other destinations in this area, and there are no residential structures along said road portions. BP Cherry Point and Chevron Companies own all of the properties bordering the closure area, and both are in favor of the closure.

BP Cherry Point Refinery will accept responsibility to maintain said portions of roads during the length of closure, and to install gates, a guard station and proper turnarounds, at their expense, along with removal of said facilities at the end of said closure. They will provide keys to applicable County and emergency response personnel.

Information:

Letter from BP Cherry Point Refinery
Letter from Chevron Companies
Maps of affected area

Requested Action:

The Public Works Department recommends the closure of these two sections of road. We request that the County Council review, introduce and adopt the proposed ordinance to close portions of Aldergrove Road and Gulf Road.

Should you have questions, please contact me.

Thank you.

cc: Jeff Monsen

**Michael R. Abendhoff**

Manager, Government & Public Affairs

**BP Cherry Point Refinery**
4519 Grandview Road
Building 1
Blaine, WA 98231Office: (360) 303-5278
Fax: (360) 371-1450
email: abendhmr@bp.com

Date: December 10, 2001

To: Mr. Bruce Mills
County Road Engineer
Whatcom County Public Works Department
5280 Northwest Drive, Suite C
Bellingham, WA 98226-9098

Subject: Temporary Road Closure Proposal

Dear Mr. Mills,

The recent, tragic events in New York have forced America to re-visit every aspect of personal and business security. We at BP have always had a long commitment to the safety of our people and the neighbors that border our operations.

After recent terrorist threats to the energy industry and warnings from Attorney General John Ashcroft and Homeland Security Director, Tom Ridge, BP reviewed our operations at Cherry Point. We believe there are some vulnerable points just south of our property, off Aldergrove Road. To better secure our people and our neighbors, we respectfully request the following: (see the attached map of the area)

1. Temporarily close and restrict motor vehicle traffic on Aldergrove from Jackson Road to a point approximately .3 mile east of Gulf Rd.
2. Temporarily close and restrict motor vehicle traffic on Gulf Road, between Lonseth Road and Aldergrove.

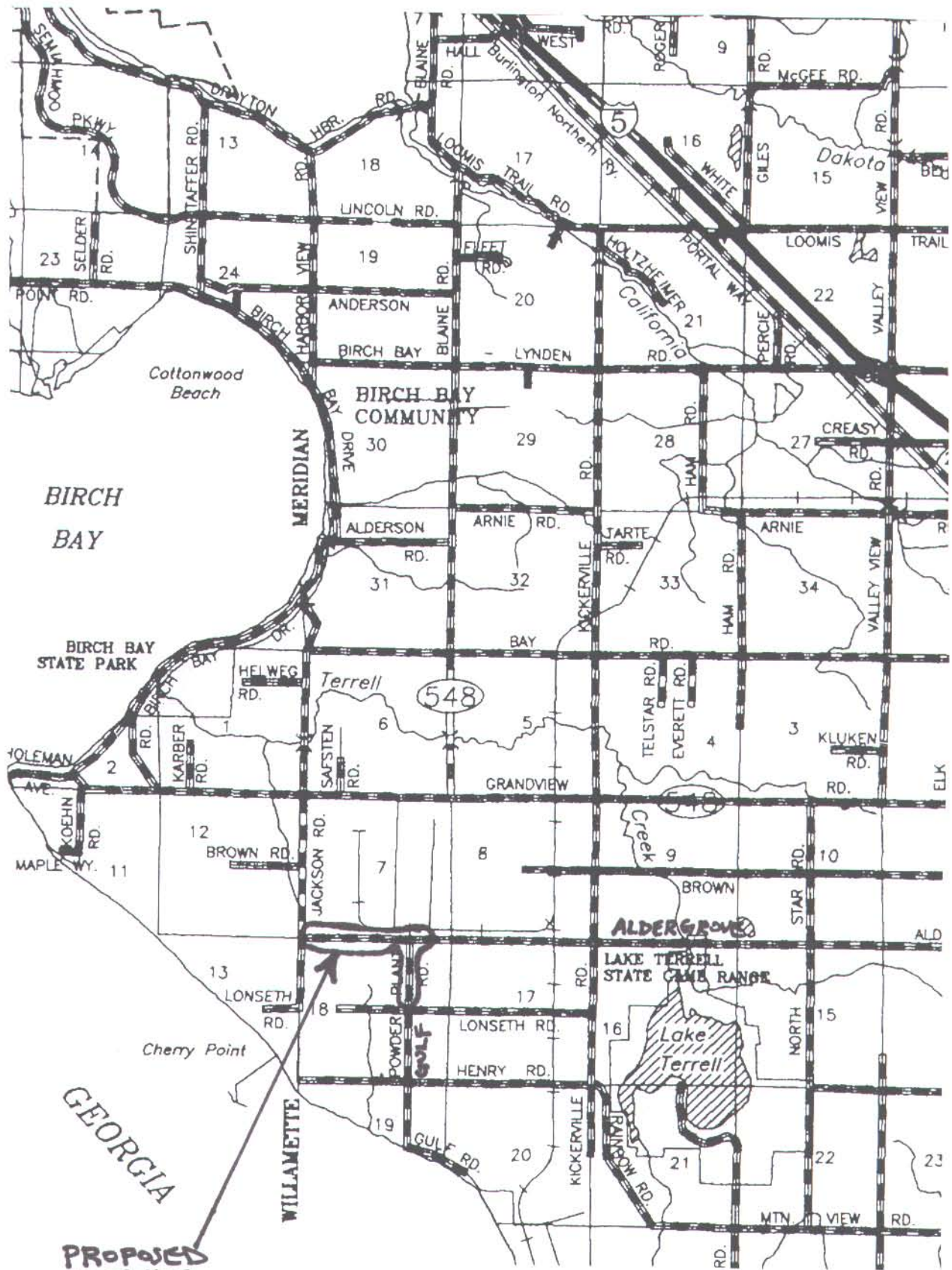
We are open to allowing foot and bicycle traffic on these roads, similar to the closure agreements reached on Henry and Lonseth Roads. In addition, BP will help maintain the roads during the closure. We will work with your office to determine an acceptable maintenance agreement.

Finally, we have full endorsement from Roger Sahlin, President of Home Port Properties. They have the long term purchase option rights on the Chevron and Puget Western lands just south of Aldergrove Road. He recognizes our security concerns and provided a letter of endorsement.

Thank you for reviewing our request and please contact me to discuss the next steps in the process.

Sincerely,

Michael Abendhoff



VICINITY MAP





-----Original Message-----

From: Roger Sahlin [<mailto:RSAHLIN@ssofa.com>]

Sent: Monday, December 10, 2001 8:29 AM

To: 'abendhmr@bp.com'

Subject: road closures

Dear Mr. Mike Abendhoff ,

Please be advised that HomePort Properties has long term purchase and options agreements on Chevron and Puget Western lands to the south and adjoining your Cherry Point Refinery. We support the temporary closure of portions of Gulf and Aldergrove roads for control of unpermitted waste dumping and for security of assets. Please advise Bruce Mills and Whatcom County.

C. Roger Sahlin, President, HomePort Properties



**Pacific International
Terminals**
A Carrix Enterprise

1131 SW Klickitat Way
Seattle Washington
98134

800/422-3505 tel
206/623-0179 fax

Exhibit E: Pacific International Holdings letter to WCSO

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**Pacific International
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A Carrix Enterprise

1131 SW Klickitat
Way Seattle
Washington 98134
800/422-3505
tel 206/623-0179
fax www.carrix.com

April 2, 2021

Whatcom County Sheriff's Office
Attn: Station Deputy
311 Grand Avenue
Bellingham, WA 98225

RE: No Trespassing Letter - Pacific International Holdings Property at Cherry Point

Dear Whatcom County Sheriff's Office ("WCSO"),

Pacific International Holdings, LLC ("PIH") owns 1097-acres of uplands and 14-acres of tidelands within the Cherry Point Industrial District in Whatcom County, Washington State (the "Property"). The Property is adjacent to the BP Cherry Point Refinery and ALCOA Intalco Works. A boundary map of the property can be found in **Exhibit A** and parcel numbers can be found in **Exhibit B**. I am writing on behalf of the company to reaffirm our May 19, 2020 "No Trespassing" letter is still on file with WCSO. All the Property in the exhibits are privately held. There is no public access agreement to the Property.

The Property owner does not allow for trespass, cutting firewood, setting beach fires, dumping, access for ATVs, hunting or the use of firearms, alcohol or drugs on the Property.

We want to stop unauthorized uses of the Property. Areas of specific concern are at the Gulf Road beach and behind the gates at Henry Road and Lonseth Road. The Property owners do not have a cooperative hunting agreement with Washington Department of Fish & Wildlife and do not have a public access agreement to use any of the Property, including uplands, shoreline and tidelands. Whatcom County ("County") has a 40' easement across PIH's property for the Gulf Road, see **Exhibit C** and enclosed record of survey filed with the County. There is no public access granted beyond this 40' right of way. Any parking needs to be done within the County right of way. The County also has a temporary closure ordinance on Henry and Lonseth Roads. There is no public access beyond the County right of way behind those gates.

We are working to control unauthorized and illegal uses of the Property and are requesting extra patrols from WCSO to help reduce incidents of trespass. These activities pose a security risk to the neighboring property owners, their facilities, employees and a safety risk to our employees and contractors working on the site, in addition to creating damage to the Property and a liability issue. To protect the Property, we continue to replace the No Trespassing, No Parking and No Hunting signs that have been removed or damaged.

If the WCSO has questions or want to discuss security issues at Cherry Point, please don't hesitate to call me at (206) 654-3510. Thank you for your assistance.

Sincerely,

Skip Sahlin



**Pacific International
Terminals**
A Carrix Enterprise

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Way Seattle
Washington 98134
800/422-3505
tel 206/623-0179
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cc: BP Cherry Point FSO
Whatcom County Fire District #7

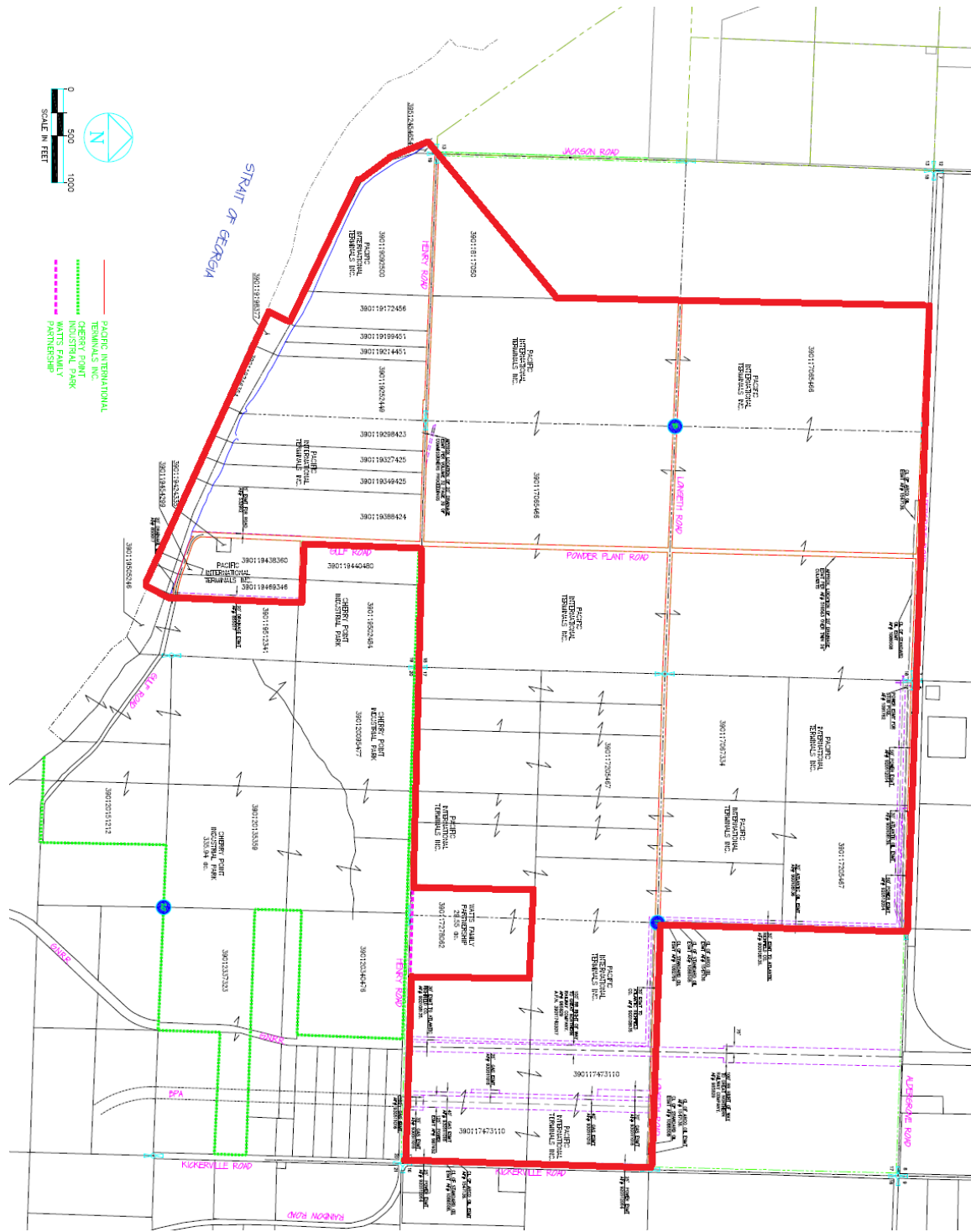
Enclosures: May 19, 2020 Whatcom County Sheriff's Office "No Trespass" Letter
ALTA Record of Survey Pg. 14 Gulf Road



Pacific International Terminals
A Carrix Enterprise

1131 SW Klickitat Way Seattle
Washington 98134
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Exhibit A: Pacific International Holdings Parcel Map





**Pacific International
Terminals**
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Exhibit B: Pacific International Holdings Parcels

Cherry Point Property

Pacific International Holdings, LLC

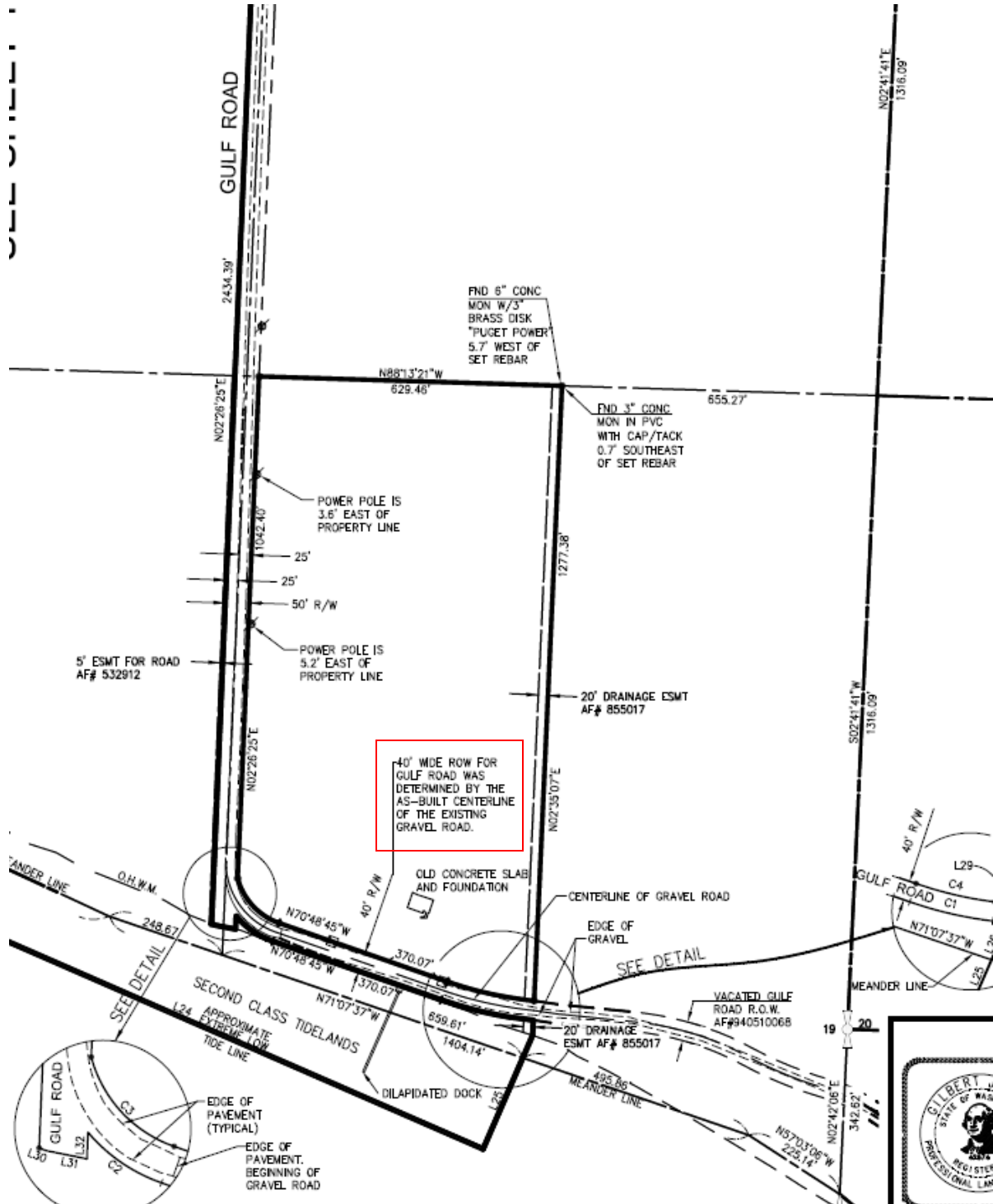
#	Property ID	Parcel		Upland Acre	Tideland Acre	Type	Ownership
		Township	X Y				
1	87578	0390117	473 110	71.00	0.00	9130	Pacific International Holdings, LLC
2	87567	0390117	067 334	177.72	0.00	9130	Pacific International Holdings, LLC
3	87570	0390117	205 467	148.46	0.00	9130	Pacific International Holdings, LLC
4	87566	0390117	065 466	510.29	0.00	4911	Pacific International Holdings, LLC
5	87585	0390118	117 050	22.51	0.00	9130	Pacific International Holdings, LLC
6	87591	0390119	198 377	0.00	2.39	9350	Pacific International Holdings, LLC
7	87592	0390119	199 451	6.12	0.00	9130	Pacific International Holdings, LLC
8	87593	0390119	214 451	5.53	0.00	9130	Pacific International Holdings, LLC
9	87594	0390119	246 354	0.00	3.73	9350	Pacific International Holdings, LLC
10	87595	0390119	252 449	26.12	0.00	4811	Pacific International Holdings, LLC
11	87596	0390119	298 423	15.02	1.38	9130	Pacific International Holdings, LLC
12	87597	0390119	327 425	11.42	0.91	9130	Pacific International Holdings, LLC
13	87598	0390119	349 425	11.95	0.85	9130	Pacific International Holdings, LLC
14	87599	0390119	388 424	27.76	1.71	4811	Pacific International Holdings, LLC
15	87600	0390119	424 335	0.52	0.00	9130	Pacific International Holdings, LLC
16	87601	0390119	438 360	10.47	1.25	9130	Pacific International Holdings, LLC
17	87603	0390119	454 299	0.63	0.58	9110	Pacific International Holdings, LLC
18	87604	0390119	469 346	6.66	1.04	9130	Pacific International Holdings, LLC
19	87589	0390119	092 500	32.63	0.00	9130	Pacific International Holdings, LLC
20	87590	0390119	172 456	11.96	0.00	9130	Pacific International Holdings, LLC
21	112880	0395124	546 546	0.30	0.00	9130	Pacific International Holdings, LLC
		Total		1097.07	13.84		



Pacific International Terminals
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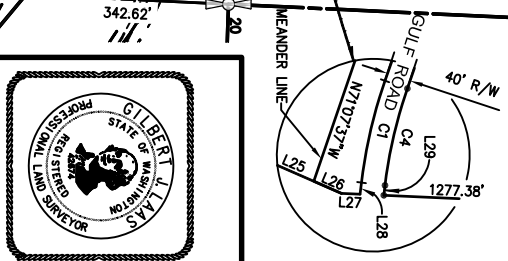
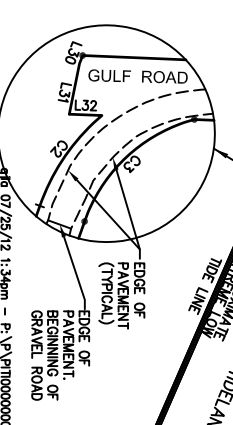
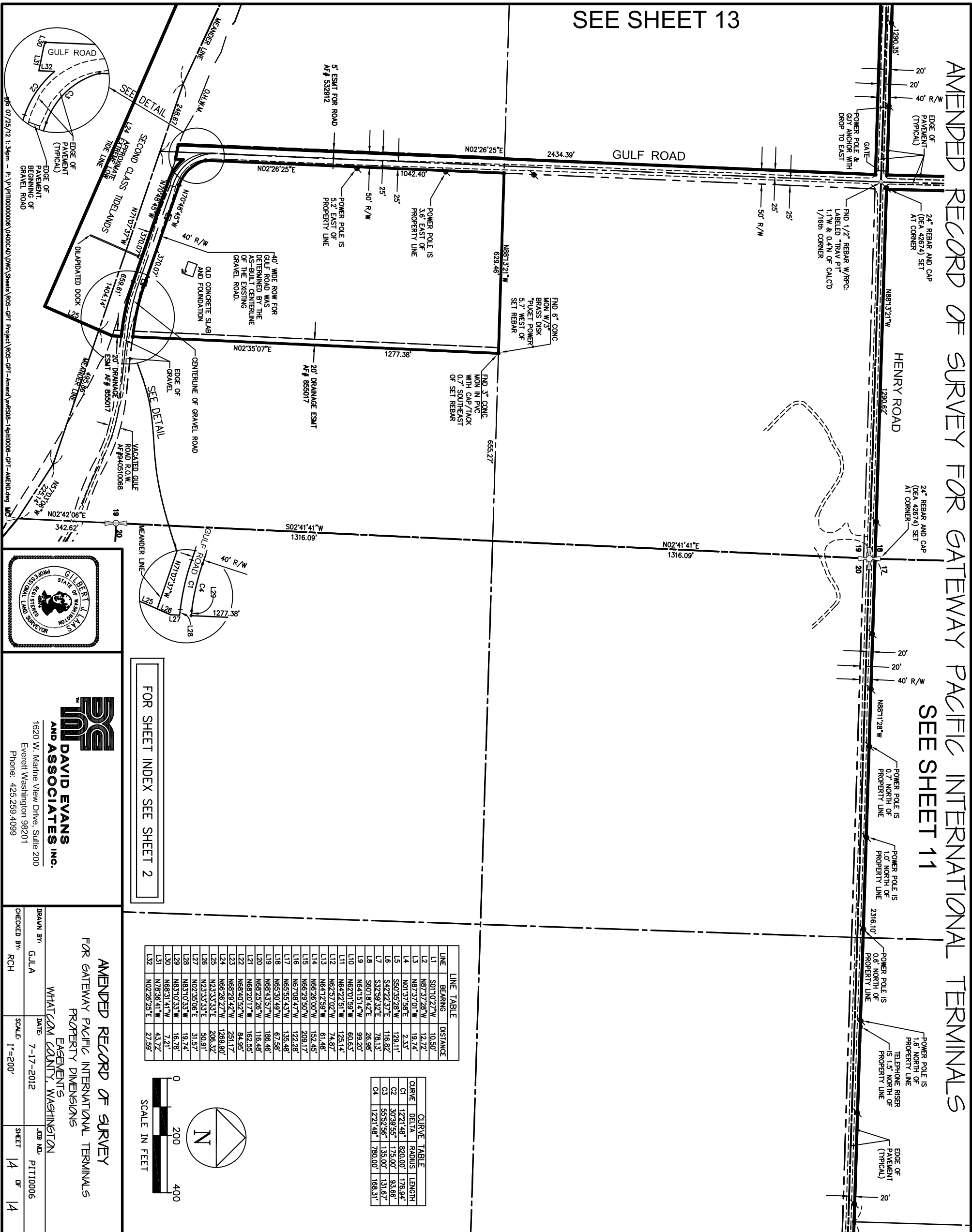
Exhibit C: Record of Survey, Whatcom County 40' Right of Way Gulf Road



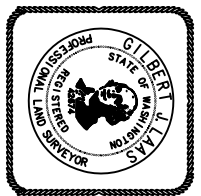
AMENDED RECORD OF SURVEY FOR GATEWAY PACIFIC INTERNATIONAL TERMINALS

SEE SHEET 13

SEE SHEET 11



FOR SHEET INDEX SEE SHEET 2



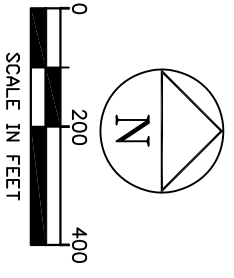
DAVID EVANS AND ASSOCIATES INC.
 1620 W. Marine View Drive, Suite 200
 Everett Washington 98201
 Phone: 425.259.4099

AMENDED RECORD OF SURVEY
 FOR GATEWAY PACIFIC INTERNATIONAL TERMINALS
 PROPERTY DIMENSIONS
 EASEMENTS
 WHATCOM COUNTY WASHINGTON

DRAWN BY: GJLA DATE: 7-17-2012 JOB NO.: P110006
 CHECKED BY: RCH SCALE: 1"=200' SHEET 14 OF 14

LINE	BEARING	DISTANCE
L1	S01°10'27"W	10.50'
L2	N87°37'28"W	12.72'
L3	N87°37'01"W	19.74'
L4	N01°37'58"E	2.33'
L5	S50°35'28"W	129.11'
L6	S42°22'31"E	116.82'
L7	S32°58'32"E	78.13'
L8	S60°18'42"E	26.98'
L9	N64°15'14"W	99.20'
L10	N62°01'59"W	60.63'
L11	N64°22'51"W	125.14'
L12	N62°57'02"W	74.87'
L13	N64°12'59"W	61.48'
L14	N66°26'00"W	152.45'
L15	N66°29'50"W	209.17'
L16	N67°08'47"W	122.28'
L17	N65°58'43"W	135.48'
L18	N65°30'49"W	67.58'
L19	N68°43'57"W	186.46'
L20	N68°25'26"W	116.48'
L21	N68°20'17"W	162.35'
L22	N68°40'52"W	84.95'
L23	N68°29'42"W	251.17'
L24	N66°26'27"W	1269.90'
L25	N23°33'33"E	206.32'
L26	N23°33'33"E	50.91'
L27	N02°55'06"E	31.57'
L28	N63°10'33"W	19.74'
L29	N63°10'33"W	18.78'
L30	N68°31'41"W	7.21'
L31	N76°36'41"W	43.72'
L32	N02°28'25"E	27.59'

CURVE	DELTA	RADIUS	LENGTH
C1	12°21'48"	820.00'	176.94'
C2	30°39'55"	175.00'	93.66'
C3	55°52'56"	135.00'	131.67'
C4	12°21'48"	780.00'	168.31'





**Pacific International
Terminals**
A Carrix Enterprise

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Way Seattle
Washington 98134
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tel 206/623-0179
fax www.carrix.com

May 19, 2020

Whatcom County Sheriff's Office
Attn: Station Deputy
311 Grand Avenue
Bellingham, WA 98225

RE: No Trespassing Letter - Pacific International Holdings Property at Cherry Point

Dear Whatcom County Sheriff's Office ("WCSO"),

Following up on WCSO's May 11, 2020 request for submitting a "No Trespassing" letter (see **Exhibit A**), Pacific International Holdings, LLC ("PIH") owns 1097-acres of uplands and 14-acres of tidelands within the Cherry Point Industrial District in Whatcom County, Washington State (the "Property"). The Property is adjacent to the BP Cherry Point Refinery and ALCO Intalco Works. A boundary map of the property can be found in **Exhibit B** and a list of parcel numbers can be found in **Exhibit C**. All the Property in the exhibits are privately held. There are no public access agreements to the Property.

The Property has been experiencing an increase in unauthorized uses and trespassing specifically at the Gulf Road beach and behind the gate at Henry Road. We have reported illegal dumping, abandoned vehicle, cutting firewood, setting beach fires, property destruction by ATVs and 4x4 trucks and the use of firearms, alcohol and drugs on the Property. The Property owners do not allow any of these activities.

Please note, the Property owners do not have a cooperative hunting agreement with Washington Department of Fish & Wildlife and do not have a public access agreement to any of our property, including upland, shoreline and tidelands. Whatcom County has a 40' easement across PIH's property for the Gulf Road. There is no public access granted beyond this 40' right of way. We are working to control unauthorized and illegal uses of our property and are requesting extra patrols from Whatcom County Sheriff to help reduce incidents of trespass. Currently we have three open case numbers. They are:

- 20A14087 Hit and run, Trespass
- 20A14205 Trespass
- 20A14169 Cutting wood

These activities pose a security risk to the neighboring property owners, their facilities, employees and a safety risk to our employees and contractors working on the site, in addition to creating damage to the Property and a liability issue. To protect the Property, we are replacing the No Trespassing, No Parking and No Hunting signs that have been removed or damaged.

If the WCSO has questions or want to discuss security issues at Cherry Point, please don't hesitate to call me at (206) 654-3510. Thank you for your assistance.



**Pacific International
Terminals**

A Carrix Enterprise

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Sincerely,

Skip Sahlin

cc: BP Cherry Point FSO



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Exhibit A: WSCO Letter Request

-----Original Message-----

From: crimereport@co.whatcom.wa.us <crimereport@co.whatcom.wa.us>
Sent: Monday, May 11, 2020 11:45 AM
To: Skip Sahlin <Skip.Sahlin@SSAMarine.com>
Subject: Crime Report Incident

We are unable to accept the report you recently filed with the Sheriff's Office. The reviewing deputy made the following comments regarding the reason for not accepting the report:

Good Morning Sir,
Please submit a "No Trespassing" letter and mail the hard copy to:
Whatcom County Sheriff's Office
311 Grand Ave.
Bellingham, WA.98225
Attn: Station Deputy

WCSO requires a written letter on file. Thank you and have a great day.

Thank you.

-----Original Message-----

From: crimereport@co.whatcom.wa.us <crimereport@co.whatcom.wa.us>
Sent: Friday, May 8, 2020 4:28 PM
To: Skip Sahlin <Skip.Sahlin@SSAMarine.com>
Subject: Crime Report Incident

Thank you for using our online reporting system. Your report has been received by the Sheriff's Office, and will be reviewed as soon as possible.

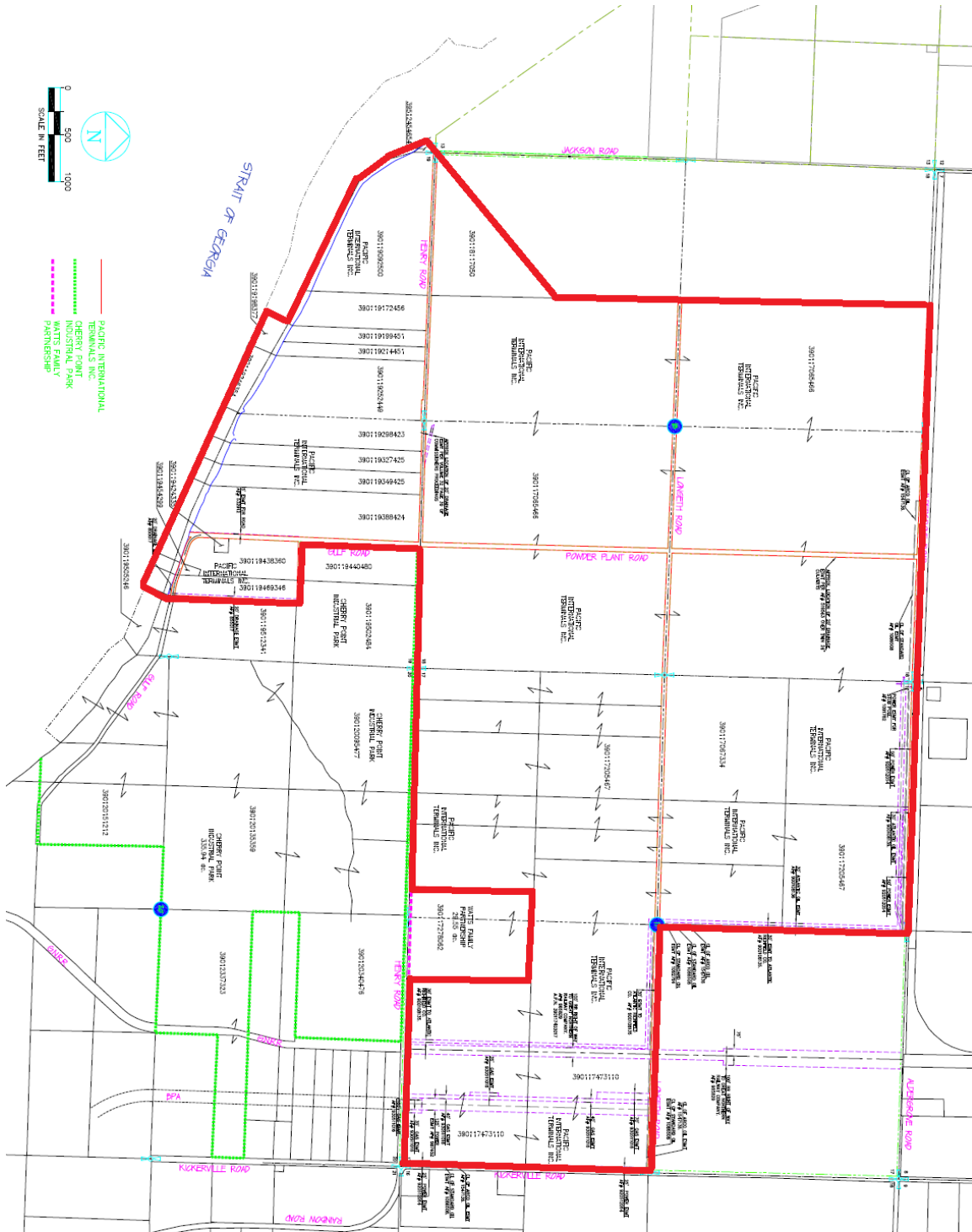
If further information is necessary you will be contacted by either phone or email. If you need to contact the Sheriff's Office please call 360-778-6600.



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Exhibit B: Pacific International Holdings Parcel Map





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Terminals**
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Exhibit C: Pacific International Holdings Parcels

Cherry Point Property

Pacific International Holdings, LLC

#	Property ID	Parcel		Upland Acre	Tideland Acre	Type	Ownership
		Township	X Y				
1	87578	0390117	473 110	71.00	0.00	9130	Pacific International Holdings, LLC
2	87567	0390117	067 334	177.72	0.00	9130	Pacific International Holdings, LLC
3	87570	0390117	205 467	148.46	0.00	9130	Pacific International Holdings, LLC
4	87566	0390117	065 466	510.29	0.00	4911	Pacific International Holdings, LLC
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18	87604	0390119	469 346	6.66	1.04	9130	Pacific International Holdings, LLC
19	87589	0390119	092 500	32.63	0.00	9130	Pacific International Holdings, LLC
20	87590	0390119	172 456	11.96	0.00	9130	Pacific International Holdings, LLC
21	112880	0395124	546 546	0.30	0.00	9130	Pacific International Holdings, LLC
		Total		1097.07	13.84		