



Western States Petroleum Association
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NW Region

July 12, 2018

Via email: pds_planning_commission@whatcomcounty.us

Whatcom County Planning Commission
Northwest Annex Conference Room
5280 Northwest Drive
Bellingham, WA 98225

Re: WSPA Comments on the Proposed Repeal of the Cherry Point Ferndale Subarea Plan and Related Comprehensive Plan Amendments

Honorable Planning Commission Members:

The Western States Petroleum Association (WSPA) appreciates the opportunity to provide comments on the Planning Commission's proposal to repeal the Cherry Point Ferndale Subarea Plan (Subarea Plan) and the related proposed Comprehensive Plan amendments. WSPA is a non-profit trade association representing companies that explore for, produce, refine, transport, and market petroleum and petroleum products in five western states, including Washington. WSPA members have operated refineries along Cherry Point in Whatcom County for decades. This area provides key energy and emergency infrastructure as recognized by various city, state, and federal documents and is a regional hub for energy production and distribution.

WSPA has concerns about the proposed repeal of the current Subarea Plan, which has been in place since 1981. Although the adoption of the Growth Management Act and the subsequent adoption of the Whatcom County Comprehensive Plan in 1997 may have made certain portions of the Subarea Plan unnecessary, other portions of the Subarea Plan still play an important role in planning for the Cherry Point Ferndale Subarea.

Certain Subarea Plan policies are not enumerated in the current Comprehensive Plan; thus, any repeal of the Subarea Plan would leave a gap in zoning policy for the Cherry Point area. WSPA is specifically concerned that the proposed repeal of the Subarea Plan will create gaps in the planning policy for the Cherry Point Heavy Impact Industrial area because the Subarea Plan contains policies that have been used for decades in making land use decisions within the Cherry Point Ferndale Subarea; however, these policies do not appear in the current Comprehensive Plan.

Most significantly, the Subarea Plan has long recognized the need to continue to expand and grow industrial uses in the Heavy Impact Industrial area. In addition, the Subarea Plan acknowledges and "emphasizes" the development of ocean cargo terminal facilities. This important policy planning guidance is currently absent from the Comprehensive Plan.

Specifically, the following elements of the Subarea Plan are absent from the Comprehensive Plan:

- Under the Subarea Plan, industrial use is concentrated in the Cherry Point Ferndale Subarea, where the “potential exists for continued development based upon deepwater port, rail and road access.” *See* Subarea Plan at page 5. This statement is an acknowledgement that concentrating and expanding industrial uses within the Cherry Point Ferndale Subarea has been a planning preference for almost 40 years.
- The Subarea Plan also acknowledges the need to plan for expansion of these existing uses and incorporates Whatcom County’s commitment to provide these opportunities for expansion within this existing industrial area:
 - “In designating a large land area for industrial uses at Cherry point, Whatcom County has acknowledged a commitment to provide a supply of vacant land capable of development, to meet the demand for heavy manufacturing uses that are anticipated for the planning period.” *See* Subarea Plan at 21.
 - “Unique features such as deepwater access for ocean going shipping should also be considered in site selection.” *See* Subarea Plan at 21.
 - Policy 1.02 states “It shall be the policy of Whatcom County to monitor the vacant industrial property to assure a sufficient supply for the anticipated future demands.” *See* Subarea Plan at 39.
 - Policy 1.06 states “In recognition of the desirable natural features of the deep water accessibility and large contiguous upland areas, it shall be the policy of Whatcom County to emphasize development of public and private multi-purpose ocean cargo transfer terminal features in the Heavy Impact Industrial area, and further that such facilities, as well as other proposed water dependent and industrial uses, be consistent with the policies and regulations of the Whatcom County Shoreline Master Program.” *See* Subarea Plan at 40.

Accordingly, we request that the Planning Commission defer the repeal of the Cherry Point Ferndale Subarea Plan unless and until these policies are incorporated into the current Comprehensive Plan.

Thank you for your consideration of WSPA's comments. We welcome any questions or comments you might have. Please contact me or the Senior Coordinator for the Northwest Region of WSPA, Holli Johnson at (360) 352-4506 or by email at hjohnson@wspa.org.

Sincerely,



cc: Jodie Muller, WSPA