

From: [Council](#)
To: [Barbara Brenner](#); [Barry Buchanan](#); [Rud Browne](#); [Satpal Sidhu](#); [Timothy Ballew](#); [Todd Donovan](#); [Tyler Byrd](#)
Cc: [Becky Boxx](#); [Dana Brown-Davis](#); [Jill Nixon](#); [Kristi Felbinger](#); [Marina Engels](#); [NaDean Hanson](#)
Subject: FW: Cherry Point development moratorium
Date: Wednesday, August 22, 2018 1:34:50 PM

From: Satpal Sidhu
Sent: Wednesday, August 22, 2018 1:27 PM
To: jd.reimer@comcast.net
Cc: Matt Aamot; Mark Personius; Council
Subject: Re: Cherry Point development moratorium

Dear James,

Thanks for your thoughtful email on the subject. I noticed that you have referred to "complete or total moratorium" several times. May I suggest you to review the Interim Ordinance on the County Website once again I am not sure what lead you to think it suggest total moratorium in any manner. County Government has very limited jurisdiction on the matter of public safety, environmental safety, transportation impacts on local population, land use regulations and protect / limit local government from liability exposure. The current proceeding are to rescind the temporary moratorium and once the County code is revised to ensure the above mentioned protections.

Thanks,

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Member Whatcom County Council
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From: Council
Sent: Wednesday, August 22, 2018 8:18 AM
To: Barbara Brenner; Barry Buchanan; Rud Browne; Satpal Sidhu; Timothy Ballew; Todd Donovan; Tyler Byrd
Cc: Becky Boxx; Matt Aamot; Mark Personius
Subject: FW: Cherry Point development moratorium

From: James Reimer [mailto:jd.reimer@comcast.net]
Sent: Wednesday, August 22, 2018 7:01 AM
To: Barbara Brenner; Tyler Byrd
Cc: Council
Subject: Cherry Point development moratorium

I am writing to you in particular because as a resident of Ferndale and Custer I was in the old 3 district (making you my representative). I am a professional engineer who has worked for Anvil and Veco for 40 years, most of that time in supporting the local refineries (so I will admit I'm not unbiased). Much of my career concerns risk analysis and safety systems. In that time I have observed first-hand the challenges of keeping a facility operating safely and effectively. I have also helped implement improvements to make both plants safer and up to current industry best practice. As top tier international organizations, both Phillips and BP hold themselves to high ideals with regard to safe plant operation. And let's face it: fires and spills are bad for profits.

I can appreciate your challenge in developing public policy especially around our polarized energy debate here in Whatcom County, nationally and globally. Attending the council meeting of 8 August 2018 I can see that we are strongly divided with little common ground. Transporting large quantities of flammable material has risks and science has shown that human activity is altering the earth's eco-systems however I feel a total moratorium is an imperfect instrument to accomplish the long term goal and impractical in the transition between now and any "post-oil" future.

Both Whatcom refineries have more than doubled their throughput in the 40 and 60 years of their existence. Yes, there is a risk of catastrophic environmental damage and the risks are present with every unit train and tanker. Thankfully, Mary Kay Becker's Super Spill has not come to pass but remains an ever-present risk. Projects often promise it will only be 1 unit train per day or one tanker per week. These incremental changes add up over extended periods. I would support a limit on large expansion projects or exporting raw products extracted in the United States but I also support allowing some flexibility as to existing facility throughput. If the old permitting process had limitations or somehow did not look broadly enough these issues should be addressed.

Expansion of the refineries roughly matches population growth both in Whatcom county and state-wide. Energy is consumed by individuals who make personal choices by driving to work, living in single-family homes and purchasing manufactured items. We all consume energy and (some of us) seem to think it will arrive at our doorstep pure and untainted. Electricity from dams kills fish, burning coal emits greenhouse gas and nuclear power plants create hazardous waste. The hydrogen economy was going to be the next big thing until

people realized it would (in the short term) increase coal-fired power generation. We either have to stop consuming or acknowledge that we have an impact on the earth's ecosystems. There are 7 billion of us on the planet (too many of us to all live in some idyllic village) so the "stop consuming" option seems to be off the table. We have already overfished most of the world's waters: so we cannot all become subsistence fishers.

Contrary to what my liberal friends think or say, fossil fuels are not being foisted off on us. Fossil fuels are consumed by individuals acting (mostly) with free will. If 100 mile per gallon carburetors really worked, someone else would have invented them – patents and GM notwithstanding. If electric cars are the obvious answer, how come Tesla can't seem to produce them in the numbers projected? And who can afford an \$80,000 car anyway; especially on Whatcom County's \$50,000 average household wage? Wind and solar energy sources have not rapidly replace tradition power sources because the engineering is challenging and the social issues are complicated.

The council should do all it can to maintain Whatcom County's vibrant economy. Policy should be flexible enough to adapt to change but also be practical for our current situation. Free-market economics does not guarantee you a job when conditions change. I do not feel Whatcom County should bend over backwards to either subsidize unprofitable industries, or to entice the next high-tech wonder industry with tax cuts and the promise of low wages. Georgia Pacific was closed because it was an old process and was unprofitable not because of environmental zealots. Refineries may not be the latest high tech industry but they are making efforts to stay current and to meet current environmental norms.

The industries at Cherry Point distribute their products throughout Washington and Oregon. If population growth continues and per capita energy consumption is not radically reduced -not just here but throughout the region - we are in effect telling Seattle and Portland and the rest of the region they need to change their ways. Or as Mark Twain put it: nothing needs reforming more than other people's habits. So before we start telling others how to live their lives I would ask: "If Whatcom county is such a great steward of the environment,

- How come our stretch of I-5 is stop-and-go every night: aren't there realistic alternatives to individual, single-occupancy vehicles? And why don't more people choose those options?
- How come we force people out to the mall(s) on the city periphery rather than develop a walk-able urban core? How come the old Penney's building is still vacant after 30 years?

A total moratorium is a blunt instrument to achieve the desired goals certainly in the short term and probably in the long term. As one speaker mentioned, "unrefined fossil fuels" is ill-defined. Any propane or butane exported from BP or Phillips has been distilled (at least)

twice making it more refined than many other liquid products. Also there are many intermediate products that are imported or exported. How do they fit in the overall picture?

A moratorium stops the clock on change and locks the refinery into its current slate. Even if safer or more efficient ways are developed there is little incentive to modernize. Many of the EPA's regulations are triggered by plant modifications. By not allowing change, a moratorium focusing only on liquids could have the unintended consequence of adversely affect air quality and increasing greenhouse gases. A strict moratorium also locks the plants into their current import / export profile potentially invoking a "use it or lose it" attitude that dominates much of our water use debate.

From a policy standpoint a complete moratorium is a lot of stick and not much carrot. You expect people to be good citizens and reduce energy consumption while not supporting or providing doable short term steps we all can all take. Instead you are trying to rehabilitate us by cutting off supply. I find it ironic that the people who would regard 1920's prohibition or the interdiction part of the war on drugs (where we send military personnel to Mexico or Columbia) as abject failures, want to do much the same thing by limiting our fossil fuel supply. It didn't work before and it is unlikely to work in this instance. If you are going to treat fossil fuels as an addiction then we need more personal action and less interdiction. The county can do its part by providing realistic alternatives to help us reduce our carbon footprint. Many of the speakers Wednesday-before-last (on both side of the room) were long on idealism and short on near term practical steps. One could infer our only choices are fossil fuels forever or an immediate leap to a post fossil fuel future. Neither position makes for good policy. We need to have ideals to guide us but we also need practical things individuals can do to be responsible citizens. Ignoring the current realities and only focusing on a perfect future leads to well-intentioned but impractical policy.

Thank you for your service and for your consideration.

James Reimer