

From: [Council](#)
To: [Barbara Brenner](#); [Barry Buchanan](#); [Carol Frazey](#); [Rud Browne](#); [Satpal Sidhu](#); [Todd Donovan](#); [Tyler Byrd](#)
Cc: [Mark Personius](#); [Matt Aamot](#); [Ashley Ubil](#); [Becky Boxx](#)
Subject: FW: It's essential that we strengthen the Cherry Point draft ordinance
Date: Tuesday, July 09, 2019 8:33:12 AM

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

From: Irosen@rosenlewis.com [<mailto:Irosen@rosenlewis.com>]
Sent: Friday, July 05, 2019 6:48 PM
To: Council
Subject: It's essential that we strengthen the Cherry Point draft ordinance

Dear Whatcom County Council,

I'm writing to encourage you to improve the protections for our community, our climate, and the Salish Sea in the draft Cherry Point ordinance prepared by Cascadia Law. We need stronger regulations protecting our community from the potentially harmful impacts of fossil fuel infrastructure projects at Cherry Point while safeguarding workers, the climate, and the economy.

The temporary moratorium on new projects to facilitate unrefined fossil fuel transshipment has been an important step, thank you for your leadership in implementing that policy. We passed that moratorium to give us time to get the permanent rules right. I urge you to support the following improvements to the draft circulated before your June 18th meeting.

Do not allow expansion of fossil fuel production capacity without, at least, a conditional use permit. The current formula (section 60.28.801) allowing some projects to skate-by with a lower regulatory standard is complicated, difficult to administer and bad policy. We cannot achieve our climate protection goals while polluting industries are allowed continuous expansion as a permitted use.

Strengthen SEPA provisions. An EIS is our community's best opportunity to find out the risks and impacts of a project before it's permitted. Whatcom County should provide clear guidelines for administrators about how our community wants the State Environmental Policy Act to be implemented in our community. Please specify which kinds of impacts will require a full EIS, how the staff should document these decisions, and details of what analysis should be included when an EIS is required.

Include biofuels. It may be true that some biofuel projects have environmental benefits. But that isn't always true. We should be cautious and hold them to the same standards and examine the real impacts. If they really are better projects, the additional scrutiny won't hold them back. We also need to ensure that biofuel projects can't later be converted to fossil fuel projects.

Thank you for your consideration of these important change and your thoughtful leadership on this important issue.

Sincerely,

Lance Rosen