

**From:** [Council](#)  
**To:** [Barbara Brenner](#); [Barry Buchanan](#); [Carol Frazey](#); [Rud Browne](#); [Satpal Sidhu](#); [Todd Donovan](#); [Tyler Byrd](#)  
**Cc:** [Mark Personius](#); [Matt Aamot](#); [Becky Boxx](#); [Cathy Halka](#); [Dana Brown-Davis](#); [Jill Nixon](#); [Kristi Felbinger](#); [Lisa Bruner](#); [NaDean Hanson](#)  
**Subject:** FW: AB2019-597 - Phillips 66 Letter - 12-3-19  
**Date:** Tuesday, December 03, 2019 10:05:59 AM  
**Attachments:** [Whatcom County Letter 12-3-2019.pdf](#)

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**From:** Johnson, Tim [mailto:[tim.d.johnson@p66.com](mailto:tim.d.johnson@p66.com)]  
**Sent:** Tuesday, December 03, 2019 9:53 AM  
**To:** Council  
**Cc:** Jack Louws; Rhinehart, Jolie:  
**Subject:** AB2019-597 - Phillips 66 Letter - 12-3-19

Dear Whatcom County Council:

Please find attached a copy of the December 3, 2019 letter from Phillips 66 Ferndale Refinery to the Council regarding AB2019-597, the currently proposed Ordinance extending the County's moratorium on new or expanded fossil fuel shipment facilities in the Cherry Point UGA.

Thank you.

Tim Johnson  
Director, Public & Government Affairs

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Ferndale Refinery | 3901 Unick Road | Ferndale, WA 98248



Jolie A. Rhinehart  
Refinery Manager

Phillips 66  
Ferndale Refinery  
P.O. Box 8 Ferndale, WA 98248  
Phone 360.384.1011



December 3, 2019

Whatcom County Council  
311 Grand Avenue, Suite #105  
Bellingham, WA 98225-4038  
**Via Email:** council@co.whatcom.wa.us

**RE: Proposed Ordinance AB2019-597**

Honorable Council Members:

Phillips 66 Company ("Phillips 66") provides the following brief comments on AB2019-597, the currently proposed Ordinance extending the County's moratorium on new or expanded fossil fuel shipment facilities in the Cherry Point UGA. Phillips 66 urges the Council not to adopt an eighth extension to the moratorium.

As stated in previous Phillips 66 comments to the County's previously proposed and adopted extensions, this ordinance violates both state and federal law and is inconsistent with the County's comprehensive plan policies.

Further, RCW 36.70A.390 only authorizes temporary measures. While "one or more" six-month renewals are allowed under RCW 36.70A.390, it appears that the Council, with numerous extensions, is using this option to make what are supposed to be temporary measures permanent.

Phillips 66 has been working and will continue to work with the County Planning Commission and Planning & Development Services Department to provide input on our significant concerns associated with the County's proposed code amendments.

Best regards,

A handwritten signature in black ink that reads "Jolie Rhinehart". The signature is written in a cursive, flowing style.

Jolie Rhinehart