

**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
January 16, 2020**

Work Session

1

1 **Call to Order**

2 The meeting was called to order by Whatcom County Planning Commission Chair,
3 Kelvin Barton, in the Whatcom County Council Chambers at 6:30 p.m.

4 **Roll Call**

5 **Present:** Robert Bartel, Kelvin Barton, Atul Deshmane, Gary Honcoop, Stephen
6 Jackson, Kimberley Lund, Jon Maberry, Natalie McClendon, Dominic Mocerì

7 **Staff Present:** Cliff Strong, Matt Aamot, Mark Personius, Ashley Ubil

8 **Department Update**

9 Mark Personius announced the official determination of significance on the Green Apple
10 Renewable Fuels Facility project. This is the proposal out at Phillips 66 to build a new
11 refinery that would focus on renewable diesel fuels. Whatcom County and the
12 Department of Ecology are co-leads for this under SEPA. The environmental review
13 process kicked off today.

14 Personius indicated that the meeting packet contains a staff proposal based on the
15 Planning Commission's direction to follow the Energy Facility Site Evaluation Council
16 (EFSEC) approach.

17 **Public Comment**

18 The Commission does not take public comment during a work session.

19 **Timestamp: 9:43**

20 **Commissioner Comments**

21 Commissioner Maberry stated that he met with a number of people from BP as well as
22 Phillips 66 to talk about the EFSEC approach or volumetric approach for definitions.

23 Commissioner Barton stated that he had a couple of phone calls with Pam Brady from
24 BP about items on tonight's agenda.

25 **Timestamp: 10:52**

26 **Work Session**

27 **File #PLN2018-00009: Whatcom County Comprehensive Plan and County**
28 **Code proposed amendments primarily relating to fossil fuel and renewable**
29 **fuel refineries, storage, transshipment facilities, piers, and other related**
30 **facilities in industrial zones, including but not limited to industrial zones**
31 **within the Cherry Point Urban Growth Area.**

32 Matt Aamot, representing Planning and Development Services, provided an updated
33 chart comparing some of the main components of the original Council proposal to the
34 existing heavy impact industrial zone. He gave a status update of decisions the
35 Planning Commission made thus far, as well as items still needing to be addressed. He
36 then summarized the items noted in the staff memo.

37 **Timestamp: 26:17**

**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
January 16, 2020**

Work Session

2

1 **Commissioner Maberry moved** that renewable fuel facility expansions be moved
2 from a conditional use permit (CUP) to a permitted use as long as the expansion is for
3 renewable fuels.

4 **Commissioner Barton seconded the motion.**

5 **The motion passed. (Aye-9, Nay-0, Abstain-0)**

6 Industry representatives recommended using maximum crude atmospheric distillation
7 capacity as a measurement.

8 Commissioners discussed the bullet points under .153 of the staff memo.

9 **Timestamp: 1:06:28**

10 **Commissioner Maberry moved** to change bullet 1 under .153 to: Cumulatively
11 increases its maximum crude atmospheric distillation capacity* of fossil fuels ~~into~~
12 refined product **by more than 10,000 barrels (or 420,000 gallons) per day based
13 upon an evaluation of physical equipment limitations conducted by a licensed
14 professional engineer.

15 **Commissioner Honcoop seconded the motion.**

16 *Industry will provide a definition for atmospheric distillation capacity.

17 **The language "into refined product" was removed from this motion by consensus.

18 **Timestamp: 1:11:53**

19 **Commissioner Jackson suggested a friendly amendment to the motion to**
20 **delete bullet 2 because the new bullet 1 covers both.**

21 **Commissioner Deshmane seconded the motion.**

22 **Timestamp: 1:16:04**

23 **Commissioner Jackson withdrew his motion to amend. Commissioners agreed**
24 **by consensus.**

25 **The original motion passed. (Aye-9, Nay-0, Abstain-0)**

26 **Timestamp: 1:50:31**

27 **Commissioner McClendon moved to amend** bullet 2 to read "Cumulatively
28 increases the maximum transshipment capacity of the facility by more than 10,000
29 barrels (or 420,000 gallons) per day" and delete bullet 3.

30 **Commissioner Mocerri seconded the motion.**

31 **The motion passed. (Aye-9, Nay-0, Abstain-0)**

32 **Timestamp: 1:56:41**

33 **Commissioner Honcoop moved to amend bullet 4:** Cumulatively increases fossil
34 fuel storage tank capacity of the facility by more than 200,000 barrels (or 8,400,000
35 gallons).

36 **Commissioner Barton seconded the motion.**

**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
January 16, 2020**

Work Session

3

1 Commissioners entered into discussion and asked questions of industry representatives
2 from BP and Phillips 66, as well as Eddy Ury of Re Sources

3 **Timestamp: 2:17:05 and 2:20:41**

4 **Commissioner Maberry moved to amend the motion to:** *Cumulatively increases*
5 *fossil fuel storage tank capacity of the facility by more than 200,000 barrels (or*
6 *8,400,000 gallons) for unrefined shipment.*

7 **Commissioner Jackson seconded the motion to amend.**

8 **Timestamp: 2:30:52**

9 **The motion failed. (Aye-1, Nay-8, Abstain-0)**

10 **Commissioner Honcoop moved to amend bullet 4 (Restated from above):**
11 *Cumulatively increases fossil fuel storage tank capacity of the facility by more than*
12 *200,000 barrels (or 8,400,000 gallons).*

13 **Commissioner Mocerri seconded the motion.**

14 **Timestamp: 2:46:48**

15 **The motion passed. (Aye-5, Nay-1, Abstain-3)**

16 **Timestamp: 2:49:25**

17 **Commissioner Maberry moved that** *if an expansion requires a conditional use*
18 *permit or after 3 years a no conditional use permit has been required, a new baseline*
19 *for maximum crude atmospheric distillation capacity shall be set at the new level post*
20 *expansion as based on evaluation, physical equipment limitations conducted by a*
21 *licensed professional engineer.*

22 **Commissioner Honcoop seconded the motion.**

23 **Timestamp: 2:52:56**

24 **The motion was withdrawn.**

25 **Timestamp: 2:59:12**

26 **Commissioner McClendon moved that** *if a conditional use permit is obtained, the*
27 *baseline for determining the cumulative increases is reset.*

28 **Commissioner Barton seconded the motion.**

29 **The motion passed. (Aye-7, Nay-0, Abstain-2)**

30 **Timestamp: 3:06:55**

31 **Commissioner Maberry moved to** *remove "Cumulatively increases fossil fuel*
32 *storage tank capacity of the facility by more than 200,000 barrels (or 8,400,000*
33 *gallons)".*

34 **Commissioner Honcoop seconded the motion.**

35 **There was consensus to carry the motion forward to the next meeting.**

36 **Timestamp: 3:08:44**

**RECORD OF PROCEEDINGS OF THE
WHATCOM COUNTY PLANNING COMMISSION
January 16, 2020**

Work Session

4

1 **Adjournment**

2 The meeting was adjourned at 9:43 p.m.

3 Minutes prepared by Tammy Axlund.

4 WHATCOM COUNTY PLANNING COMMISSION ATTEST:

5

6

7

8

9 _____
Kelvin Barton, Chair

_____ Tammy Axlund, Secretary

DRAFT