

BEFORE THE SHORELINE ADMINISTRATOR FOR THE CITY OF HOQUIAM

Brian Shay, Shoreline Administrator

RE: Westway Terminal Company LLC
Tank Farm Expansion Project

Case No. : SMA 12-07

Shoreline Substantial Development
Permit

**FINDINGS OF FACT AND
CONCLUSIONS OF LAW OF THE
SHORELINE ADMINISTRATOR**

INTRODUCTION

Westway Terminal Company LLC has applied for a shoreline substantial development permit to construct and operate an expansion of its bulk liquid tank farm to be located on leased property owned by the Port of Grays Harbor, the property being a portion of Terminal 1. The project would be partially constructed/installed within 200 feet of the Ordinary High Water Mark (OHWM) of Grays Harbor. The Shoreline Administrator approves the application with conditions.

EXHIBITS

All exhibits as adopted are listed below and are incorporated herein by reference.

- Exhibit 1: Joint Aquatic Resources Permit Application Form (JARPA) dated November 30, 2012.
- Exhibit 2: SEPA Checklist dated February 19, 2013
- Exhibit 3: SEPA Checklist Appendices dated February 19, 2013
- Exhibit 4: SEPA Threshold Determination as published by the City of Hoquiam on April 4, 2013.
- Exhibit 5: Critical Areas Permit Checklist dated 12/3/2012

FINDINGS OF FACT

Procedural:

1. Application. The applicant filed an application for Shoreline Substantial Development with the City of Hoquiam on November 30, 2012. The City, acting

under its authority, acted as co-lead agency with the Department of Ecology for purposes of SEPA, and as lead agency for permits required under the Shoreline Management Act and local Shoreline Master Programs.

The City of Hoquiam and Department of Ecology issued the Responsible Officials' Amendments to the Environmental Checklist and SEPA Threshold Determination on April 4, 2013. The public comment period on the threshold determination ended on April 19, 2013.

Substantive:

2. Location: The proposed project would be located on County Assessor's tax Parcel No. 0564023000000 (within the City of Hoquiam) in Section 18, Township 17 North, Range 10 West of the Willamette Meridian and Parcel No. 029902000200 (within the City of Aberdeen) in Section 7, Township 17 North, Range 10 W.M., adjacent to the Chehalis River.
3. Current Use: The project site is currently a paved lay down yard and is partially occupied by a warehouse building. The Port and tenants use the site to store a variety of materials awaiting shipment by rail, truck or watercraft.
4. Proposed use: The applicant proposes to expand its existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains, and shipment of crude oil by vessel and/or barge from the Port of Grays Harbor Terminal #1. Four (4) internal floating roof storage tanks would be constructed on the site to the south of Westway's existing bulk storage tanks to provide storage for crude oil. The new tanks would each have a capacity of 200,000 barrels (8,400,000 gallons) for a project total storage capacity of 800,000 barrels (33,600,000 gallons). Each tank would be 150 feet in diameter and 64 feet in height. Each tank would sit on a concrete slab supported by pilings driven approximately 150 feet into the ground. The tanks would be surrounded by a concrete containment wall; the containment area would have the capacity to contain the total volume of a single tank plus an allowance for precipitation.

The existing rail facility on the site would be expanded from two (2) short spurs with a total of 18 loading/unloading spots to four (4) longer spurs with a total of 76 loading/unloading spots. The reconstructed rail area would be built on a sloped concrete slab such that spills of liquids would be contained and directed to a central sump for collection. The rail containment area would have the capacity to contain the total volume of a single rail car plus an allowance for precipitation. Construction of the expanded rail facility would involve demolition of an existing wood frame warehouse.

The terminal would receive up to 9,600,000 barrels of oil per year, equivalent to two unit trains (120 railcars), one loaded and one empty, every three days. An

estimated 60 ships or barges a year (120 entry and departure transits) would be used for outbound shipment of the crude oil.

A new pipeline would connect the new tanks, via an existing pipeline bridge, to the Port's Terminal #1.

The portions of the proposal that would be within 200 feet of the shoreline and therefore require this permit include a portion of the new pipeline connecting the tanks to the terminal, new loading arms and portions of a Marine Vapor Combustion System installed on the existing dock, and portions of the tank farm concrete containment wall. No in-water work is proposed.

5. Surrounding Uses. Adjacent property uses are industrial to the north, east, and west. The Chehalis River lies south of the project site.

6. Potential Impacts. The proposed project would not entail any in water work and therefore would not have any direct impacts on the Chehalis River. The following measures shall be employed to minimize or avoid water quality impacts:

- The applicant shall obtain coverage under the NPDES Construction Stormwater General Permit before site preparation begins.
- Best Management Practices (BMPs) shall be implemented to control potential erosion during site construction activities.
- The applicant shall obtain an NPDES Individual Discharge Permit. No waste materials shall be discharged to surface or ground waters. Stormwater shall be discharged to the existing Port of Grays Harbor stormwater system.
- The applicant shall prepare and follow a Stormwater Pollution Prevention Plan to prevent and control the introduction of silt, sand, and other contaminants into stormwater runoff.
- Precipitation falling inside the tank storage area shall be collected and tested before being released into the stormwater system.
- The applicant shall prepare and maintain USCG-approved Facility Security Plan and Facility Response Plan; Environmental Protection Agency-approved Facility Response Plan and Spill Prevention Control and Countermeasure Plan; and Department of Ecology- approved Oil Spill Prevention Plan and Oil Spill Contingency Plan. The approved response and contingency plans shall be implemented in the case of any spill or accidental discharge of crude oil.
- The Geographic Response Plan (GRP) for Grays Harbor shall be implemented as part of the facility's Spill Contingency Plan.
- To reduce the potential for accidental releases of crude oil from the facility, the bulk liquid storage tanks and all associated piping shall be constructed to all applicable engineering standards, including but not limited to International Fire Code and Washington Facility Design standards, API 650 and 653 standards, and NFPA No. 30 standards.

- The tank and rail spur facilities shall be equipped with concrete containment areas adequate to contain a potential spill plus an allowance for precipitation. The terminal dock shall be equipped with a curbing system as required by the USCG.
- The storage tanks shall include high and high-high level alarms.
- The applicant shall file an Emergency Action Plan and Hazardous Materials Management Plan with the local fire department.
- In order to mitigate the risk of a spill impacting waters of the state, the applicant must ensure spill response equipment caches are positioned in Department of Ecology-approved locations near identified sensitive areas such as the Chehalis River and near wetlands.
- Prevention and response actions for spills to water shall be identified in the Spill Prevention Control and Countermeasure Plan, Spill Prevention Plan, and Contingency Plan as required by 40 CFR 112, WAC 173-180, and 173-182.
- The dock shall be constantly attended by a terminal operator during all loading operations that shall be able to stop a transfer immediately.
- During all oil loading operations, a spill response team, skimming equipment and boom shall be stationed 1,000 feet downstream at a boat ramp.
- Pre-booming of all oil transfers over water is required, if booms can be deployed safely and effectively. Because the Chehalis River typically has a strong current and debris present, if pre-booming cannot be safely conducted, alternative measures are required.
- The Grays Harbor planning standard in WAC 173-182-405 specifies time and equipment requirements, including boom that is capable of encountering oil at advancing speeds of at least 2 knots in waves and appropriate for the operating environment. This standard shall be required in the facility's Spill Contingency Plan.
- All crude oil tankers and oil barges shall be covered by the oil spill contingency plan held by Washington State Maritime Cooperative and approved by Ecology.
- The U.S. Coast Guard and Ecology shall be given advance notice of departure of all outbound crude oil vessels.
- Pilots shall schedule the departure of loaded vessels to coincide with the high tide to prevent the potential for grounding.
- All tankers shall have a pilot on board from the 3 mile nautical limit offshore to the dock at Terminal #1.
- The Port of Grays Harbor and the pilots shall coordinate all commercial traffic (specifically, ships requiring pilots and/or tugs or oil barges) in Grays Harbor and shall not allow any other vessel traffic in the ship channel from the terminal to the 3 nautical mile limit offshore when vessels loaded with crude oil depart the terminal. Two tugs shall accompany all loaded outboard crude vessels from the terminal to 3 nautical miles offshore and provide assistance if needed. A third tug shall also be available.

- A location at buoys 13 and 14 in the harbor has been identified as a suitable safe mooring area in the case of a vessel emergency. Tugs shall assist in maneuvering the vessels to the mooring area if needed.
- Minor spills shall be cleaned up immediately using adsorbents, pads, or other appropriate materials.
- All materials used in cleanup shall be disposed of properly.
- The applicant shall ensure that all personnel working on the site during construction and operations receive all applicable training regarding the safe handling, use, and storage of crude oil.
- The applicant shall comply with all applicable federal, state, and local safety requirements pertaining to the proposed site functions and operations.
- Receipt, storage, and outbound shipment of crude oil shall not exceed 9,600,000 barrels of oil per year. The applicant shall submit to the Shoreline Administrator, on an annual basis, appropriate records verifying the volume of crude oil received, stored, and shipped from the facility. Receipt, storage, or shipment of crude oil exceeding 9,600,000 barrels per year shall require separate SEPA review.

7. Waterbody. The Chehalis River at the project location is on the State's 303(d) List of impaired waterbodies as a Category 2 water for pH and temperature. Category 2 waters do not require development of Total Maximum Daily Load (TMDL) limitations at this time.
8. Wetlands. No material would be placed in wetlands.
9. Structures. Structures to be placed in the shoreline zone consist of portions of product transmission pipelines running from the tank farm to the marine terminals, new loading arms and portions of a Marine Vapor Combustion System installed on the existing dock, and portions of the tank farm concrete containment wall, all as shown in Figure 2 of the application.
10. Fill. No fill material would be placed in surface waters or wetlands
11. Excavation/Dredging. No excavation or dredging would be required for the proposed action.
12. Timeline. Construction was originally proposed to begin in April of 2013. Construction is now estimated to begin upon successful completion of all necessary building and environmental permits.
13. Shoreline Designation. The subject property is classified as Urban Environment.
14. SEPA Environmental Checklist. A SEPA Environmental Checklist was submitted to the City of Hoquiam on February 19, 2013. The City acted as co-

lead agency with the Department of Ecology for SEPA review of this application. A Mitigated Determination of Nonsignificance was issued on April 4, 2013 and the public comment period concluded April 19, 2013.

15. Floodplain Impacts. This facility is not located in a floodplain and will not have any impacts on the floodplain.

16. Public Benefit of Proposal. Pursuant to HMC 11.04.060, water related industries are classified as a Permitted Shoreline Use. The purpose of the transmission pipeline delivery system constructed in the shoreline zone is to provide a pathway for stored materials to be shipped by waterborne transport vessels for delivery to market. The proposed facilities are therefore "water-related industries." Because the Hoquiam Municipal Code has been formally adopted by the City of Hoquiam as policy, the proposed project is deemed to be in the public interest.

CONCLUSIONS OF LAW

Procedural:

1. Authority of Shoreline Administrator. HMC 11.04.180(5)(b) provides that the Shoreline Administrator shall evaluate the application and collect all relevant data and communications from persons and agencies wishing to express views on the application during a thirty (30) day review period. HMC 11.04.180 (5)(c) requires the Shoreline Administrator to issue a final decision in written form at the end of this review period.

Substantive:

2. Applicable HMC Criteria and Application. Chapter 11.04 of the Hoquiam Municipal Code governs the criteria for shoreline substantial development permits. The applicable criteria are included below and are applied via Conclusion of Law:

HMC 11.04.180(1), Permits. HMC 11.04.180(1) requires that permits be obtained for "substantial development" HMC11.04.030(2) defines "substantial development" as development in which the total cost or fair market value exceeds five thousand dollars. The applicant has submitted a complete application for a Shoreline Substantial Development Permit to the City of Hoquiam. Therefore this criterion is satisfied.

HMC 11.04.060, Siting Regulations. HMC 11.04.060(2)(m) designates "water

-related industries” as a Permitted Shoreline Use. The proposed raw materials storage tank farm would be classified as “water-related industries” Therefore, this criterion is satisfied.

HMC 11.04.080, Earth Changing Regulations. HMC 11.04.080(2) specifies that protection from siltation and erosion shall be provided for all earth changing acts. The applicant has stated that it will develop a Temporary Erosion and Sediment Control Plan and Stormwater Pollution Prevention Plan and implement Best Management Practices (BMPs) to control erosion and prevent siltation during construction. Therefore, this criterion is satisfied.

HMC 11.04.100, Restoration of shoreline areas – defined. HMC 11.04.110 defines “restoration of shoreline areas” as “returning the area to its natural state, or cleaning up the area to remove litter, debris, abandoned structures, and pilings to present a neat and tidy appearance.” The latter definition applies to the proposed project. In order to satisfy the criterion, the applicant shall be required to remove all litter and construction debris from the shoreline area at the completion of project construction and equipment installation.

HMC 11.06.030, Compliance with Critical Areas Protection. HMC 11.06.030 requires that “all public and private land uses in the City of Hoquiam shall comply with the requirements of this Article as a condition to any project permit application granted under titles 9, 10, or 11 of the Hoquiam Municipal Code”

HMC 11.06.060, Technical Assessments. HMC 11.06.060 requires that each project proposal occurring in the area potentially having critical areas present on or near the project site conduct a critical areas assessment to determine if the proposal will affect any critical area or critical area buffer. “It shall be the responsibility of the applicant to provide the City with appropriate technical assessments and reports prepared by a qualified expert, if necessary, to fulfill the requirements of an application for a project permit review or threshold decision under Titles 9, 10, or 11 of the Hoquiam City Code or any other city, state, or federal laws.”

Grays Harbor Estuary Management Plan. The Grays Harbor Management Plan is as incorporated into the City of Hoquiam Municipal Code in January of 1986. The goal of the Plan provides that “there are three policy levels in the Grays Harbor Estuary Management Plan. The first level is a single, broad policy entitled the **Estuary Management Goal.** The goal sets forth the concept of balance of development and preservation of the estuary (see section entitled Plan Concepts). The goal which says in part that “The Grays Harbor estuary will be managed for multiple uses.....”

The area occupied by the Westway including the proposed expansion is within Management Unit 15 Planning Area III which is designated as Urban Development (UD). The management objective of this area "...will serve as one of the principal areas for heavy industrial expansion for the Grays Harbor Region. The emphasis on use will be for water related and dependent uses and redevelopment of already development lands." The proposed Westway Expansion appears to fall in the category of allowed uses and objectives for the Management Unit.

3. Applicable WAC Provisions: WAC 173-27-140 and WAC 173-27-150 specifically apply to this project. All provisions identified in this Conclusions of Law are quoted and applied below.

WAC 173-27-140, Review Criteria for All Development, WAC 173-27-150 and Review Criteria for Substantial Development Permits contain criteria that apply to this proposal. They are summarized as follows:

WAC 173-27-140, Review Criteria for All Development:

- (1) *No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.*

WAC 173-27-150, Review Criteria for Substantial Development Permits:

- (A) *A substantial development permit shall be granted only when the development proposed is consistent with:*
- (a) *The policies and procedures of the act;*
 - (b) *The provisions of this regulation; and*
 - (c) *The applicable master program adopted or approved for the area.*
4. WAC 173-27-140 and WAC 173-27-150 Compliance: The "policies and procedures of the act" referenced above have already been addressed in the procedures used to review the subject shoreline substantial development permit application. These procedures are fully compliant with state and local regulations. Likewise, the proposed project has been deemed to be consistent with the "policy and provisions of the Shoreline Management Act and the master program." Local master program compliance is established in HMC 11.04.010, in which the "Grays Harbor Estuary Plan" dated January 1986, is adopted as an amendment to the Hoquiam Shoreline Management ordinance.

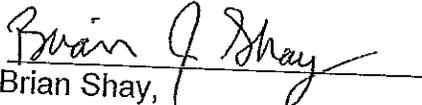
5. Shoreline Substantial Development Application Complies with All Required Criteria: The proposed development complies with all required criteria for issuance of a Shoreline Substantial Development Permit. The proposed project complies with and is consistent with the policies of the Hoquiam Municipal Code and state shoreline management regulations.

DECISION

Based on the documents and exhibits submitted into the record and the previously made Findings of Fact and Conclusions of Law, the Shoreline Substantial Development Permit requested by the applicant is hereby **APPROVED**, subject to the following conditions:

1. The applicant shall adhere to all mitigation measures specified in item #6 of the Findings of Fact, above, to avoid and minimize potential water quality impacts.
2. The applicant shall obtain and comply with all other applicable permits and authorizations resulting from this proposal including, but not necessarily limited to, compliance requirements of the City of Hoquiam Building Official, the City Fire Chief, City Police Chief, the City water, sewer and street Departments.
3. The applicant and its contractor(s) shall comply with all other applicable federal, state, and local regulations not otherwise specifically identified herein.
4. The applicant shall adhere to all other applicable policies and regulations of the City of Hoquiam Shoreline Management Master Program and City of Hoquiam Municipal Code.
5. The applicant shall obtain all other applicable state and federal permits or authorizations as may be required prior to commencement of construction on the site. Copies of all other applicable permits or written authorizations must be provided to the City prior to issuance of the building permit.
6. The Applicant shall comply with all provisions of the Critical Areas Ordinance.

Dated this 26th day of April, 2013


Brian Shay,
City of Hoquiam Shoreline Administrator

Appeal and Reconsideration

This is a final decision that may be appealed to the State Shorelines Hearings Board. A complete file on the documents pertaining to this case is available for review at the City of Hoquiam. The procedures for appeal of this decision are governed by RCW 90.58.140 and must be filed within twenty one (21) calendar days of the issuance of this decision.

Exhibit 1



WASHINGTON STATE Joint Aquatic Resources Permit Application (JARPA) Form^{1,2}

USE BLACK OR BLUE INK TO ENTER ANSWERS IN THE WHITE SPACES BELOW.



AGENCY USE ONLY

RECEIVED

Date received: **DEC 03 2012**

Agency reference #: *Shoemaker*

Tax Parcel #(s): _____

Part 1—Project Identification

1. Project Name (A name for your project that you create. Examples: Smith's Dock or Seabrook Lane Development) [\[help\]](#)

Westway Terminal Expansion Project

Part 2—Applicant

The person and/or organization responsible for the project. [\[help\]](#)

2a. Name (Last, First, Middle)			
Shoemaker, Robert K.			
2b. Organization (if applicable)			
Westway Terminal Company LLC			
2c. Mailing Address (Street or PO Box)			
3128 Port industrial Road			
2d. City, State, Zip			
Hoquiam, WA 98550			
2e. Phone (1)	2f. Phone (2)	2g. Fax	2h. E-mail
(360) 533-8060	(281) 224-3356	(360) 533-8012	kens@westway.com

¹Additional forms may be required for the following permits:

- If your project may qualify for Department of the Army authorization through a Regional General Permit (RGP), contact the U.S. Army Corps of Engineers for application information (206) 764-3495.
- If your project might affect species listed under the Endangered Species Act, you will need to fill out a Specific Project Information Form (SPIF) or prepare a Biological Evaluation. Forms can be found at <http://www.nws.usace.army.mil/Missions/CivilWorks/Regulatory/PermitGuidebook/EndangeredSpecies.aspx>.
- Not all cities and counties accept the JARPA for their local Shoreline permits. If you need a Shoreline permit, contact the appropriate city or county government to make sure they accept the JARPA.

²To access an online JARPA form with [\[help\]](#) screens, go to http://www.epermittinq.wa.gov/site/alias_resourcecenter/jarpa_jarpa_form/9984/jarpa_form.aspx.

For other help, contact the Governor's Office of Regulatory Assistance at 1-800-917-0043 or help@ora.wa.gov.

Part 3—Authorized Agent or Contact

Person authorized to represent the applicant about the project. (Note: Authorized agent(s) must sign 11b of this application.) [\[help\]](#)

3a. Name (Last, First, Middle)			
Shoemake, Robert K.			
3b. Organization (If applicable)			
Westway Terminal Company LLC			
3c. Mailing Address (Street or PO Box)			
3128 Port Industrial Road			
3d. City, State, Zip			
Hoquiam, WA 98550			
3e. Phone (1)	3f. Phone (2)	3g. Fax	3h. E-mail
(281) 224-3356	(832) 655-2319	(713) 514-5032	kens@westway.com

Part 4—Property Owner(s)

Contact information for people or organizations owning the property(ies) where the project will occur. Consider both upland and aquatic ownership because the upland owners may not own the adjacent aquatic land. [\[help\]](#)

- Same as applicant. (Skip to Part 5.)
- Repair or maintenance activities on existing rights-of-way or easements. (Skip to Part 5.)
- There are multiple upland property owners. Complete the section below and fill out JARPA Attachment A for each additional property owner.
- Your project is on Department of Natural Resources (DNR)-managed aquatic lands. If you don't know, contact the DNR at (360) 902-1100 to determine aquatic land ownership. If yes, complete JARPA Attachment E to apply for the Aquatic Use Authorization.

4a. Name (Last, First, Middle)			
4b. Organization (If applicable)			
Port of Grays Harbor			
4c. Mailing Address (Street or PO Box)			
P. O. Box 660			
4d. City, State, Zip			
Aberdeen, WA 98520			
4e. Phone (1)	4f. Phone (2)	4g. Fax	4h. E-mail
(360) 533-9528	()	()	

Part 5—Project Location(s)

Identifying information about the property or properties where the project will occur. [\[help\]](#)

- There are multiple project locations (e.g. linear projects). Complete the section below and use [JARPA Attachment B](#) for each additional project location.

5a. Indicate the type of ownership of the property. (Check all that apply.) [\[help\]](#)

- Private
 Federal
 Publicly owned (state, county, city, special districts like schools, ports, etc.)
 Tribal
 Department of Natural Resources (DNR) – managed aquatic lands (Complete [JARPA Attachment E](#))

5b. Street Address (Cannot be a PO Box. If there is no address, provide other location information in 5p.) [\[help\]](#)

3128 Port Industrial Road

5c. City, State, Zip (If the project is not in a city or town, provide the name of the nearest city or town.) [\[help\]](#)

Hoquiam, WA 98550

5d. County [\[help\]](#)

Grays Harbor

5e. Provide the section, township, and range for the project location. [\[help\]](#)

¼ Section	Section	Township	Range
Hoquiam	18	17	9W
Aberdeen	7	17	9W

5f. Provide the latitude and longitude of the project location. [\[help\]](#)

- Example: 47.03922 N lat. / -122.89142 W long. (Use decimal degrees - NAD 83)

46.967832 N Latitude, -123.851108 W Longitude

5g. List the tax parcel number(s) for the project location. [\[help\]](#)

- The local county assessor's office can provide this information.

City of Hoquiam #056402300000 and City of Aberdeen #029902000200

5h. Contact information for all adjoining property owners. (If you need more space, use [JARPA Attachment C.](#)) [\[help\]](#)

Name	Mailing Address	Tax Parcel # (if known)
Port of Grays Harbor	P. O. Box 660, Aberdeen, WA 98250	
	(360) 533-9528	

5i. List all wetlands on or adjacent to the project location. [help]

None

5j. List all waterbodies (other than wetlands) on or adjacent to the project location. [help]

Chehalis River

5k. Is any part of the project area within a 100-year floodplain? [help]

Yes No Don't know

5l. Briefly describe the vegetation and habitat conditions on the property. [help]

The area comprising the Westway terminal lease from the Port of Grays Harbor does not support any vegetation, most all surfaces are covered with asphalt paving or crushed rock with a minimal amount of prairie grass.

5m. Describe how the property is currently used. [help]

Westway operates a bulk methanol storage terminal which has was built during calendar year 2009 and began operation on Dec. 28, 2009

5n. Describe how the adjacent properties are currently used. [help]

Adjacent properties are Port of Grays Harbor tenants and include a bio-diesel production facility on the north side, a lumber/chip mill to the east and grain storage silo facility to the south.

5o. Describe the structures (above and below ground) on the property, including their purpose(s) and current condition. [help]

There are no underground structures on the site.

Aboveground structures include four 3,340,000 gallon storage tanks, two rail spurs with loading/unloading facilities and a concrete lined containment structure, pipelines, pumps, vapor control equipment, two office buildings, one electrical room and an old wood frame warehouse building.

5p. Provide driving directions from the closest highway to the project location, and attach a map. [help]

From Hoquiam, proceed East on Simpson Avenue, turn right on 22nd Street, Left on Bay Avenue. Bay avenue becomes Port Industrial Road. Take Port Industrial Road east, turn right on W 1st Street, proceed 100yards to Westway Terminal office.

Part 6–Project Description

6a. Briefly summarize the overall project. You can provide more detail in 6b. [help]

Westway is proposing to expand the rail capability of the site and build two new tanks on site for the storage of crude oil.

6b. Describe the purpose of the project and why you want or need to perform it. [help]

Westway is proposing to expand it's existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains and shipment of crude oil by vessel and/or barge from the Port of Grays Harbor Terminal #1. A site plan is attached as Figure #2. The crude oil will be distributed to regional refineries.

Four (4) storage tanks will be added to the site on the south side of the existing tanks and will provide storage for crude oil. Each tank will have a capacity of 200,000 barrels (8,400,000 gallons) for a project total storage capacity of 800,000 barrels (33,600,000 gallons). The new tanks be surrounded by a concrete containment wall which will have the capacity to contain the total volume of a single tank plus an allowance for rainfall. Each tank will be 150-feet in diameter and 64 feet in height (see Figure 3). The tanks will each sit on a concrete slab which will be supported by a series of piles driven approx 150' into the ground.

The existing rail facility will be expanded from two short spurs with a total of 18 loading/unloading spots to 4 longer spurs with a total 76 loading/unloading spots. The rail spurs will continue to be serviced from the east side of the terminal. The entire rail area will be built on a concrete slab, sloped such that any spills will be contained and directed to a central sump for collection. The construction of the new rail will include the demolition of an existing wood frame warehouse. It is estimated that the terminal will receive 9,600,000 barrels of oil per year, equivalent to one unit train (120 railcars) every three days.

A new pipeline will connect the two tanks, via an existing pipe bridge, to the Port's Terminal #1. There will be no work performed on the terminal/dock itself.

6c. Indicate the project category. (Check all that apply) [help]

- Commercial
 Residential
 Institutional
 Transportation
 Recreational
 Maintenance
 Environmental Enhancement

6d. Indicate the major elements of your project. (Check all that apply) [help]

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> Aquaculture | <input type="checkbox"/> Culvert | <input type="checkbox"/> Float | <input type="checkbox"/> Retaining Wall (upland) |
| <input type="checkbox"/> Bank Stabilization | <input type="checkbox"/> Dam / Weir | <input type="checkbox"/> Floating Home | <input type="checkbox"/> Road |
| <input type="checkbox"/> Boat House | <input type="checkbox"/> Dike / Levee / Jetty | <input type="checkbox"/> Geotechnical Survey | <input type="checkbox"/> Scientific Measurement Device |
| <input type="checkbox"/> Boat Launch | <input type="checkbox"/> Ditch | <input type="checkbox"/> Land Clearing | <input type="checkbox"/> Stairs |
| <input type="checkbox"/> Boat Lift | <input type="checkbox"/> Dock / Pier | <input type="checkbox"/> Marina / Moorage | <input type="checkbox"/> Stormwater facility |
| <input type="checkbox"/> Bridge | <input type="checkbox"/> Dredging | <input type="checkbox"/> Mining | <input type="checkbox"/> Swimming Pool |
| <input type="checkbox"/> Bulkhead | <input type="checkbox"/> Fence | <input type="checkbox"/> Outfall Structure | <input type="checkbox"/> Utility Line |
| <input type="checkbox"/> Buoy | <input type="checkbox"/> Ferry Terminal | <input type="checkbox"/> Piling/Dolphin | |
| <input type="checkbox"/> Channel Modification | <input type="checkbox"/> Fishway | <input type="checkbox"/> Raft | |

Other: Construction of four – 8,400,000 gallon above ground storage tanks, lengthening of existing two rail spurs, addition of two new rail spurs and associated piping, valves and pumps.

6e. Describe how you plan to construct each project element checked in 6d. Include specific construction methods and equipment to be used. [\[help\]](#)

- Identify where each element will occur in relation to the nearest waterbody.
- Indicate which activities are within the 100-year floodplain.

Tanks will be built in three phases: Phase 1 will consist of driving support pilings, Phase two will be the forming and pouring of a concrete pad on top of the pilings, Phase three will be the construction of the tank on top of the concrete pad. Equipment will consist of a pile driver, back hoes, dump trucks, concrete trucks, concrete pumpers, and cranes.

The Rail expansion will start with the demolition of the existing old warehouse building, followed by grading of the property. Next, a concrete pad will be poured the length of the proposed rail spur. Rail will then be installed on top of the concrete. This will provide for easy collection of any spills or leaks from the rail cars. Next, an elevated walkway equipped with gangways will be installed for accessing the tops of the rail cars. Equipment will include bulldozers, tractors, concrete trucks and concrete pumpers.

6f. What are the anticipated start and end dates for project construction? (Month/Year). [\[help\]](#)

- If the project will be constructed in phases or stages, use [JARPA Attachment D](#) to list the start and end dates of each phase or stage.

Start date: February 1, 2013

End date: October 30, 2013

See JARPA Attachment D.

6g. Fair market value of the project, including materials, labor, machine rentals, etc. [\[help\]](#)

\$50,000,000

6h. Will any portion of the project receive federal funding? [\[help\]](#)

- If yes, list each agency providing funds.

Yes No Don't know

Part 7—Wetlands: Impacts and Mitigation

Check here if there are wetlands or wetland buffers on or adjacent to the project area.
(If there are none, skip to Part 8.) [\[help\]](#)

7a. Describe how the project has been designed to avoid and minimize adverse impacts to wetlands. [\[help\]](#)

Not applicable

7b. Will the project impact wetlands? [\[help\]](#)

Yes No Don't know

7c. Will the project impact wetland buffers? [\[help\]](#)

Yes No Don't know

7d. Has a wetland delineation report been prepared? [\[help\]](#)

- If Yes, submit the report, including data sheets, with the JARPA package.

Yes No

7e. Have the wetlands been rated using the Western Washington or Eastern Washington Wetland Rating System? [\[help\]](#)

- If Yes, submit the wetland rating forms and figures with the JARPA package.

Yes No Don't know

7f. Have you prepared a mitigation plan to compensate for any adverse impacts to wetlands? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 7g.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes No Not applicable

The project is not situated on, adjacent or near and areas designated as wetlands.

7g. Summarize what the mitigation plan is meant to accomplish, and describe how a watershed approach was used to design the plan. [\[help\]](#)

N/A

7h. Use the table below to list the type and rating of each wetland impacted, the extent and duration of the impact, and the type and amount of mitigation proposed. Or if you are submitting a mitigation plan with a similar table, you can state (below) where we can find this information in the plan. [\[help\]](#)

Activity (fill, drain, excavate, flood, etc.)	Wetland Name ¹	Wetland type and rating category ²	Impact area (sq. ft. or Acres)	Duration of impact ³	Proposed mitigation type ⁴	Wetland mitigation area (sq. ft. or acres)
N/A						

¹ If no official name for the wetland exists, create a unique name (such as "Wetland 1"). The name should be consistent with other project documents, such as a wetland delineation report.

² Ecology wetland category based on current Western Washington or Eastern Washington Wetland Rating System. Provide the wetland rating forms with the JARPA package.

³ Indicate the days, months or years the wetland will be measurably impacted by the activity. Enter "permanent" if applicable.

⁴ Creation (C), Re-establishment/Rehabilitation (R), Enhancement (E), Preservation (P), Mitigation Bank/In-lieu fee (B)

Page number(s) for similar information in the mitigation plan, if available: _____

7i. For all filling activities identified in 7h, describe the source and nature of the fill material, the amount in cubic yards that will be used, and how and where it will be placed into the wetland. [\[help\]](#)

N/A

7j. For all excavating activities identified in 7h, describe the excavation method, type and amount of material in cubic yards you will remove, and where the material will be disposed. [\[help\]](#)

N/A

Part 8–Waterbodies (other than wetlands): Impacts and Mitigation

In Part 8, “waterbodies” refers to non-wetland waterbodies. (See Part 7 for information related to wetlands.) [\[help\]](#)

Check here if there are waterbodies on or adjacent to the project area. (If there are none, skip to Part 9.)

8a. Describe how the project is designed to avoid and minimize adverse impacts to the aquatic environment. [\[help\]](#)

Not applicable

Construction activities related to the project will be adjacent to the Chehalis River. Tank and rail construction will be no closer than 160' from the river. The site will be operating under a Department of Ecology Construction Stormwater permit, a Temporary Erosion and Sediment Control (TESC) plan and a Stormwater Pollution Prevention Plan; these will address any rain water run-off from the site during construction. A Spill Prevention Control and Countermeasure (SPCC) plan will be written which will address oil spill prevention. An EPA and Dept. of Ecology Oil Spill Response plan will address response to any oil spills.

The construction contractor will use tarps and other appropriate Best Management Practices (BMPs) to prevent debris from falling into the Chehalis River during the installation of pipelines at terminal #1. The majority of grading activities and refueling activities will take place at least 200' from any water bodies, outside of the shoreline areas.

8b. Will your project impact a waterbody or the area around a waterbody? [\[help\]](#)

Yes No

8c. Have you prepared a mitigation plan to compensate for the project's adverse impacts to non-wetland waterbodies? [\[help\]](#)

- If Yes, submit the plan with the JARPA package and answer 8d.
- If No, or Not applicable, explain below why a mitigation plan should not be required.

Yes No Not applicable

A Mitigation Plan is not required as the project will not impact the Chehalis River. The very small amount of work that will be performed over the river will be on an existing dock. The countermeasures described above will prevent any impact on the river.

8d. Summarize what the mitigation plan is meant to accomplish. Describe how a watershed approach was used to design the plan.

- If you already completed 7g you do not need to restate your answer here. [\[help\]](#)

N/A

8e. Summarize impact(s) to each waterbody in the table below. [\[help\]](#)

Activity (clear, dredge, fill, pile drive, etc.)	Waterbody name ¹	Impact location ²	Duration of impact ³	Amount of material (cubic yards) to be placed in or removed from waterbody	Area (sq. ft. or linear ft.) of waterbody directly affected
N/A					

¹ If no official name for the waterbody exists, create a unique name (such as "Stream 1") The name should be consistent with other documents provided.

² Indicate whether the impact will occur in or adjacent to the waterbody. If adjacent, provide the distance between the impact and the waterbody and indicate whether the impact will occur within the 100-year flood plain.

³ Indicate the days, months or years the waterbody will be measurably impacted by the work. Enter "permanent" if applicable.

8f. For all activities identified in 8e, describe the source and nature of the fill material, amount (in cubic yards) you will use, and how and where it will be placed into the waterbody. [\[help\]](#)

N/A

8g. For all excavating or dredging activities identified in 8e, describe the method for excavating or dredging, type and amount of material you will remove, and where the material will be disposed. [help]

N/A

Part 9—Additional Information

Any additional information you can provide helps the reviewer(s) understand your project. Complete as much of this section as you can. It is ok if you cannot answer a question.

9a. If you have already worked with any government agencies on this project, list them below. [help]

Agency Name	Contact Name	Phone	Most Recent Date of Contact
Olympic Region Clean Air Agency	Micheal Nicolas	360-539-7610	10/8/2012
Dept. of Ecology	Linda Pilkey-Jarvis	360-407-7447	10/10/2012

9b. Are any of the wetlands or waterbodies identified in Part 7 or Part 8 of this JARPA on the Washington Department of Ecology's 303(d) List? [help]

- If Yes, list the parameter(s) below.
- If you don't know, use Washington Department of Ecology's Water Quality Assessment tools at: <http://www.ecy.wa.gov/programs/wq/303d/>.

Yes No

2008 EPA approved assessment and the 2010 Candidate Assessment were reviewed.

9c. What U.S. Geological Survey Hydrological Unit Code (HUC) is the project in? [help]

- Go to <http://cfpub.epa.gov/surf/locate/index.cfm> to help identify the HUC.

UHC Code 17100105

9d. What Water Resource Inventory Area Number (WRIA #) is the project in? [help]

- Go to <http://www.ecy.wa.gov/services/gis/maps/wria/wria.htm> to find the WRIA #.

WRIA #22

9e. Will the in-water construction work comply with the State of Washington water quality standards for turbidity? [\[help\]](#)

- Go to <http://www.ecy.wa.gov/programs/wq/swqs/criteria.html> for the standards.

Yes No Not applicable

9f. If the project is within the jurisdiction of the Shoreline Management Act, what is the local shoreline environment designation? [\[help\]](#)

- If you don't know, contact the local planning department.
- For more information, go to: http://www.ecy.wa.gov/programs/sea/sma/laws_rules/173-26/211_designations.html.

Rural Urban Natural Aquatic Conservancy Other _____

9g. What is the Washington Department of Natural Resources Water Type? [\[help\]](#)

- Go to http://www.dnr.wa.gov/BusinessPermits/Topics/ForestPracticesApplications/Pages/fp_watertyping.aspx for the Forest Practices Water Typing System.

Shoreline Fish Non-Fish Perennial Non-Fish Seasonal

9h. Will this project be designed to meet the Washington Department of Ecology's most current stormwater manual? [\[help\]](#)

- If No, provide the name of the manual your project is designed to meet.

Yes No

Name of manual:

9i. Does the project site have known contaminated sediment? [\[help\]](#)

- If Yes, please describe below.

Yes No

9j. If you know what the property was used for in the past, describe below. [\[help\]](#)

The property was used as a ship basin in the 1940s. In the 1950s, a railroad and warehouse were present on the north side of the basin and a Naval Reserve Station with a dock was constructed southeast of the basin. Between the mid 1970s and early 1980s, the ship basin was filled in and the Naval Station buildings removed. From then till Westway leased the property in 2008, the property was used to stockpile logs.

9k. Has a cultural resource (archaeological) survey been performed on the project area? [\[help\]](#)

- If Yes, attach it to your JARPA package.

Yes No

9l. Name each species listed under the federal Endangered Species Act that occurs in the vicinity of the project area or might be affected by the proposed work. [help]

Coho Salmon
Chinook Salmon
Steelhead
Green Sturgeon

9m. Name each species or habitat on the Washington Department of Fish and Wildlife's Priority Habitats and Species List that might be affected by the proposed work. [help]

The Chehalis River may be used by bull trout (*Salvelinus confluentus*), Chinook salmon (*Oncorhynchus tshawytscha*), Coho salmon (*Oncorhynchus kisutch*), and steelhead (*Oncorhynchus mykiss*). It is possible that Steller sea lions (*Eumetopias jubatus*) could occur in the Chehalis River. A bald eagle (*Haliaeetus leucocephalus*) nest is located approximately 1 mile west of the site. No marbled murrelet (*Brachyramphus marmoratus*) nesting sites are known to occur in the area and it is highly unlikely that marbled murrelets would use the area for foraging. It is possible that marbled murrelets may use the Chehalis River for daily migration during the nesting season.

Part 10—SEPA Compliance and Permits

Use the resources and checklist below to identify the permits you are applying for.

- Online Project Questionnaire at <http://apps.ecy.wa.gov/opas/>.
- Governor's Office of Regulatory Assistance at (800) 917-0043 or help@ora.wa.gov.
- For a list of addresses to send your JARPA to, click on [agency addresses for completed JARPA](#).

10a. Compliance with the State Environmental Policy Act (SEPA). (Check all that apply.) [help]

- For more information about SEPA, go to www.ecy.wa.gov/programs/sea/sepa/e-review.html.

A copy of the SEPA determination or letter of exemption is included with this application.

A SEPA determination is pending with City of Hoquiam (lead agency). The expected decision date is _____.

I am applying for a Fish Habitat Enhancement Exemption. (Check the box below in 10b.) [help]

This project is exempt (choose type of exemption below).

Categorical Exemption. Under what section of the SEPA administrative code (WAC) is it exempt?

Other: _____

SEPA is pre-empted by federal law.

10b. Indicate the permits you are applying for. (Check all that apply.) [\[help\]](#)

LOCAL GOVERNMENT

Local Government Shoreline permits:

Substantial Development Conditional Use Variance

Shoreline Exemption Type (explain): _____

Other city/county permits:

Floodplain Development Permit Critical Areas Ordinance

STATE GOVERNMENT

Washington Department of Fish and Wildlife:

Hydraulic Project Approval (HPA) Fish Habitat Enhancement Exemption – [Attach Exemption Form](#)

Effective July 10, 2012, you must submit a check for \$150 to Washington Department of Fish and Wildlife, unless your project qualifies for an exemption or alternative payment method below. **Do not send cash.**

Check the appropriate boxes:

\$150 check enclosed. (Check # _____)
Attach check made payable to Washington Department of Fish and Wildlife.

Charge to billing account under agreement with WDFW. (Agreement # _____)

My project is exempt from the application fee. (Check appropriate exemption)

HPA processing is conducted by applicant-funded WDFW staff.
(Agreement # _____)

Mineral prospecting and mining.

Project occurs on farm and agricultural land.

(Attach a copy of current land use classification recorded with the county auditor, or other proof of current land use.)

Project is a modification of an existing HPA originally applied for, prior to July 10, 2012.
(HPA # _____)

Washington Department of Natural Resources:

Aquatic Use Authorization

Complete [JARPA Attachment E](#) and submit a check for \$25 payable to the Washington Department of Natural Resources.
Do not send cash.

Washington Department of Ecology:

Section 401 Water Quality Certification

FEDERAL GOVERNMENT

United States Department of the Army permits (U.S. Army Corps of Engineers):

Section 404 (discharges into waters of the U.S.) Section 10 (work in navigable waters)

United States Coast Guard permits:

General Bridge Act Permit Private Aids to Navigation (for non-bridge projects)

Part 11—Authorizing Signatures

Signatures are required before submitting the JARPA package. The JARPA package includes the JARPA form, project plans, photos, etc. [\[help\]](#)

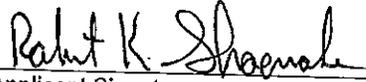
11a. Applicant Signature (required) [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities, and I agree to start work only after I have received all necessary permits.

I hereby authorize the agent named in Part 3 of this application to act on my behalf in matters related to this application. _____ (initial)

By initialing here, I state that I have the authority to grant access to the property. I also give my consent to the permitting agencies entering the property where the project is located to inspect the project site or any work related to the project. _____ (initial)

Robert K. Shoemake


Applicant Signature

11/30/12
Date

Applicant Printed Name

11b. Authorized Agent Signature [\[help\]](#)

I certify that to the best of my knowledge and belief, the information provided in this application is true, complete, and accurate. I also certify that I have the authority to carry out the proposed activities and I agree to start work only after all necessary permits have been issued.

Authorized Agent Printed Name

Authorized Agent Signature

Date

11c. Property Owner Signature (if not applicant). [\[help\]](#)

Not required if project is on existing rights-of-way or easements.

I consent to the permitting agencies entering the property where the project is located to inspect the project site or any work. These inspections shall occur at reasonable times and, if practical, with prior notice to the landowner.

Port of Grays Harbor


Property Owner Signature

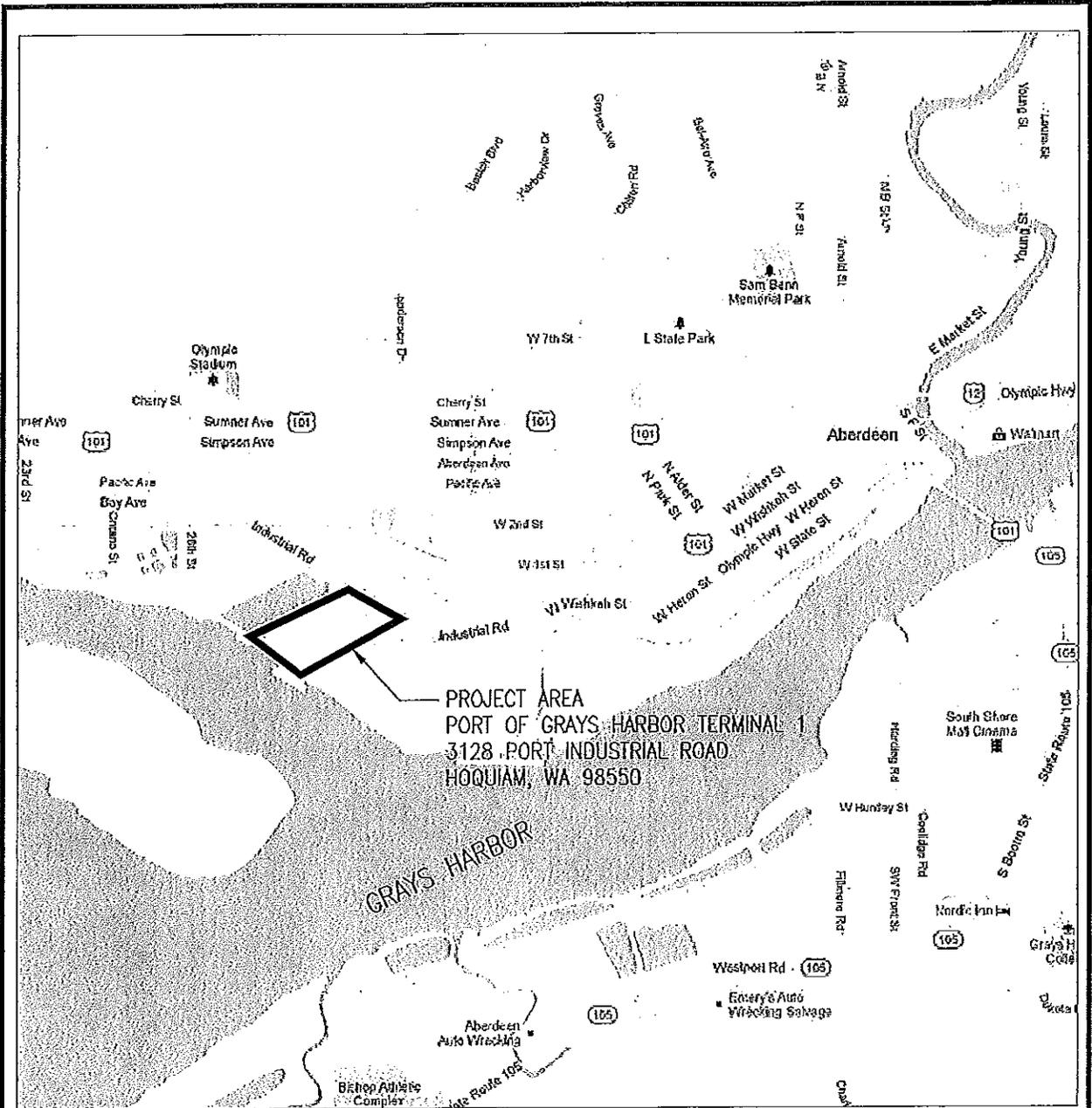
12/3/12
Date

Property Owner Printed Name

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

If you require this document in another format, contact the Governor's Office of Regulatory Assistance (ORA) at (800) 917-0043. People with hearing loss can call 711 for Washington Relay Service. People with a speech disability can call (877) 833-6341. ORA publication number: ENV-019-09 rev. 06-12

Figure 1



NORTH

Mark	Date	By	Description
A	10/12/12	RSM	ISSUED FOR PERMIT

 Harris Group Inc. www.harrisgroup.com	Scale: NTS
	Drawn: SWH
	Designed:
	Approved:
WESTWAY TERMINAL COMPANY	Date:
	Project No: 30354.00

VICINITY MAP

Drawing Number:

Issue:

A

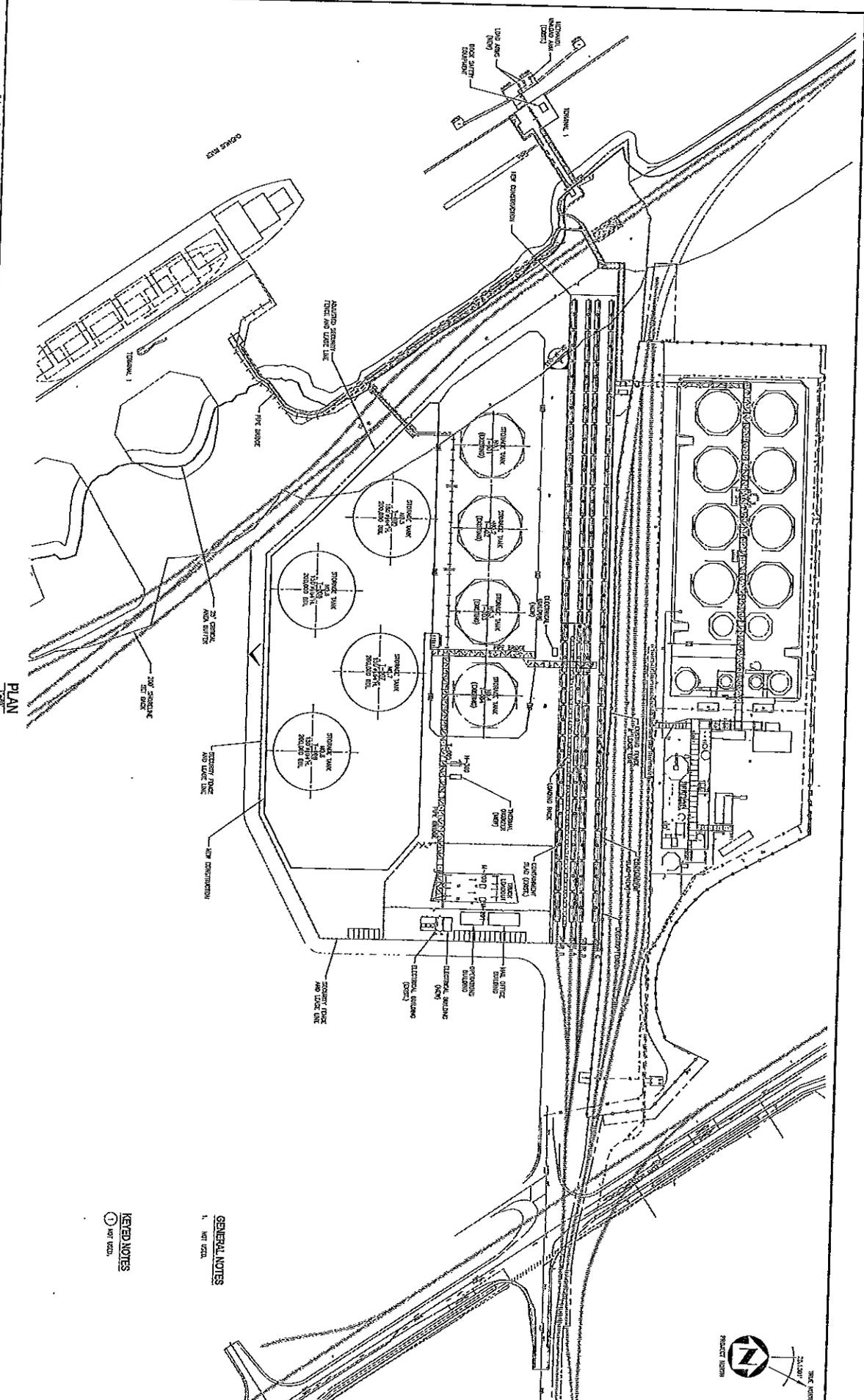
Revised	By	Date	Description
A	PK	06/17/11	GRAND LANE DESIGN
B	PK	10/17/11	DESIGN FOR PERMIT
C	PK	10/28/11	DESIGN FOR PERMIT
D	PK	11/17/11	DESIGN FOR PERMIT
E	PK	11/27/11	DESIGN FOR PERMIT
F	PK	11/28/11	DESIGN FOR PERMIT

Westway
 10000 1st Avenue
 Grays Harbor, WA 98548
 GRAYS HARBOR, WA

H
 Hanks Group Inc.
 Agency or Supplier Reference
 www.hanksgroup.com

PRELIMINARY NOT FOR CONSTRUCTION
 WESTWAY TERMINAL COMPANY
 SITE ARRANGEMENT
 2-TANK PLAN

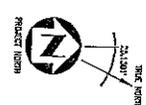
GRAYS HARBOR TERMINAL EXPANSION
 Project No. 30354-01
 Drawing No. SK-M-002-2

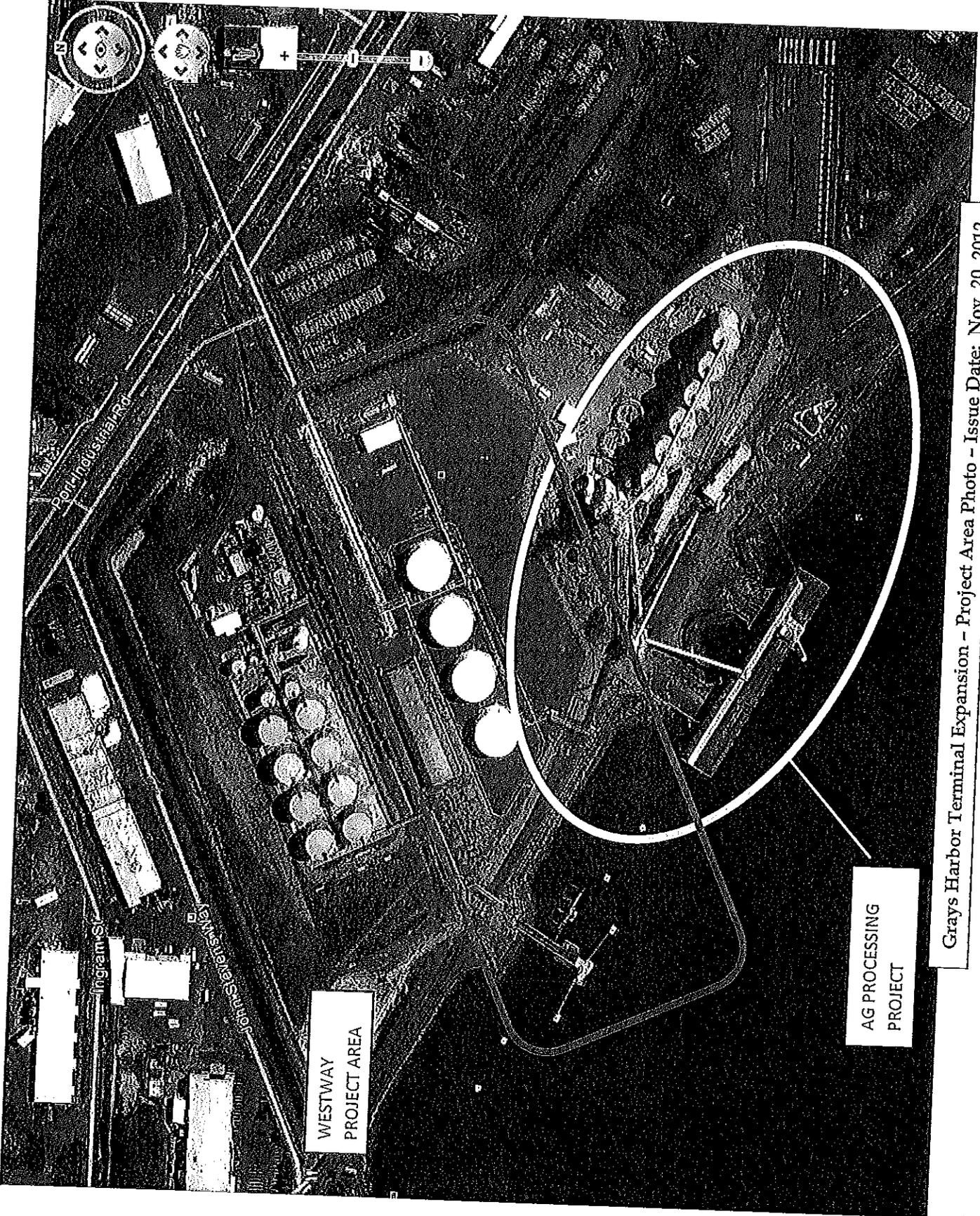


PLAN
 1/8" = 1'-0"

GENERAL NOTES
 1. NOT SCALE

KEYED NOTES
 ① NOT SCALE





WESTWAY
PROJECT AREA

AG PROCESSING
PROJECT

Grays Harbor Terminal Expansion - Project Area Photo - Issue Date: Nov. 20, 2012

Exhibits 2 & 3

RECEIVED

FEB 20 2013



City of Hoquiam

CITY OF HOQUIAM

Planning and Building Division

609 8th St. Hoquiam, WA 98550-3522

Tel: 360-532-5700 ext. 211, Fax: 360-538-0938

Website: www.cityofhoquiam.com

ENVIRONMENTAL CHECKLIST

Purpose of checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write, "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

OFFICE USE ONLY

1. Project Title: Westway Terminal Tank Farm Expansion Project	
2. Applicant: Westway Terminal Company LLC	
Address and Phone: Ken Shoemake, HSEQ Regional Manager, 3128 Port Industrial Road, Hoquiam, WA 98550	
4. Date checklist prepared: February 19, 2013	
5. Agency requiring checklist: City Of Hoquiam	
6. Proposed timing or schedule: Permitting to be completed by April 30, construction lasting from April, 2013 thru December 31, 2013, new facility brought into service January, 2014	
7. Plans for future additions, expansion, or further activity. If yes, explain. The project will take place on property leased from the Port of Grays Harbor. Future expansion into the remainder of the site for an additional tank farm is possible and would be evaluated and permitted separately. The current proposal is separate and independent from future expansion project(s), and the current proposal is not dependent on a larger proposal for its justification or implementation.	

	OFFICE USE ONLY
<p>8. List other environmental information you know about related to this proposal:</p> <ul style="list-style-type: none"> • Joint Aquatic Resources Permit Application (JARPA) for the Shoreline Substantial Development Permit (City of Hoquiam) • Construction Stormwater Permit (Ecology) • Olympic Region Clean Air Agency (ORCAA) Air Permit Approval Order • Stormwater Pollution Prevention Plan (SWPPP) • Spill Prevention Control and Countermeasures (SPCC) Plan 	
<p>9. List other pending applications or approvals:</p> <ul style="list-style-type: none"> • Conditional Use Permit, City of Hoquiam • Critical Area Report, City of Hoquiam • Building Permits, City of Hoquiam • Grading Permits, City of Hoquiam • Industrial Stormwater General Permit, Ecology • Local Fire Department Permit, City of Hoquiam • Fire Department Certificate of Industrial Insurance Coverage, WA Dept. of Labor and Industry • Spill Prevention and Response Plan, Ecology • Letter of Intent, U.S. Coast Guard • USCG Facility Response Plan • USCG Operations Manual update Oil Spill Response Plan, U.S. Coast Guard • Facility Security Plan and Facility Security Assessment, U.S. Coast Guard • Ecology RCRA Notice of Registration update 	
<p>10. Give detailed description of proposal including off-site improvements, utility requirements, land and building dimensions, etc. (attach site plan):</p> <p>Westway is proposing to expand it's existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains and shipment of crude oil by vessel and/or barge from the Port of Grays Harbor Terminal #1. Site Plans can be found in Appendix A.</p> <p>Four (4) Internal floating roof storage tanks will be added to the site on the south side of the existing tanks and will provide storage for crude oil. Each tank will have a capacity of 200,000 barrels (8,400,000 gallons) for a project total storage capacity of 800,000 barrels (33,600,000 gallons). The new tanks will be surrounded by a concrete containment wall which will have the capacity to contain the total volume of a single tank plus an allowance for rainfall. Each tank will be 150-feet in diameter and 64 feet in height. The tanks will each sit on a concrete slab which will be supported by a series of piles driven approx 150' into the ground.</p> <p>The existing rail facility will be expanded from two short spurs with a total of 18 loading/unloading spots to 4 longer spurs with a total 76 loading/unloading spots. The rail spurs will continue to be serviced from the east side of the terminal. The entire rail area will be built on a concrete slab, sloped such that any spills will be contained and directed to a central sump for collection. The construction of the new rail will include the demolition of an existing wood frame warehouse. It is estimated that the terminal will receive 9,600,000 barrels of oil per year, equivalent to one unit train (120 railcars) every three days.</p> <p>A new pipeline will connect the two tanks, via an existing pipe bridge, to the Port's Terminal #1. Work performed on the terminal/dock itself will be limited to the addition of loading arms and parts of the Marine Vapor Combustion System. There will be no work performed in the water. The total amount of water shading around the dock will not change.</p>	
<p>11. Location of proposal including section, township, range and parcel number.</p> <p>The site is located adjacent to the Chehalis River in the City of Hoquiam in Grays Harbor County at Section 18, Township 17, Range 9 West, North of the Willamette Meridian, Tax Parcel Number #056402300000 and in the City of Aberdeen in Section 7, Township 17, Range 9 West, North of the Willamette Meridian, Tax Parcel Number #029902000200. The project is located at the Port of Grays Harbor Terminal, see Vicinity Map in Appendix A.</p>	

B. ENVIRONMENTAL ELEMENTS

OFFICE USE ONLY

	OFFICE USE ONLY
<p>1. EARTH</p>	
<p>a. General description of the site (circle one): <u>flat</u>, rolling, hilly, steep slopes, mountainous, other.</p>	
<p>b. What is the steepest slope on site (approximate percent slope)? The maximum slope on the site is approx. 1%</p>	
<p>c. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.</p> <p>The site is currently paved. What exposed soils are present on the site are typical of the industrial lands in the area. The site was created by filling a boat slip with harbor dredge material, then covered with crushed rock before paving. There are no agricultural soils on the site.</p>	
<p>d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. No</p>	
<p>e. Describe purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.</p> <p>Earthwork will be necessary for construction of the proposed tank farm. The existing site for the tanks is covered by approx 18" of asphalt paving. Where asphalt/soil/dirt is removed, it will be stockpiled on site, any further use of the material to be subject to further permitting. Other minor amounts of crushed rock or engineered fill may be necessary for equipment foundations.</p>	
<p>f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.</p> <p>Chances of erosion are minimal as the site is fully paved and is level. Slight erosion during construction is possible and will be mitigated for by applying Best Management Practices (BMPs) consistent with state and local guidelines.</p>	
<p>g. About what percent of the site will be covered with impervious surfaces after project construction (e.g., asphalt or buildings)?</p> <p>The area where the tanks will be built is currently paved with asphalt and consists of approx. 70% of the proposed project area. Construction of the additional tanks will remove approx 5 acres of the asphalt paving which will be replaced with a geotechnical (clay) lining covered with soil and crushed rock. The rail expansion area, approx. 2 acres or 30% of the project site, is approx. half soil, half impermeable surface (warehouse and paved areas). Once the project is completed, the amount of impermeable surface area will increase by approx 1 acre.</p>	
<p>h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:</p> <p>The facility will obtain a Department of Ecology Construction Stormwater Permit and will also implement a Stormwater Pollution Prevention Plan. Best Management Practices such as covering dirt piles, silt fencing, etc. will be used to prevent soil run-off.</p>	
<p>2. AIR</p>	
<p>a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.</p> <p>During construction, emissions from construction activities will consist of dust and exhaust from construction equipment. Following construction, emissions will consist of exhaust from vehicles, locomotive, ship/tug engines and the Vapor Combustion Unit. Air emission sources from the facility are projected to be below major source limits and managed under appropriate approvals and required permits of the Olympic Region Clean Air Agency (ORCAA). The facility will not exceed the thresholds requiring a PSD permit (250 tons per year of any Clean Air Act regulated pollutant).</p> <p>During operation, the project will not create new types of emission point sources; vessels, trains, vehicular traffic and a vapor combustion unit are already part of the operations at the facility. See Appendix B for calculations used to reach the totals below.</p> <p><u>Emissions from increased rail traffic:</u></p> <p>The proposed project increase the volume of train traffic from an average of 2-3 cars per day to an average of 96 cars per day (1 unit train arriving and departing every 2.5 days).</p>	

Each unit train may have three to four locomotive engines. This increase in rail traffic will increase the amount of emissions produced by rail traffic. This increase could add approximately 11,329 tons of greenhouse gases within the State of Washington per year. The proposed project will not use or require a dedicated locomotive; train switching operations would be conducted using the engines that bring the train into and out of the facility. This increase in Rail GHG is based on 134 round trips annually of 425 miles each way (850 total). The loaded trips to the facility assumed 10,248 tons of freight per trip.

Emissions from increased vessel traffic:

Currently, the facility has 3 to 4 vessel visits per year. This project will result in an increase of approximately 64 vessel barge movements per year. This equates to an increase in GHG emissions of 1,595 metric tons and is based on barge movements of 150,000 barrels traveling a round trip distance of 32.4 miles (distance from the 3 nautical mile limit to the facility and back)

Emissions from increased vehicular traffic:

There will be an increase in GHG emissions from the 20 new employees that would commute to the proposed facility. The calculations assumed a 40 mile round trip commute for the new employees. Assuming that the facility will operate 24/7/365, the commuting of the new employees would increase GHG emissions by approximately 128 metric tons.

Emissions from additional Marine Vapor Combustion Unit (MVCU):

The facility currently combusts the loading emissions from rail cars and trucks. The proposed project will include the marine loading of crude oil onto vessels and barges. To address the loading emissions from the vessels/barges, a new MVCU would be installed. The unit will add natural gas to the vapors being emitted from the marine loading process and combust them in a controlled manner. Based on the proposed thru-put of 9,600,000 barrels per year, it is estimated that the GHG emissions from the MVCU will be 1,930 metric tons per year.

The Washington State Department of Ecology has published a guidance document for calculating Green House Gas (GHG) for SEPA (Guidance for Ecology Including Greenhouse Gas Emissions in SEPA Reviews June 3, 2011). Under this guidance, for projects that are expected to produce an average estimate of at least 10,000, but less than 25,000 metric tons of CO₂ per year, the project proponent should at least qualitatively disclose the GHG emissions caused by the project. The Guidance also recognizes that Washington State does not have the legal authority to regulate GHG emissions that occur outside the state. Based on the calculation procedures in the Guidance, the amount of GHG emissions expected to be generated within the Washington State, as a result of project operation, is about 14,979 metric tons CO₂ annually. These increased emissions are the total from increased rail, vessel and auto traffic and the additional Marine Vapor Combustion Unit (MVCU).

Under Guidance, the proposed project is presumed to not be significant got GHG emissions and thus no further mitigation of GHG emissions will be necessary if expected to result in fewer than 25,000 metric tons of CO₂ per year. A copy of the GHG Emission Worksheets is included as an appendix.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Standard construction dust control measures will be used during construction.

Ship loading emissions will be routed to a vapor combustion unit, authorized by modification of the existing ORCAA Order of Approval. Tank loading emissions will be reduced by the installation of internal floating roofs inside the tanks. Rail car unloading emissions will be controlled by the use of vacuum relief devices on each railcar.

OFFICE USE ONLY

3. WATER

a. Surface:

<p>1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.</p> <p>The southeast side of the site is bordered by the Chehalis River.</p>	
<p>2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.</p> <p>A pipeline will be installed from the existing dock at Terminals 1 to the storage tanks. New pipes will span the existing railroad tracks via an existing pipe bridge. The project will require pipe construction within the shoreline boundary of the Chehalis River. All work associated with the pipeline at the docks will occur on top of the existing docks. Pipeline work in the shoreline area will not involve any in-water work, will not create any new shading over near shore areas, and will not entail any activities below the ordinary high water mark. Part of the Marine Vapor Combustion system (the marine safety skid) will be installed on top of the dock with no modification to the dock. This project will incorporate spill prevention equipment, operating procedures, and personnel training prior to a liquid transfer operation. A small amount of the tank farm concrete containment wall will be built within 200 ft (approx 160'), see site map in Appendix A.</p>	
<p>3. Estimate amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.</p> <p>None</p>	
<p>4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.</p> <p>The proposed project will tie into the existing city water supply line for fire protection use. No surface water will be withdrawn or diverted, other than stormwater runoff, as indicated in section B3(c).</p>	
<p>5. Does the proposal lie within a 100-year flood plain? If so, note location on the site plan.</p> <p>No</p>	
<p>6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.</p> <p>No discharge of waste materials to surface waters is expected. Any non-stormwater wastewater generated at the facility will be directed to the sewer system of either Hoquiam or Aberdeen or transported to an off-site private wastewater treatment facility. The only wastewater envisioned will be minimal amounts generated through routine facility cleaning.</p>	
<p>b. Ground:</p>	
<p>1. Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.</p> <p>No groundwater will be withdrawn and no water will be discharged to groundwater.</p>	
<p>2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (e.g., domestic sewage; industrial, containing the following chemicals _____; agricultural, etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.</p> <p>The project will not require any discharges into the ground; all sanitary waste from the site will be discharged to the City of Aberdeen waste water treatment plant.</p>	
<p>c. Water Runoff (including storm water):</p>	

<p>1. Describe the source of runoff, (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.</p> <p>All water runoff will be stormwater only. Rain falling inside the tank storage area will be collected, tested as required, and if clean, released to the existing Port of Grays Harbor stormwater system. Runoff (sheet flow) outside the tank storage area will flow to the Port of Grays Harbor stormwater system.</p>	
<p>2. Could waste materials enter ground or surface waters? If so, generally describe.</p> <p>Waste materials are not expected to enter ground or surface waters. The storage tank area will be on grade level or elevated foundations surrounded by a concrete containment wall capable of holding the total volume of the largest tank on-site plus precipitation. Below grade tanks or underground pipelines are not part of this project. To prevent any spills, leaks from tanks, etc from reaching the ground or surface waters, an impervious liner will be installed inside the entire tank storage zone. The liner will consist of a clay liner approved by a registered Washington Professional Engineer.</p> <p>All of the rail area will be built on concrete which will prevent any spills or leaks from reaching groundwater. The containment system in the rail area will hold a minimum of an entire rail car plus a significant rainfall.</p>	
<p>3. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:</p> <p>During construction, Best Management Practices (BMPs) will be applied for stormwater management following the requirements of the SWPPP. These BMPs may include the use of silt fences, temporary stormwater ponds, or other appropriate methods.</p> <p>During operation, the facility will follow an EPA Spill Prevention Control and Countermeasures Plan to prevent liquid products from leaving the containment areas. Spill kits will be placed in strategic and easily accessible locations for use if small spills occur. If a spill should occur, Terminal personnel will follow Westway's Incident Reporting Procedure and notify regulatory authorities as required.</p>	
<p>4. PLANTS</p>	
<p>a. Check or circle types of vegetation found on the site:</p> <p><input type="checkbox"/> deciduous tree: alder, maple, aspen, other _____</p> <p><input type="checkbox"/> evergreen tree: fir, cedar, pine, other _____</p> <p><input type="checkbox"/> shrubs</p> <p><input checked="" type="checkbox"/> grass (various pasture grasses)</p> <p><input type="checkbox"/> pasture</p> <p><input type="checkbox"/> crop or grain</p> <p><input type="checkbox"/> wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other _____</p> <p><input type="checkbox"/> water plants: water lily, eel grass, milfoil, other _____</p> <p><input type="checkbox"/> other types of vegetation</p>	
<p>b. What kind and amount of vegetation will be removed or altered?</p> <p>The entire terminal site is paved with the exception of the existing tank farm area which is covered with crushed rock and a small area of rocky soil north of the existing rail area. There are scattered areas around the periphery with small patches of grass that may be removed or altered by this project.</p>	<p>OFFICE USE ONLY</p>
<p>c. List threatened or endangered species known to be on or near the site.</p> <p>No listed plant species have been observed or are expected to occur on or near the site.</p>	
<p>d. Proposed landscaping, use of native plants, or measures to preserve or enhance vegetation on the site, if any: The City of Hoquiam Landscaping and Screening ordinance (HMC 10.05.65) requires that 18 inches total caliper of new trees be planted per acre of construction. A Professional Landscaper has evaluated the site and determined that the soil is not conducive to the long term survival of any trees planted at the site. Accordingly, Westway will be planting the trees along other Port property and along public ways inside the City of Hoquiam. A proposed plan can be found in Appendix C.</p>	

5. ANIMALS	
<p>a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site: birds: hawk, heron, eagle, <u>songbirds</u>, other <u>Loon, Peregrine Falcon</u> mammals: <u>deer</u>, bear, elk, beaver, other _____ fish: bass, <u>salmon, trout</u>, herring, shellfish, other _____</p>	
<p>b. List any threatened or endangered species known to be on or near the site.</p> <p>The Chehalis River may be used by bull trout (<i>Salvelinus confluentus</i>), Chinook salmon (<i>Oncorhynchus tshawytscha</i>), Coho salmon (<i>Oncorhynchus kisutch</i>), and steelhead (<i>Oncorhynchus mykiss</i>). It is possible that Steller sea lions (<i>Eumetopias jubatus</i>) could occur in the Chehalis River. A bald eagle (<i>Haliaeetus leucocephalus</i>) nest is located approximately 1 mile west of the site. No marbled murrelet (<i>Brachyramphus marmoratus</i>) nesting sites are known to occur in the area and it is highly unlikely that marbled murrelets would use the area for foraging. It is possible that marbled murrelets may use the Chehalis River for daily migration during the nesting season.</p>	
<p>c. Is site part of a migration route? If so, explain.</p> <p>The site is in the Pacific Flyway and fish use Grays Harbor for migration. Fry Creek is also known to be used by Coho salmon for migration and may also be used by steelhead and Chinook salmon.</p>	
<p>d. Proposed measures to preserve or enhance wildlife, if any:</p> <p>The tank farm and associated facilities will be fully contained and controlled.</p>	
6. ENERGY AND NATURAL RESOURCES	
<p>a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.</p> <p>This facility will be a minor user of electricity. Uses include general area lighting, pumps for moving product through pipelines and power to the maintenance and office buildings. Natural gas will be used to fuel the Vapor combustion Unit.</p>	
<p>b. Would your project affect the potential use of solar energy on adjacent properties? If so, generally describe</p> <p>No</p>	
<p>c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:</p> <p>All pumps, motors, electrical equipment and process technology equipment will include energy efficient motors for efficient operations.</p>	
7. ENVIRONMENTAL HEALTH	
<p>a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.</p> <p>This expansion will add crude oil as a product stored in the new terminal tanks. Exposure, on and off-site, will be controlled using the latest, Best Available Control Technology (Marine loading vapor combustion, Internal floating roof tanks) along with compliance with current health and safety regulations and Westway's Operational and Health, Safety and Environmental policies and procedures. The risk of fire and explosion</p>	

will be taken into consideration for this project as all tanks and rail unloading areas will be equipped with fire fighting foam protection. All Occupational Safety and Health Administration (OSHA) and Washington Industrial Safety and Health Act (WISHA) health and safety requirements will be followed. On-site equipment specific training will be required for applicable employees.

Crude Oil is flammable; any fires will most likely be restricted to the site and managed on-site per the Emergency Preparedness Plan and the Hazardous Materials Management Plan, on file with the local fire department. The site will be designed for emergency vehicle access.

An air permit Notice of Construction has been submitted to the Olympic Region Clean Air Agency and is pending approval.

SPILL PREVENTION AND RESPONSE:

Facility Spill Prevention – the following steps will be taken to prevent spills inside the Terminal:

- The above ground, internal floating roof tanks for this project will be new construction. They will be built in accordance with the current API 650 standard for tank construction and maintained, inspected and repaired in accordance with the most current version of API 653. All new tanks will be hydrostatically tested prior to being placed in service. There will be no underground tanks associated with this project. The tanks will be surrounded by a containment wall of sufficient height to contain the volume of an entire 200,000 barrel tank plus a 25 year, 24 hour rain event. To prevent groundwater contamination in the event of a spill, an engineered clay liner will be installed over the soil inside the tank containment area. The liner will be protected/covered by a layer of soil.
- A Stormwater Pollution Prevention Plan will be developed and maintained at the facility. Stormwater accumulating in the tank area will be tested for pH and visually observed for sheen prior to being discharged. Stormwater accumulating in the rail area will likewise be tested, but will also pass thru an oil/water separator prior to being discharged.
- Piping for this project will be built to AMSE B31 Code for Pressure Piping and will be hydrostatically tested prior to being placed in service. The piping from the tanks to the dock will be pressure tested annually.
- The rail car unloading area will be built with all rail sitting on a solid concrete foundation. The concrete will be sloped so that it will form a secondary containment system for the entire rail area capable of holding the contents of an entire rail car (30,000 gallons) plus rainfall.
- The dock will be constantly attended by a terminal operator during all loading operations. He will have the ability to immediately stop a transfer is a leak/spill occurs on the dock. The dock area will have a spill containment curb around the perimeter of the dock which will contain spills of the volume required by the USCG, either three or four barrels, based on the size (piping diameter) of the loading arms to be used.
- A Spill Prevention Control and Countermeasures (SPCC) plan will be developed that will meet the requirements of 40CFR112.

Facility Spill Response – Westway, before any crude oil is received at the facility, will have in place, the following approved operational and oil spill response plans:

- USCG Operations Manual (33CFR154)
- Dept of Ecology Operations Manual (WAC 173-180-400 to 445)
- USCG Facility Response Plan (33CFR154)
- US EPA Facility Response Plan (40CFR112)
- Dept of Ecology Oil Spill Contingency Plan (WAC-173-182-120)

- Spills inside the tank area could occur from over-filling a tank, failure of a fitting, pump or valve, or a failure of the tank itself. These spills would be controlled by the secondary containment wall and the liner underneath the soil. Spilled product and contaminated soil/dirt would be collected profiled and disposed of in accordance with Dept. of Ecology Regulations.

- Spills inside the rail could occur from failures in an unloading hoses, a railcar valve or a hose connection. Minor drips from connecting/disconnecting railcars will be contained by drip pans under each railcar. Minor spills outside the drip pans will be cleaned up immediately using adsorbents, pads, etc. Larger spills capable of reaching the containment area sump will be collected using a vac

truck. An oil/water separator will prevent any residual oil sheen remaining from spills from being discharged from the facility. Any water from cleaning activities such as pressure washing concrete will be collected for disposal.

- Spills at the dock would likely be restricted to failures in fittings associated with the loading arms or piping. A drip pan will be used under loading arm ends when not in use. Adsorbent pads, small adsorbent socks, etc. will be used to cleanup any small drips that occur. During loading operations, there will be a spill response team stationed 1,000 feet downstream at a boat ramp. The team will have a vessel with oil skimming equipment available as well as boom sufficient to contain the spill.

To meet Ecology's on-water storage requirement for recovered oil, Westway is negotiating with an OSRO who will provide a barge for this purpose. The Port of Grays Harbor has agreed to provide a spot somewhere inside the Port where the barge can be moored. In the event of a spill in the Harbor, local tugs will be used to move the barge to whatever location is deemed best for the recovery effort.

Vessel Route Spill Prevention:

- Inbound Vessels will have a pilot on board from the 3 mile nautical limit offshore till the vessel reaches the Westway dock at Terminal 1. The pilot will provide heading and speed direction to the Captain. Empty, inbound vessels will not have a tug escort. The Pilot will determine if weather conditions are acceptable to bring the vessel in across the bar. If the vessel arrives when the tide is low, the Pilot may have the vessel wait offshore and time the arrival of the vessel to concur with a high tide. Ecology and the USCG will be given advanced notice of all outbound shipments of crude oil from the terminal.
- Being familiar with the Harbor and the ship channel, a Pilot will be on board all outbound crude oil vessels to provide heading and speed directions to the Captain. To provide steerage and movement in the event of a rudder or engine failure, two tugs will escort the loaded outbound vessels from the terminal to the offshore three nautical mile line. If the vessel does suffer a rudder or engine failure, there is a safe mooring area outside of the ship channel at buoy 13 which the tugs can move the vessel to. The water in this mooring area varies in depth from 41' to 66'. As an additional precaution, the Pilot will schedule outbound vessels to coincide with high tide. Also taken into consideration will be wind speed, swell height and amplitude (a laden vessel taking a full draft, at the bottom of a large wave swell, could contact the harbor bottom). If conditions prevent a vessel from leaving the Harbor, they will also prevent one from entering so outbound vessels can stay at the Terminal 1 dock until weather conditions allow it to leave. Information provided by the Pilots indicate that the bottom of the Harbor, as well as the sides of the ship channel consists of a soft, silty type material. A vessel grounding would likely not do any damage to the vessel. There are no boulders, rock or reefs noted along the ship channel on the NOAA Grays Harbor Navigational Map (chart 18502).

Vessel Route Spill Response:

- Loaded tank vessels or tank barges outbound from the West Way Terminal are intended to be covered by the WA State Maritime Cooperative Oil Spill Contingency Plan, meeting the requirements of the Grays Harbor Planning Standard or an Alternative Planning Standard. Westway is in negotiations with WSMC to arrange a sharing of response resources, primarily, making it's barge available for storage of oil recovered from a spill in the Harbor or just outside the entrance to the Harbor. The same scenario will apply to empty inbound vessels; they will operate under the WSMC plan.

POTENTIAL IMPACTS TO SENSITIVE AREAS FROM VESSEL

The increase in vessel traffic will not disturb existing sensitive area such as Fishing and Shellfish grounds, Bird Habitat or Migration areas as the vessels will be moving thru the existing ship channel.

POTENTIAL IMPACTS TO SENSITIVE AREAS FROM RAIL

- The Puget Sound and Pacific Railroad (PSAP) will move unit trains of crude oil from Centralia to Hoquiam. As required by 49CFR130, PSAP has a spill response

plan on file with the Federal Railroad Administration. PSAP has informed Westway that they have a contract with a spill response contractor (NRC Environmental) who will respond to any derail and spill along the route. Included in Appendix D is a list of the response equipment that is currently staged in the Westport/Aberdeen/Olympia area by NRC. The average railcar contains approx. 650 barrels; the EDRC (estimated daily recovery capacity) of the equipment NRC has in the area is 3,019 barrels, enough recovery capacity to handle the full release of the contents of 4.5 rail cars. Also in Appendix D is a list showing response times NRC has calculated for all counties in the state of Washington. Response times for Grays Harbor, Thurston and Lewis Counties are hi-lighted.

- Drinking water supplies – Both Hoquiam and Aberdeen get their water from surface water (rivers) that run into the Chehalis River. An oil spill at the terminal or in the Harbor will have no effect on their drinking water supply. All other cities between Aberdeen and Centralia get their drinking water from wells.
- Wetlands and Rivers – Rail traffic from Centralia to Aberdeen will cross the Chehalis and other small streams as well as pass along some wetlands. Under normal operations, this rail movement will have no impact on these areas. Should a simple derail occur where a single or multiple rail cars leave the track, there will likely be no impact to the environment. If the derail is such that a single or multiple cars turn over, there is still little likelihood of environmental damage due to the sturdiness of the rail cars.

SPILLS AND DISCHARGES INTO THE ENVIRONMENT (WAC 173-303-145)

- Discharges of crude oil onto the ground, surface water or groundwater will be considered "incidents" and managed according to Westway's "Incident Reporting" procedure. The procedure defines what is considered a "Reportable Spill" and based on that, what notifications are to be made inside Westway and what outside agencies are to be notified. Since crude meets the definition of a hazardous substance in WAC 173-303-040, any spills (other than minor drips) will be reported.
- Spills in the rail unloading area and the tank farm will be contained. Any contaminated soil/rock will be removed, then profiled to a permitted disposal facility. Inside the tank farm, soil will be excavated until samples indicate background levels of total petroleum hydrocarbons have been reached. In the rail area, spills will be recovered from the sump and "dirty" concrete cleaned. Oil that cannot be placed in the storage tanks will be sent off-site for disposal along with any debris (boom, pads, etc) generated during remediation activities. Due to the containment structures at the facility, it is unlikely that any spilled material will reach groundwater.
- Spills that reach surface water will be subject to and remediated according to the Ecology Oil Spill Response plan the facility will have in place before start of operations.

1. Describe special emergency services that might be required.

Due to the flammable nature of crude oil, there is the remote possibility of a fire inside the terminal; this would require the response of both local fire departments to help bring the fire under control.

Westway will continue to work with all regulatory agencies to ensure that all bulk materials on site will be properly stored, handled, and used in accordance with all applicable regulations. The facility will continue to maintain a list of emergency service providers that can be called upon including fire, Emergency Medical Services (EMS), Department of Ecology and the U.S. Coast Guard. An Emergency Action Plan and Hazardous Materials Management Plan will be filed with the local fire department which will include chemical storage data and locations.

<p>2. Proposed measures to reduce or control environmental health hazards, if any.</p> <p>Westway will have significant procedures and engineering controls in place to prevent releases of crude oil that will be unloaded at the rail facility and loaded at Terminal 1. The crude oil storage tanks will be constructed to American Petroleum Institute (API) 650 standards with impervious containment to capture the largest tank and accumulated precipitation. Tanks will be equipped with high and high-high level alarms</p> <p>Air emissions from the project will come from the storage tanks and from the loading of vessels and barges. Air emissions from the tanks will be controlled by the use of internal floating roofs inside the tanks. Vapors resulting from the loading of vessel and barges will be collected and routed to a marine vapor combustion system</p>	
<p>b. Noise</p>	
<p>1. What types of noise exist in the area which may affect your project (e.g., traffic, equipment operation, other)?</p> <p>This project will occur in an active industrial and shipping area. Noise generated by industry in the area will have no on the facility.</p>	
<p>2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours noise would come from the site.</p> <p>During construction, noise generated would be limited to typical "8-5" working hours and would include truck traffic, typical construction noise. Pile driving for tanks supports would be the only likely source of off-site complaints. A recent project at AGP involved extended periods of pile driving with no complaints being filed.</p> <p>After construction, there would be an increase in noise associated with increased train traffic. This traffic could occur at anytime of the day. The actual operation of the terminal, excluding increased rail traffic, will not increase the noise coming from the facility.</p>	
<p>3. Proposed measures to reduce or control noise impacts, if any:</p> <p>The only significant construction noises will be the pile driving which will be limited to daylight hours. There are no measures available to reduce or control noise impacts resulting from increased train traffic.</p>	
<p>8. LAND AND SHORELINE USE</p>	
<p>a. What is the current use of site and adjacent properties?</p> <p>The current site is an above ground tank farm dedicated to receiving, storing and shipping methanol. The adjacent sites are: North - biodiesel production facility, South - AGP's grain elevators, West - the Chehalis River, and to the East, a railroad, lumber yard/chip mill and Port Industrial Road.</p>	
<p>b. Has the site been used for agriculture? If so, describe.</p> <p>No</p>	<p>OFFICE USE ONLY</p>
<p>c. Describe any structures on site.</p> <p>Currently, the terminal consists of four - 3,340,000 gallon above ground storage tanks, two rail spurs with 18 loading/unloading spots, office building, locker/change building, associated pipelines, valves and pumps and an old warehouse.</p>	
<p>d. Will any structures be demolished? If so, what?</p> <p>The remaining portion of an old wood frame warehouse on site will be demolished to make way for the proposed rail expansion. Approx half of this structure was demolished when the terminal was built in 2009. A Demolition Permit for the removal of the remaining structure will be obtained from the City of Hoquiam. Also, a Demolition Permit will be obtained from the Olympic Region Clean Air Agency (ORCAA). An AHERA survey was performed in 2009, no asbestos materials were found in the structure.</p>	
<p>e. What is the current zoning classification of the site?</p> <p>Current land use designation is Heavy Industrial (for both the City of Hoquiam and City of Aberdeen).</p>	

f. What is the current comprehensive plan designation of the site? Current land use designation is Industrial (for both the City of Hoquiam and City of Aberdeen).	
g. If applicable, what is the current shoreline master program designation of the site? The shoreline master plan designation for the site is urban development.	
h. Has any part of the site been classified as an "environmentally sensitive" area? No	
i. Approximately how many people would reside or work in the completed project? The proposed project will require between 10-20 new employees working at the site. No employees will reside in the completed project.	
j. Approximately how many people would the completed project displace? None	
k. Proposed measures to avoid or reduce displacement impacts, if any: Does not apply	
l. Proposed measures to ensure proposal is compatible with existing and projected land uses and plans, if any: None	
9. HOUSING	
a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. None	
b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. Does not apply	
c. Proposed measures to reduce or control housing impacts, if any: Does not apply	
10. AESTHETICS	
a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? The new tanks will be 64' high and will be built of carbon steel, painted white.	
b. What views in the immediate vicinity would be altered or obstructed? Adjacent parcels are currently under industrial use; therefore, the proposal will be consistent with other aesthetics in the vicinity. The four new tanks will be visible in the surrounding area, but will not obstruct any views. Note: in 2010/2011, AGP built a new grain silo facility adjacent to the proposed Westway site which include numerous concrete silos >150' in height.	
c. Proposed measures to reduce or control aesthetics impacts, if any: Area lighting will be restricted to that amount necessary for safe operation of the facility. The site is located inside the Port and only visible from portions of Port Industrial Road.	
11. LIGHT AND GLARE	
a. What type of light or glare will the proposal produce? What time of day would it mainly occur? Lighting in the new tank storage and rail areas will be required between the hours of dusk and dawn that will slightly raise ambient light levels in the area.	
b. Could light or glare from the finished project be a safety hazard or interfere with views? The facility is in an existing industrial area and is consistent with other activities in the area. Light from the facility is not expected to be a safety hazard or interfere with views.	
c. What existing off-site sources of light or glare may affect your proposal.? None	
d. Proposed measures to reduce or control light and glare impacts, if any: Only that lighting sufficient to provide a safe work environment will be installed.	
12. RECREATION	

<p>a. What designated and informal recreational opportunities are in the immediate vicinity?</p> <p>The Chehalls River and Grays Harbor provide informal recreational opportunities. The 28th Street boat ramp and viewing tower, owned by Port of Grays Harbor, are adjacent to the parcel.</p>	
<p>b. Would the proposed project displace any existing recreational uses? If so, describe. No</p>	OFFICE USE ONLY
<p>c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:</p> <p>Project will have no effect on recreational activities.</p>	
<p>13. HISTORIC AND CULTURAL PRESERVATION</p>	
<p>a. Are there any places or objects listed on, or proposed for, national, state or local preservation registers known to be on or next to the site? If so, generally describe.</p> <p>There are no places or objects of historical significance on or near the site.</p>	
<p>b. Generally describe any landmarks or evidence of historic, archaeological, scientific or cultural importance known to be on or next to the site.</p> <p>No landmarks of significant value have been identified near the site.</p>	
<p>c. Proposed measures to reduce or control impacts, if any: This proposed project will result in an increase of up to five additional vessel movements in and out of the Harbor each month, increasing the total movements in and out from seven to twelve (from one every 4 days to one every 3 days). This increase in traffic is will be restricted to the ship channel and will have no greater effect on the Tribal Fishing areas and Shellfish Growing areas than existing traffic does.</p> <p>The most likely place and time for a spill into the Harbor is during vessel loading operations. With spill response personnel and equipment on site during transfers, a spill can be contained in the immediate area of the dock, thus minimizing any potential impact to fishing or shell fish growing areas.</p>	
<p>14. TRANSPORTATION</p>	
<p>a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.</p> <p>This project will require access to West First Street via Port Industrial Road.</p>	
<p>b. Is site currently served by public transit? If not, what is the approximate distance to nearest transit stop?</p> <p>No transit services are available.</p>	
<p>d. How many parking spaces would the completed project have? How many would the project eliminate?</p> <p>The facility currently has 14 parking spaces in front of the existing office building. The City of Hoquiam Building Official has determined that an additional 6 spaces would be needed for the project. This would allow for 6 operators, 12 at shift change, plus additional spots for office staff (3) and several visitor spots with one being designated as a Handicapped Parking space. A bike rack with four spaces would also be added.</p>	
<p>d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).</p> <p>The raw material terminal will be serviced by the existing west First Street. Minor modification to allow rail access may be made.</p>	
<p>e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.</p> <p><u>TRAIN TRAFFIC:</u></p> <p><u>Increase in Rail Traffic:</u> Train traffic in and out of the Aberdeen/Hoquiam area will increase from an average of 3 unit trains per week (three full trains in, three empty trains out), to four, then eventually to five in, five out per week. Spread out over the week, this increase is not expected to significantly impact existing traffic patterns.</p>	

Affect on local traffic:

There are two areas that may be impacted by increased rail traffic: 1) entrances/exits to and from the Olympic Gateway shopping center and 2) two crossings on Port Industrial Road.

Unit trains passing the Gateway shopping center will be slowing down to cross the bridge over the Wishkah River. It is estimated that unit trains will take approx 13-15 minutes to clear. Spread out over the week, this increase of two trains per week is not expected to significantly impact existing traffic patterns. The same applies to the two crossings over Port Industrial Road; the impact of two more train movements spread over a week will not be significant.

VESSEL TRAFFIC:

At this time, it is believed that all or most of the crude oil shipments leaving the Westway terminal will be via Articulated Tug Barges (ATBs). However, we cannot rule out the possibility of some movements being made by tanker vessels. It is anticipated that vessels transporting crude oil out of the Westway Terminal at Port Terminal 1 will be either 150,000 or 180,000 barrel ATBs. In Appendix E are two photos of "typical" ATBs that could be used for this project and a sheet that provides some specific detail on the tug/barge combination. The specific vessels/barges that will be used for this project have not been identified and thus we can only provide "typical" specifications for what we think will be used. Our potential customer has suggested that they might be using Crowley ATB's, which are part of the ECOPRO certification program.

Increase in Vessel traffic:

Currently there are approx. 7 vessel movements monthly at Port docks 4, 2 and 1 (AGP, Pasha auto ships, methanol, etc). Westway's CBR project will start off adding 2 to 3 movements per month, increasing over the life of the current project to as many as 5 movements per month. The Port can handle this volume of 12 movements per month (one every three days) without causing congestion in the port; the Port and Pilots will schedule movements as described below.

Vessel Traffic Coordination:

The Port of Grays Harbor and the Pilots coordinate all commercial traffic between the Port docks and open waters of the Pacific. During outbound movements of crude oil, the Pilots will not allow any other vessel traffic in the ship channel between the terminal 1 dock and the off-shore three nautical mile line. The Pilots have a safe mooring area located just inside the harbor at buoys 13 and 14 where ships can be staged if required.

Inbound Vessel Traffic:

Agents for inbound empty vessels will contact the Port to place their vessel/barge on the incoming vessel schedule, giving the Port an estimated arrival date and time. As the date gets closer, the agent will update the Port, stating that their arrival date is still accurate or that the estimated date and time has changed. When the vessel arrives off-shore, a Port Pilot will board the vessel at the three nautical mile line. He will provide direction to the vessel Captain on heading and speed, staying on board till the vessel is docked.

If the weather in the area is such that the Pilot will not allow a vessel to cross the bar and enter the harbor, the empty inbound vessel will be required to "keep station" offshore until weather improves.

Outbound Vessel Traffic:

Loaded outbound crude vessels will have two tugs in attendance. The two tugs regularly available are 2,500 horsepower tugs. There is a third tug that can be called on if needed. The Pilot will remain on the vessel, providing heading and speed directions to the Captain. The tugs will accompany the vessel from the Port dock to the Three Nautical Mile Line outside the Harbor.

Disabled Vessels inside the Harbor:

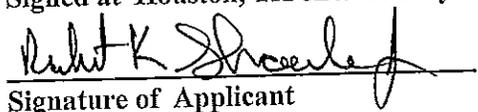
Should an inbound empty ATB or vessel become disabled in the Harbor, there are two local tugs that can be called upon to assist the vessel. These tugs can complete the inbound portion of the movement by assisting the vessel to the destination dock or to the Harbor's safe mooring area at buoy 13. At these sites, the vessel can be evaluated and repaired, or readied for further movement to a repair facility as needed. Once past the bar, there is little danger from grounding as the bottom is silty and free of rocks, boulders, reefs, etc that could damage the hull.

<p>Disabled Vessels outside the Harbor: ATBs and Vessels traveling up and down the Pacific Coast stay in a "tow lane" approx. 25 miles off the coast. One barge company, Crowley, has a company policy of staying 35 miles off-shore when transporting oils. Should an ATB or vessel become disabled, whether loaded or unloaded, they would drift at approx. 2 knots per hours. If the drift is towards the shoreline, a disabled vessel could reach the shoreline in 12 to 13 hours. To assist disabled vessels off of the Washington coast, there are two ocean-going tugs available in the Grays Harbor area. One is located approx 90 miles north of Grays Harbor at Neah Bay, another approx 40 miles south of Grays Harbor at the Columbia River. If an ATB or vessel were to become disabled somewhere equally between the two tug locations (65 miles from either tug), it would be possible for a tug to arrive on station no later than 11 hours after initiating a response. This assumes responding in a worst case scenario of severe weather where a responding tug would be limited to a best speed of 6 knots per hour. This should allow the ocean going tug reach the disabled vessel prior to it grounding on the shoreline.</p>	
<p>f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.</p> <p>The project will not create an increase in vehicle traffic. The addition of 5-6 persons per shift will have no affect on local traffic.</p>	
<p>g. Proposed measures to reduce or control transportation impacts, if any: None.</p>	
<p>15. PUBLIC SERVICES</p>	
<p>a. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, generally describe. The project will not result in an increased need for public services. Westway has met with the City of Hoquiam's Fire Department and will incorporate their needs into the design of the project</p>	
<p>b. Proposed measures to reduce or control direct impacts on public services, if any. None.</p>	
<p>16. UTILITIES</p>	
<p>a. Circle utilities available at the site: <input checked="" type="checkbox"/> electricity, <input checked="" type="checkbox"/> natural gas, <input checked="" type="checkbox"/> water, refuse service, <input checked="" type="checkbox"/> telephone, <input checked="" type="checkbox"/> sanitary sewer, septic system, other.</p>	
<p>b. Describe the utilities that are proposed for the project, the utility providing the service and the general construction activities on the site or in the immediate vicinity which might be needed.</p> <p>The utilities proposed for this project require working with existing service companies. Electricity required for the project will come from the Gray's Harbor PUD, an upgrade to the service will be required as the main electrical building will be increased in size and capacity and a second electrical service will need to be installed for the rail area. Natural gas will come from Cascade Natural Gas; due to the addition of a second vapor control unit, the gas service may need to be upgraded.</p>	

C. SIGNATURE

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at Houston, TX on February 19, 2013


 Signature of Applicant

Robert K. Shoemaker Jr.
 Print Name

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (do not use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

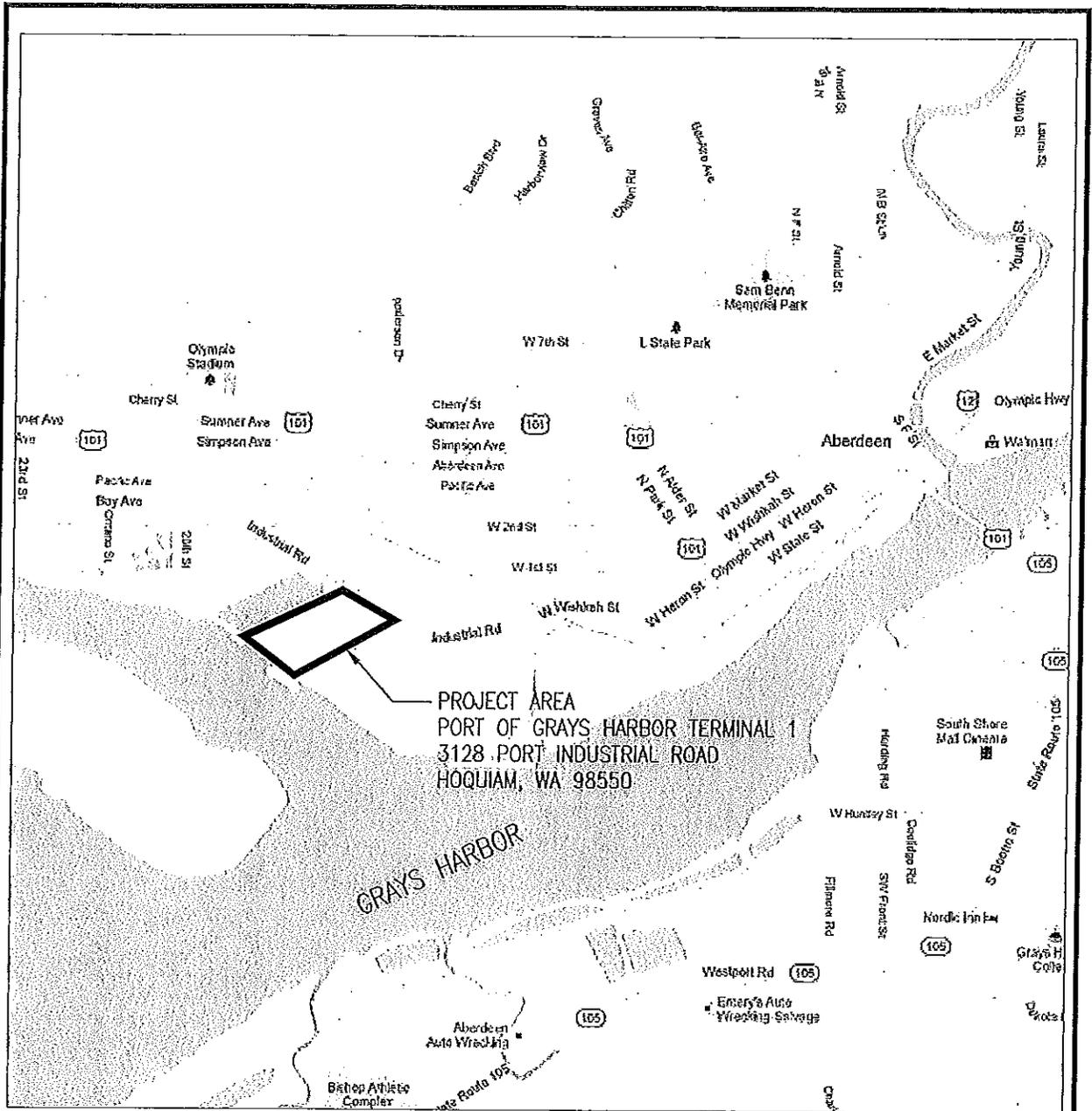
	OFFICE USE ONLY
<p>1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?</p> <p>Proposed measures to avoid or reduce such increases are:</p>	
<p>2. How would the proposal be likely to affect plants, animals, fish, or marine life?</p> <p>Proposed measures to protect or conserve plants, animals, fish, or marine life are:</p>	
<p>3. How would the proposal be likely to deplete energy or natural resources?</p> <p>Proposed measures to protect or conserve energy and natural resources are:</p>	
<p>4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?</p> <p>Proposed measures to protect such resources or to avoid or reduce impacts are:</p>	
<p>5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?</p> <p>Proposed measures to avoid or reduce shoreline and land use impacts are:</p>	
<p>6. How would the proposal be likely to increase demands on transportation or public services and utilities?</p> <p>Proposed measures to reduce or respond to such demand(s) are:</p>	
<p>7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.</p>	



**Westway Terminal Company LLC
Grays Harbor Terminal
"Crude By Rail" Project
SEPA Checklist**

**Appendix A
Facility Site Maps**

Figure 1



PROJECT AREA
 PORT OF GRAYS HARBOR TERMINAL 1
 3128 PORT INDUSTRIAL ROAD
 HOQUIAM, WA 98550



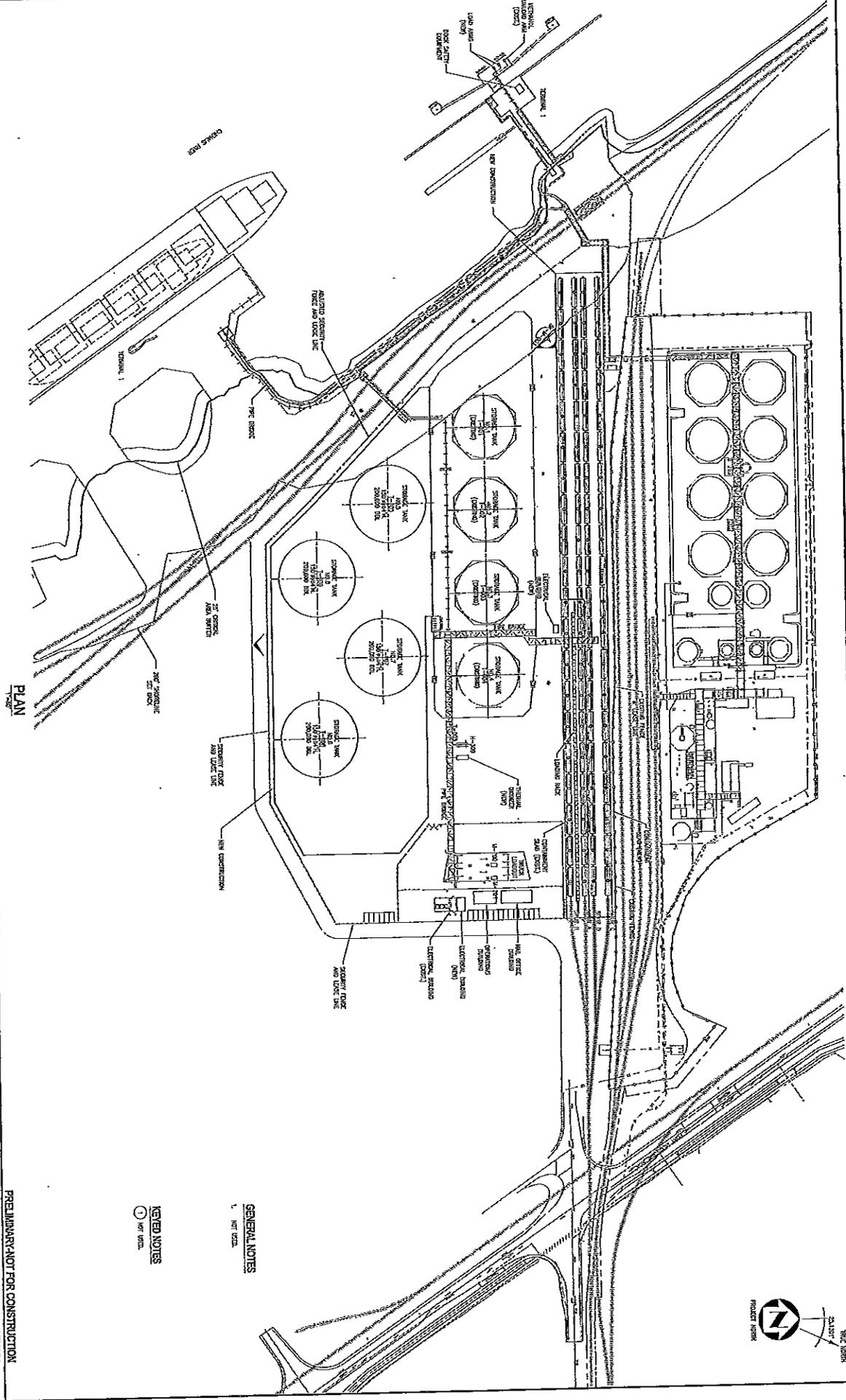
NORTH

Mark	Date	By	Description
A	10/12/12	RSM	ISSUED FOR PERMIT

 <p>Harris Group Inc. www.harrisgroup.com</p>	Scale:	NTS
	Drawn:	SWH
	Designed:	
	Approved:	
	Date:	
<p>WESTWAY TERMINAL COMPANY</p>		Project No: 30354.00

<p>VICINITY MAP</p>	
Drawing Number:	Issue:
	<p>A</p>

Revision	By	Date	Description
1
2
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PLAN

GENERAL NOTES
1. SEE NOTES

KEYED NOTES
① SEE NOTES

PRELIMINARY/NOT FOR CONSTRUCTION

Westway
Terminal Company
GRAYS HARBOR, WA

H Harris Group Inc.
www.harrisgroup.com

GRAYS HARBOR TERMINAL EXPANSION
WESTWAY TERMINAL COMPANY
SITE ARRANGEMENT
2-TANK PLAN

Project No: 30354.00
Drawing: SK-M-022-2



**Westway Terminal Company LLC
Grays Harbor Terminal
"Crude By Rail" Project
SEPA Checklist**

**Appendix B
Green House Gas Calculations**

Westway Terminal Company LLC
Proposed Crude By Rail project
Estimated Increase in Marine GHG Emissions

Marine Vessel Combustion Emissions for Bakken Crude

Table 1. Crude Oil Specifications

API ^a	42.30
Specific gravity	0.820
Crude Density (lbs/bbl)	286.8
Average Daily Crude Throughput (bbls/day)	26,301
Annual Crude Throughput (bbls/yr) ^a	9,600,000

Table 2. Marine Vessel Specifications:

Marine Vessel Description ^b	Barge
Tare (empty) light displacement, tons ^d	3,000.00
Tare (empty) light displacement, lbs	6,000,000
Crude load, bbls ^b	150,000
Crude Deadweight Tonnage, tons	21,511.1
Tanker Deadweight Tonnage, tons	24,511.1

Table 3. SEPA Distance Calculations: ^f

Distance Used for Calculations:	STATE
Transport Route Included:	Round Trip
Distance to Destination from Departure Point	N/A
Distance from Departure Point to WA Border	16.2
Per Trip Gross Ton-Miles	
Empty tanker, inbound, ton-miles	48,600
Full tanker, outbound, ton-miles	397,081
Total round-trip, ton-miles	445,681

Table 4. Fuel Consumption Calculations

Inbound Emission Factors from Efficiency Typ:	Total
Outbound Emission Factors from Efficiency T:	Loaded
Marine Vessels/Year	64
Total Gross Ton-miles/year	28,523,552
Residual Fuel Oil combusted in all ships, tonn	504.68
Crude Unloading Energy Consumption Calculations:	
Auxiliary Engine Load, kW ^h	497
Auxiliary Boiler Load, kW ^h	3,000
Hours in Port, hr ^b	12
Energy Used in Port, MMBtu/unload	143.19

Table 5. GHG Emission Calculations:

Emission Type:	g/tonne-km	kg/year	MT/year	GWP ⁿ
CO ₂ from Inbound Transport (metric tons) ^{k,l}	33.3	1,386,730	1,387	1
CO ₂ from Outbound Transport (metric tons) ^{k,l}	5.2	192,933	193	1
CO ₂ from Fuel Burned during Loading (metric tons)	kg C/MMBtu	kg/year	MT/year	GWP ⁿ
	21.49	-	-	1
N ₂ O (metric tons) ^m	kg/tonne fuel	kg/year	MT/year	GWP ⁿ
	0.08	40	0.0	310
CH ₄ (metric tons) ^m	0.30	151	0.2	21
GWP	1,595 metric tons/yr CO₂e			

Westway Terminal Company LLC
Proposed Crude By Rail Project
Estimated Increase in Rail Emissions

Locomotive Combustion Emissions for Bakken Crude

Table 1. Crude Oil Specifications

Train Departure Point	North Dakota
API ^a	42.3
Specific gravity ^a	0.8198
Crude Density (lbs/bbl)	286.8
Average Daily Crude Throughput (bbls/d)	26,301
Trains per Year	134
Annual Crude Throughput (bbls/yr) ^a	9,600,000

Table 2. Train Specifications

Locomotive Weight (tons) ^b	108.0
Tank Car Capacity (bbls) ^c	595.2
Tank Car Empty Weight (tons) ^d	31.0
Crude Weight in Tank Car (tons)	85.4
Filled Tank Car Weight (tons) ^e	116.4

Table 3. SEPA Distance Calculations

Distance to Hoquiam from Departure Point	1,154
Distance to Centralia from WA Border (mi)	366
Distance for Railcar Swap (mi) ^f	59
Distance Used for Calculations:	STATE
Transport Route Included:	Round Trip
Per Trip Gross Ton-Miles	
Inbound Train (ton-miles/railcar)	49,454
Outbound Train (ton-miles/railcar)	13,175
Round-trip Train (ton-miles/railcar)	62,629

Table 4. Fuel Consumption Calculations

Rail cars per Train	120.0
Rail cars per Year	16,128
Railcar Gross Ton-Miles/Year	1,010,075,865
Locomotive Gross Ton-Miles/Year ^b	17,476,301
Total Gross Ton-Miles/Year	1,027,552,166
Locomotive Fuel Use (ton-miles/gal) ^{b,h}	929.47
Diesel Fuel (gals/year)	1,105,525
Locomotive Idling Fuel Use at Facility	
Train Idling Fuel Use (gals/hr/locomotive)	10
Total Idling Fuel Use (gals/yr) ^{h,k}	-

Table 5. GHG Emission Calculations:

Emission Type:	(g/gal)	(lbs/yr)	(tonnes/yr)	GWP ^m
CO ₂ (metric tons) ^h	10,150	24,738,370	11,221.15	1
N ₂ O (metric tons) ⁱ	0.26	634	0.29	310
CH ₄ (metric tons) ⁱ	0.80	1,950	0.88	21
GWP	11,329	metric tons/yr CO₂e		

Westway Terminal Company LLC
Proposed Crude By Rail Project
Estimated Increase in MVCU GHG Emissions

Table D-11. MCVS Criteria Pollutant and GHG Emission Calculations

Emission Type	Emission Factors (mg/L Product Loaded) ^a		Total Emissions (tpy)		
NO _x	4		6.73		
CO	10		16.82		
	Natural Gas (lb/MMScf) ^b	Captured VOC (lb/MMScf)	Total Emissions (tpy)		
PM ₁₀	7.6	7.6	0.13		
PM _{2.5}	7.6	7.6	0.13		
VOC	5.5	N/A ^b	2.13		
SO ₂	0.6	0.6	9.91E-03		
Sulfuric Acid Mist ^e	1.20E-02	1.20E-02	1.98E-04		
	(g/MMBtu) ^c	(g/MMBtu)	(metric tons/yr)	GWP ^d	
CO ₂	53,060	53,060	1,928	1	
N ₂ O	0.1	0.1	0.00	310	
CH ₄	1	1	0.04	21	
GWP	1,930 metric tons/yr CO₂e				

^a John Zink provided a guarantee for the MVCU of 4 mg NO_x/L and 10 mg CO/L of product.

^b Natural Gas Emission Factors based on Uncontrolled Small Boilers from Table 1.4-1 and 1.4-2 in AP-42, Section 1.4 Natural Gas Combustion. The MVCU captured VOC is assumed to be natural gas per the guidance in AP-42 Section 5.2, and thus will have the same emission factors as natural gas. Natural gas has a heating value of 100,000 Btu per cubic foot.

^c Values obtained from the Climate Registry v1.1, May 2008. The U.S. default CO₂ emission factors from fossil fuel combustion were obtained from Table 12.1. The default CH₄ and N₂O emission factors were obtained from Table 12.9 using the heating value of natural gas.

^d 40 CFR 98 Subpart A Table A-1 Global Warming Potentials (100-Year Time Horizons)

^e Sulfuric acid mist emissions for natural gas combustion are based on 2% conversion of SO₂ to SO₃.

Westway Terminal Company LLC
Proposed Crude By Rail Project
Estimated Increase in Vehicular Emissions

Transportation Method 2 - An estimate of vehicle miles traveled is required to calculate emissions using method 2.

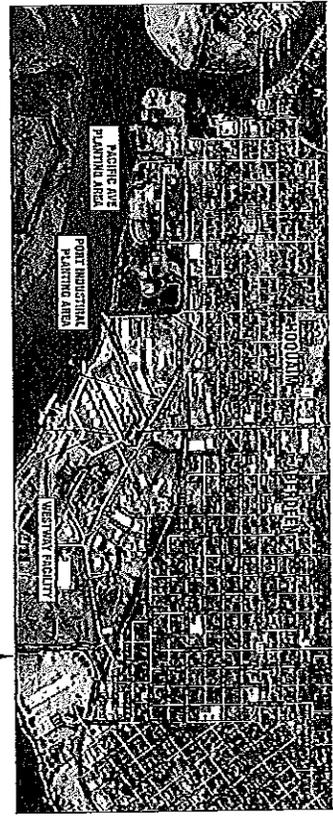
Vehicle ID	Miles Traveled	Vehicle Type	Annual GHG Emission (MT CO2e)
	146000	Car	57
	146000	Van/SUV	71
		(select option)	-



**Westway Terminal Company LLC
Grays Harbor Terminal
"Crude By Rail" Project
SEPA Checklist**

**Appendix C
Landscape Plan**

PLANTING SCHEDULE					
SYMBOL	QTY	LATIN NAME	COMMON NAME	SIZE	REMARKS
TREES					
	12	Pyrus calleryana 'Chanticleer'	Chanticleer Flowering Pear	1-1 1/2' Cal.	B&B or Container
	58	Pyrus calleryana 'Red Spire'	Red Spire	1-1 1/2' Cal.	B&B or Container



VICINITY MAP
PORT OF GRAYS HARBOR



PORT INDUSTRIAL ROAD PLANTING PLAN

REVISIONS	
#	DATE

GERALD MERTL
LANDSCAPE ARCHITECT

655 McClellan Road
Coezelle, WA 98537

ph: 360.532.8750
fax: 360.532.1169

WESTWAY TERMINAL
PORT OF GRAYS HARBORS
HOQUIAM, WA 98550

PL1.0

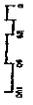
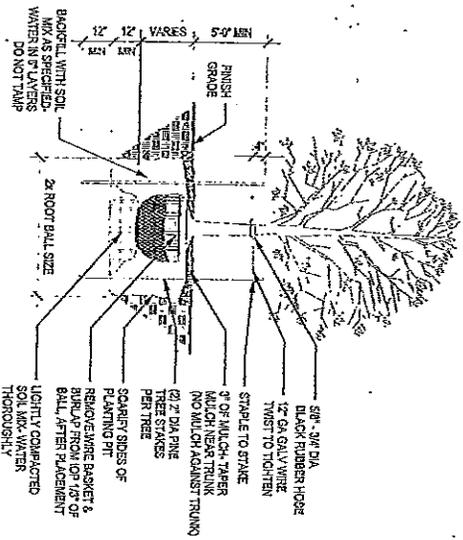
LANDSCAPE
MITIGATION
PLANTING

ISSUED DATE: 11/20/2013
DRAWN BY: [blank]
CHECKED BY: [blank]
APPROVED BY: [blank]

PACIFIC AVE PLANTING PLAN



TREE PLANTING DETAIL



PL2.0

LANDSCAPE MITIGATION PLANTING

DATE: 10/15/2024
 PROJECT: WESTWAY TERMINAL
 DRAWING: PLANTING PLAN

WESTWAY TERMINAL
 PORT OF GRAYS HARBORS
 HOQUIAM, WA 98550

REVISIONS	
#	DATE

GERALD MERTL
 LANDSCAPE ARCHITECT

615 McKinley Road
 Grays Harbor, WA 98537
 Tel: 360.532.4733
 Fax: 360.532.1150



**Westway Terminal Company LLC
Grays Harbor Terminal
"Crude By Rail" Project
SEPA Checklist**

**Appendix D
NRC Response Times and
Staged Equipment List**



Estimated Response Time From NRCES Locations

County	Hours			
	Seattle	Portland	Pasco	Spokane
Adams	4-5	5-6	1-2	0-2
Asotin	6-7	6-7	2-3	2-3
Benton	4-5	4-5	0-2	2-3
Chelan	4-5	6-7	3-4	4-5
Clallam	0-2	7-8	8-9	8-9
Clark	3-4	0-2	3-4	6-7
Columbia	6-7	5-6	1-2	4-5
Cowlitz	2-3	0-2	1-2	6-7
Douglas	4-5	5-6	2-3	3-4
Ferry	6-7	7-8	3-4	3-4
Franklin	4-5	4-5	0-2	3-4
Garfield	6-7	6-7	2-3	3-4
Grant	2-3	5-6	2-3	2-3
Grays Harbor	0-2	6-7	6-6	6-7
Island	2-3	5-6	5-6	6-7
Jefferson	0-2	5-6	5-6	7-8
King	0-2	3-4	4-5	5-6
Kitsap	0-2	3-4	5-6	6-7
Kittitas	2-3	5-6	2-3	3-4
Klickitat	4-5	2-3	2-3	5-6
Lewis	2-3	2-3	4-5	6-7
Lincoln	5-6	7-8	3-4	2-3
Mason	0-2	3-4	5-6	6-7
Okanogan	5-6	7-8	5-6	4-5
Pacific	2-3	3-4	6-7	8-9
Pend Oreille	6-7	7-8	3-4	0-2
Pierce	0-2	3-4	4-5	5-6
San Juan	2-3	6-7	6-7	7-8
Skagit	2-3	5-6	5-6	6-7
Skamania	4-5	0-2	3-4	5-6
Snohomish	0-2	4-5	4-5	5-6
Spokane	5-6	6-7	2-3	0-2
Stevens	6-7	7-8	3-4	2-3
Thurston	0-2	2-3	4-5	5-6
Wahkiakum	3-4	2-3	5-6	7-8
Walla Walla	5-6	5-6	0-2	4-5
Whatcom	0-2	5-6	5-6	6-7
Whitman	5-6	6-7	2-3	2-3
Yakima	3-4	3-4	0-2	3-4



Response Equipment List – Westport/Aberdeen/Olympia

Description	Location
Fast Response Vessel (FRV) (Beaver) 34' w/1000' of 12" boom	Westport
Aberdeen FRV # 6 w/ 1000' of 20" boom	Hoquiam
40' Trailer w/ 4400' of 30" expandable boom	Aberdeen
20' Trailer w/ 1000' of 20" boom	Central Park
10' Container w/ PPE and Sorbent Supplies	Central Park
20' Container w/ Lamor Skimming System 3019 EDRC	Hoquiam
4 Gas PID Air Monitor	Aberdeen
PPE and Sorbent Supplies @ Westport Fire Station	Westport
20' Container w/ 1000' of 20" boom / PPE and Sorbent Supplies	Olympia

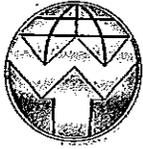
Totals:

Equipment	UOM	QTY
Boats	EA	2
Boom	Feet	8400
Recovery (EDRC)	Bbl/day	3019



**Westway Terminal Company LLC
Grays Harbor Terminal
"Crude By Rail" Project
SEPA Checklist**

**Appendix E
Typical Articulated Tug Barge Specifications**



Westway
TERMINALS

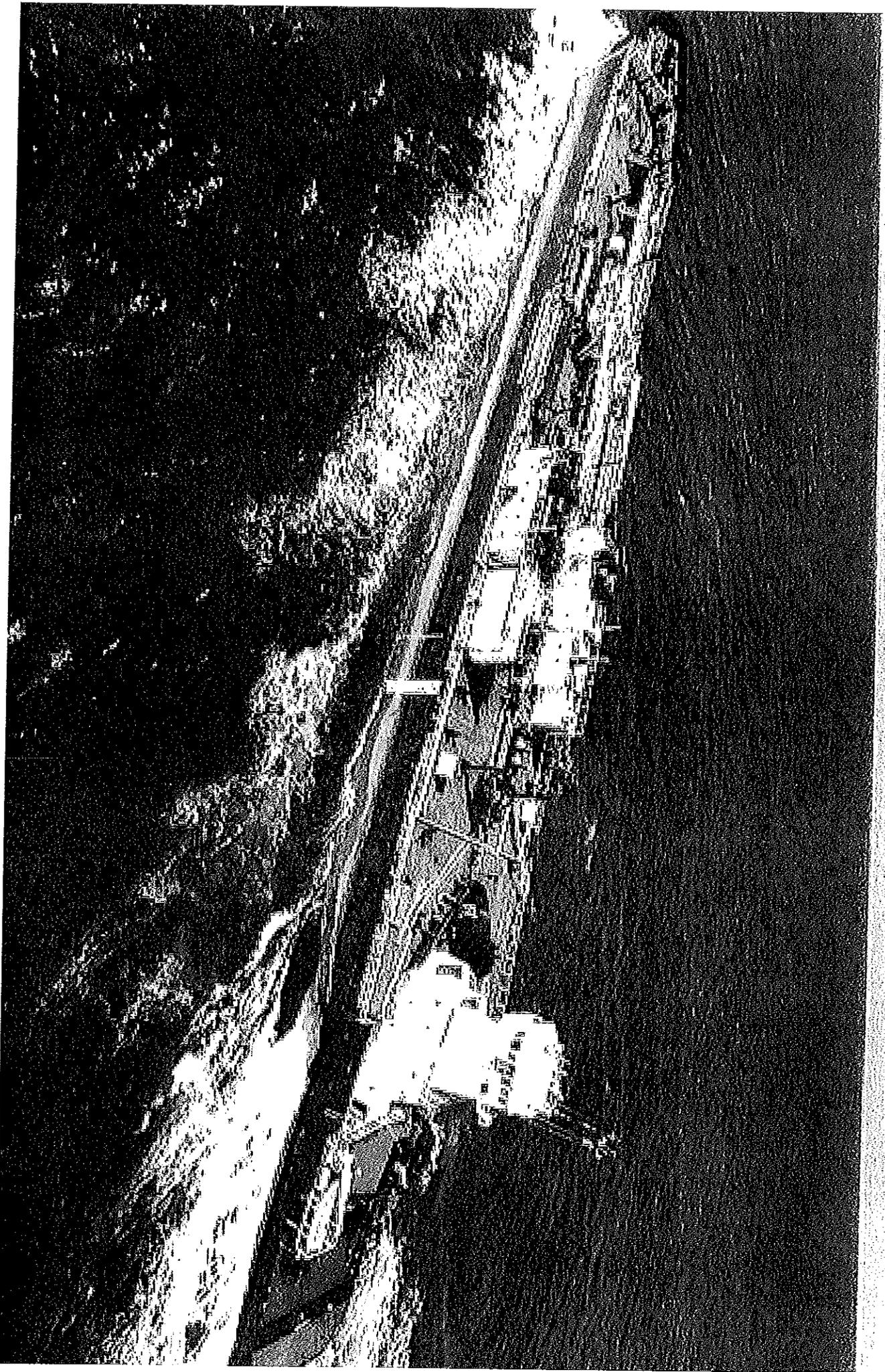
Westway Terminal Company LLC
3128 Port Industrial Road
Hoquiam, WA 98550
(360) 533-8060

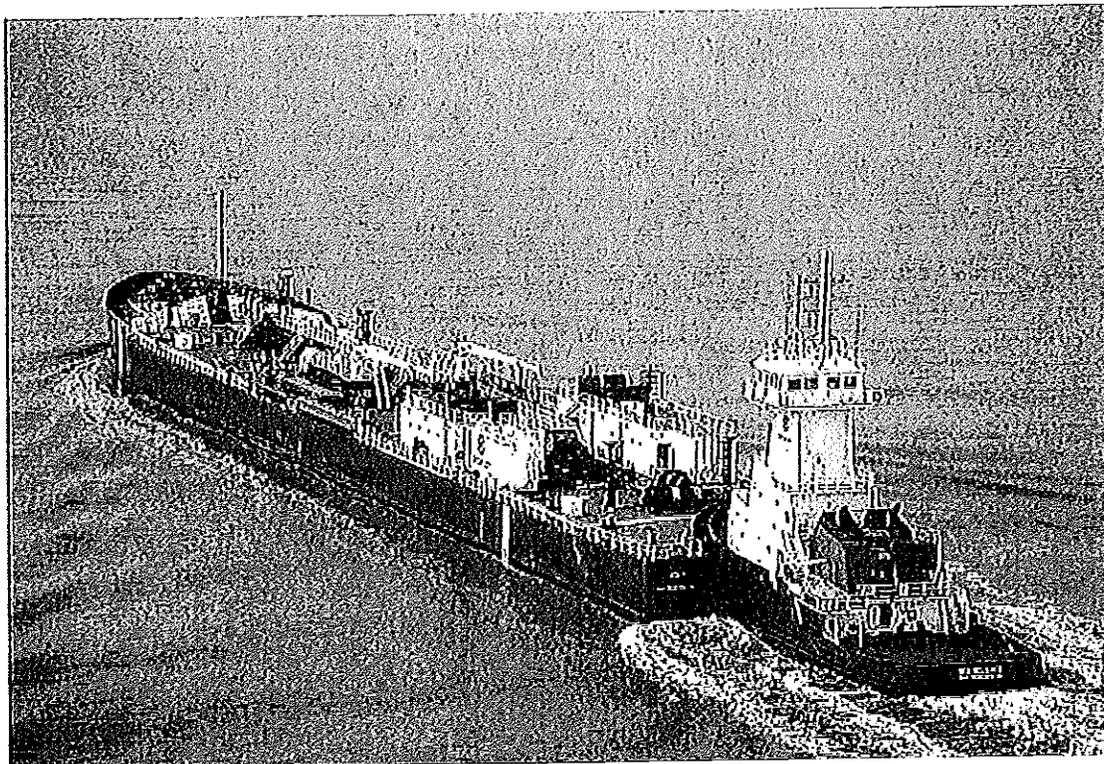
Typical Articulated Tug Barge Specifications

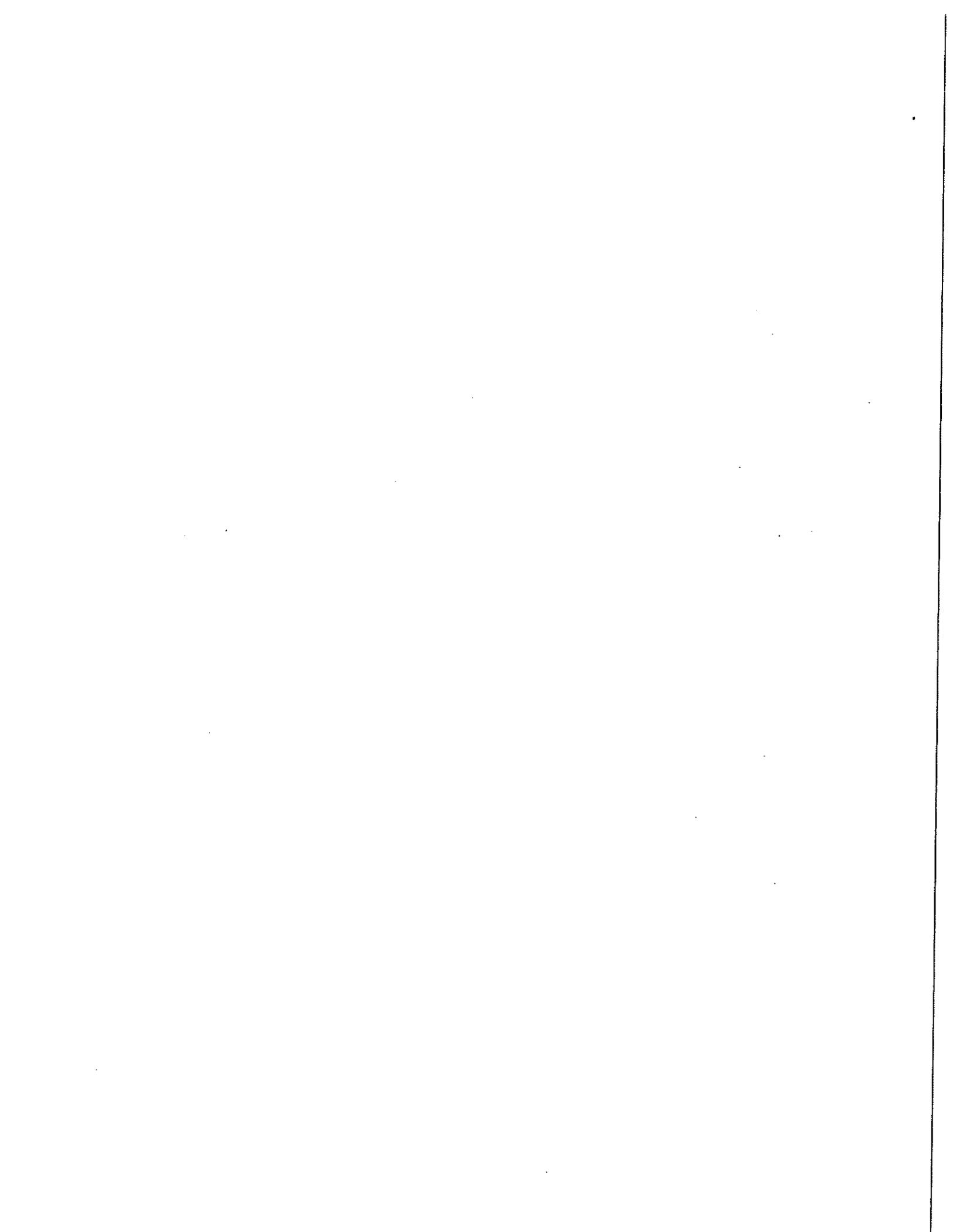
Subject: Sea Reliance/550-2 VPQ

- 1.49 Length overall (LOA) **180.7 Meters** Air draft 21.22 m
- 1.50 Length between perpendiculars (LBP) 151.4 Meters
- 1.51 Extreme breadth 22.55 Meters
- 1.52 Moulded breadth 22.56 Meters
- 1.53 Moulded depth 12.195 Meters
- 1.54 Keel to masthead 26.22 Meters
- 1.55 Distance bow to bridge 150.32 Meters
- 1.56 Distance bridge front - mid point manifold 83.12 Meters
- 1.57 PARALLEL MID-BODY DIAGRAM
- 1.57.1 Distance bow to mid-point manifold 67.2 Meters
- 1.57.2 Distance stern to mid-point manifold 113.5 Meters
- 1.57.3 Parallel body (light ship) 128.66 Meters
- Parallel body, forward to mid-point manifold (light 39.86 Meters ship)
- 1.57.4
- 1.57.5 Parallel body, aft to mid-point manifold (light ship) 88.8 Meters
- 1.57.6 Parallel body (normal ballast) 128.66 Meters Parallel body, forward to mid-point manifold (normal 39.86 Meters ballast)
- 1.57.7 Parallel body, aft to mid-point manifold (normal 88.8 Meters ballast)
- 1.57.8
- 1.57.9 Parallel body at loaded summer deadweight (SDWT) 128.66 Meters Parallel body, forward to mid-point manifold at loaded 39.86 Meters SDWT
- 1.57.10 Parallel body, aft to mid-point manifold at loaded 88.8 Meters SDWT
- 1.57.11
- 1.58 Does ship have a bulbous bow? No
- 1.59 Net Registered Tonnage 6258 Tonnes
- 1.60 Gross Tonnage 11129 Tonnes
- 1.63.1 Summer Freeboard 3.88 Meters
- 1.63.2 Summer Draft **8.34 Meters**
- 1.63.3 Summer Deadweight 19999 Tonnes
- 1.63.4 Summer Displacement 24995 Tonnes
- 1.66.1 Lightship Freeboard 10.192 Meters
- 1.66.2 Lightship Draft 2 Meters
- 1.66.3 Lightship Deadweight Tonnes
- 1.66.4 Lightship Displacement 5300 Tonnes
- 1.67.1 Normal Ballast Condition Freeboard 7.19 Meters
- 1.67.2 Normal Ballast Condition Draft 5 Meters
- 1.67.3 Normal Ballast Condition Deadweight 9400 Tonnes
- 1.67.4 Normal Ballast Condition Displacement 14427 Tonnes
- 1.68.1 Segregated Ballast Condition Freeboard 7.19 Meters
- 1.68.2 Segregated Ballast Condition Draft 5 Meters
- 1.68.3 Segregated Ballast Condition Deadweight 9400 Tonnes
- 1.68.4 Segregated Ballast Condition Displacement 14427 Tonnes
- 1.69 FWA at Summer Draft (Freeboard) 2343.15 Millimeters
- 1.70 TPC Immersion at Summer Draft (Freeboard) 76 Tonnes
- 1.71.1 Draught Fore at normal ballast conditions (Freeboard) 4.33 Meters
- 1.71.2 Draught Aft at normal ballast conditions (Draft) 5.33 Meters









**CITY OF HOQUIAM AND WASHINGTON DEPARTMENT OF ECOLOGY
RESPONSIBLE OFFICIALS' AMENDMENTS TO THE
ENVIRONMENTAL CHECKLIST AND THRESHOLD DETERMINATION FOR
WESTWAY TERMINAL TANK FARM EXPANSION PROJECT**

The City of Hoquiam and the Washington Department of Ecology have agreed to act as Co-lead Agencies for the environmental review of the Westway Terminal Tank Farm Expansion Project proposal. The City of Hoquiam is the nominal lead for the SEPA review process.

Description of Proposal: Westway Terminal Company LLC proposes to expand its existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains, and outbound shipment of crude oil by vessel and/or barge. The project would be located on leased property owned by the Port of Grays Harbor. The site is located adjacent to the Chehalis River in the City of Hoquiam at Section 18, Township 17 North, Range 9 West W.M., tax parcel number 056402300000 and in the City of Aberdeen in Section 7, Township 17 North, Range 9 West W.M., tax parcel number 029902000200.

File Reference: SEPA 12-05
SMA 12-07
CUP 12-01

Proponent: Westway Terminal Company LLC
Ken Shoemake, HSEQ Regional Manager
3128 Port Industrial Rd.
Hoquiam, WA 98550

Co-Lead Agencies: City of Hoquiam and Washington Department of Ecology

The Co-lead Agencies for this proposal have determined that it will not have probable significant impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City of Hoquiam. This information is available to the public on request.

This Mitigated Determination of Non-Significance (MDNS) is issued under WAC 197-11-350(1). The Co-lead Agencies will not act on this proposal for 15 days from the date below. Comments or a written statement must be filed with the City of Hoquiam by April 19, 2013.

Responsible Official: Brian Shay, City Administrator, City of Hoquiam

Signature: Brian J. Shay

Responsible Official: Sally Toteff, Southwest Regional Director, Washington Department of Ecology

Signature: Sally Toteff

Publication Date: April 4, 2013

To: All Permit and Review Authorities

ENVIRONMENTAL RECORD

The environmental review consisted of analysis based on the following documents included in the environmental record.

DOCUMENTS/REFERENCES:

- Environmental Checklist with attachments, received February 20, 2013
- Shoreline Substantial Development Permit Application, received December 03, 2012
- Conditional Land Use Permit Application, received December 03, 2012

Unless otherwise noted, the above documents are available for review at the City of Hoquiam, 609 8th Street, between the hours of 8 am to 5 pm Monday through Friday.

I. PROPOSAL DESCRIPTION

Westway proposes to expand its existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains, and shipment of crude oil by vessel and/or barge from the Port of Grays Harbor Terminal #1. Four (4) internal floating roof storage tanks would be constructed on the site to the south of Westway's existing bulk storage tanks to provide storage for crude oil. The new tanks would each have a capacity of 200,000 barrels (8,400,000 gallons) for a project total storage capacity of 800,000 barrels (33,600,000 gallons). Each tank would be 150 feet in diameter and 64 feet in height. Each tank would sit on a concrete slab supported by pilings driven approximately 150 feet into the ground. The tanks would be surrounded by a concrete containment wall; the containment area would have the capacity to contain the total volume of a single tank plus an allowance for precipitation.

The existing rail facility on the site would be expanded from two (2) short spurs with a total of 18 loading/unloading spots to four (4) longer spurs with a total of 76 loading/unloading spots. As is currently the case, the rail spurs would be serviced from the east side of the terminal. The reconstructed rail area would be built on a sloped concrete slab such that spills of liquids would be contained and directed to a central sump for collection. The rail containment area would have the capacity to contain the total volume of a single rail car plus an allowance for precipitation. Construction of the expanded rail facility would involve demolition of an existing wood frame warehouse.

The project proponent estimates that the terminal would receive 9,600,000 barrels of oil per year, equivalent to two unit trains (120 railcars), one loaded and one empty, every three days.

The company estimates 60 ships or barges a year (120 entry and departure transits) for shipment of the crude oil.

A new pipeline would connect the new tanks, via an existing pipeline bridge, to the Port's Terminal #1. Work performed on the terminal dock would be limited to the addition of loading arms and parts of a Marine Vapor Combustion System. No in-water work is proposed.

Future expansion of the tank farm into the remainder of the property is possible, but not included as part of this proposal.

II. PERMITS/APPROVALS REQUIRED

A. PERMITS/APPROVALS REQUIRED PRIOR TO CONSTRUCTION

- City of Hoquiam -- Critical Areas Review
- City of Hoquiam -- Shoreline Substantial Development Permit
- City of Hoquiam -- Conditional Land Use Permit
- City of Hoquiam -- Stormwater Drainage Control Plan
- City of Hoquiam - Erosion Control Plan
- City of Hoquiam -- Grade and Fill Permit
- City of Hoquiam -- Building Permit
- City of Hoquiam -- Demolition Permit
- City of Hoquiam -- Fire Department Permit
- City of Aberdeen -- Utility Services Agreement
- Washington State Department of Ecology -- NPDES General Construction Permit
- Washington State Department of Ecology -- RCRA Notice of Registration Update
- Washington State Olympic Region Clean Air Agency -- Approval Order

B. PERMITS/APPROVALS REQUIRED PRIOR TO OPERATIONS

- Environmental Protection Agency -- Facility Response Plan
- Environmental Protection Agency - Spill Prevention Control and Countermeasure Plan
- Washington State Department of Ecology - NPDES Individual Discharge Permit
- Washington State Department of Ecology - Spill Prevention Plan
- Washington State Department of Ecology -- Spill Contingency Plan
- Washington State Department of Ecology -- Facility Operations Manual
- Washington State Department of Ecology -- Oil Handling Facility Training and Certification Report
- Washington State Department of Ecology -- Oil Handling Facility Safe and Effective Threshold Report
- U.S. Coast Guard -- Letter of Intent
- U.S. Coast Guard - Oil Spill Response Plan
- U.S. Coast Guard -- Facility Security Plan and Facility Security Assessment
- U.S. Coast Guard -- Facility Response Plan
- U.S. Coast Guard - Operations Manual update

III. PUBLIC COMMENT

(To be completed)

IV. REQUIRED MITIGATION MEASURES

The applicant's environmental checklist is incorporated by reference. The following discussion addresses mitigation measures that shall be implemented as part of the project. **These mitigation**

measures shall be deemed conditions of approval of the land use and/or permits issued under Hoquiam Municipal Code (HMC) 10.07 and 11.04. Such conditions are considered binding and may not be altered by subsequent decisions unless a threshold determination is re-issued.

As allowed in SEPA regulations (WAC 197-11-060) the Co-lead Agencies recognize this is one of two similar crude oil terminal proposals in the Grays Harbor area that have been submitted for review. The agencies have considered the aggregate impacts of the existing Westway operations and proposed operations and the cumulative impacts of the Westway proposal and the Imperium crude oil proposal during this evaluation. The proposals are not being considered a single course of action under WAC 197-11-060. They are not interdependent and each proposal can be implemented on its own. The potential vessel and rail traffic impacts from the Imperium proposal are being considered because of the potential for indirect or cumulative impacts resulting from the two proposals using the same transportation pathways and constructed in a similar timeframe (WAC 197-11-792).

1. EARTH

The applicant must obtain a NPDES Construction Stormwater General Permit. The permit requires erosion and sediment control measures to prevent stormwater from washing soil, nutrients, chemicals, and other harmful pollutants into local water bodies. The applicant must implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP includes best management practices and structures to control and treat stormwater discharges.

- The applicant shall obtain coverage under the NPDES Construction Stormwater General Permit before site preparation begins.
- The applicant shall prepare and follow a Stormwater Pollution Prevention Plan to prevent and control the introduction of silt, sand, and other contaminants into stormwater runoff.
- Best Management Practices (BMPs) shall be implemented to control potential erosion during site construction activities.

2. AIR

The applicant shall obtain air permit approval from the Olympic Region Clean Air Agency (ORCAA) and be responsible for complying with all applicable air quality standards and permit requirements for the construction and operation of this facility.

- Emissions from ship loading operations shall be routed to a vapor combustion unit approved by ORCAA.
- Crude oil air emissions shall be controlled using Best Available Control Technology as required by ORCAA as part of the facility Air Permit.
- Tank emissions shall be reduced using internal floating roofs.
- Rail car emissions shall be controlled using vacuum relief devices on each railcar.
- Greenhouse gases (GHG) for the proposal include: rail traffic from the Washington/Idaho border to the facility, vessel transits from the facility to the three nautical mile limit, vehicular traffic from new employees, and construction and operation activities. The total amount of GHG was estimated at 14,979 metric tons CO_{2e} annually.
- *Additional mitigation measure:* In order to reduce greenhouse gases and diesel particulate matter from the locomotives, idling shall be minimized to the maximum

extent practicable. Shutting down locomotive engines as soon as practicable when not in use and delaying restart until necessary for car switching or departure from the facility shall be considered reasonable measures to reduce these pollutants.

3. WATER

Construction Runoff Control

The applicant must obtain a NPDES Construction Stormwater General Permit before site preparation begins. The permit requires erosion and sediment control measures to prevent stormwater from washing soil, nutrients, chemicals, and other harmful pollutants into local water bodies.

- Appropriate BMPs shall be implemented to control potential erosion during site construction activities.

Industrial Stormwater Control

The applicant must obtain a new NPDES Individual Discharge Permit. The permit requires erosion and sediment control measures to prevent stormwater from washing soil, nutrients, chemicals, and other harmful pollutants into local water bodies. The applicant must implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP shall include best management practices and structures to control and treat stormwater discharges.

- No waste materials shall be discharged to surface or ground waters. Stormwater shall be discharged to the existing Port of Grays Harbor stormwater system.
- Precipitation falling inside the tank storage area shall be collected and tested before being released into the stormwater system.

Spill Prevention, Preparedness and Response Plans

The applicant shall prepare and maintain U.S. Coast Guard-approved Facility Security Plan and Facility Response Plan; Environmental Protection Agency-approved Facility Response Plan and Spill Prevention Control and Countermeasure Plan; and Department of Ecology- approved Oil Spill Prevention Plan and Oil Spill Contingency Plan. Spill response, preparedness and response requirements are described in more detail under Item 7.

4 & 5. PLANTS AND ANIMALS

Grays Harbor and the area along the vessel and rail route include many environmentally sensitive areas including streams, rivers, wetlands, fishing areas, shellfish beds, and migratory bird habitats. Spill prevention, preparedness, and response requirements to protect environmentally sensitive areas are described in Item 7 in more detail.

- HMC 10.05.65 requires that 18 inches total caliper of new trees be planted per acre of construction. Because the soils on the project site have been determined not to be adequate for long-term survival of trees, the applicant shall plant the required trees on other Port property and along public ways inside the City as per the plan submitted with the SEPA checklist.
- The Geographic Response Plan for Grays Harbor includes response strategies tailored to the Grays Harbor area and are tailored to minimize impacts of spills on sensitive resources. The Geographic Response Plan identifies sensitive natural, cultural or significant economic resources and provides strategies to respond to a spill which could affect them. The Geographic Response Plan shall be implemented as part of the facility's

Spill Contingency Plan.

www.ecy.wa.gov/programs/spills/preparedness/GRP/GraysHarbor/GraysHarbor.html.

6. ENERGY AND NATURAL RESOURCES

- All pumps and process technology equipment shall use energy efficient motors as appropriate to conserve energy.

7. ENVIRONMENTAL HEALTH

Health Hazards

- The applicant shall ensure that all employees and contractors working on the site during construction and operations receive all applicable training regarding the safe handling, use, and storage of crude oil.
- The applicant shall comply with all applicable federal, state, and local safety requirements pertaining to the proposed site functions and operations.

Noise

- Pile driving shall be limited to daylight hours to reduce potential noise impacts on off-site areas.
- The applicant shall adhere to all applicable federal, state and local noise standards.

Spill Prevention, Preparedness and Response

The public has expressed concerns of potential spills of oil from this proposal. Washington State has strong oil spill prevention, preparedness, and response regulations that apply to this proposal. Prevention requirements include plans for facility design and operations; requirements to pre-boom transfers of oil over the water; and inspections of the facility, vessels, and operations. Federal and Washington State preparedness and response regulatory requirements include development of a facility contingency plan with spill response contractors and equipment identified and contracted for in advance and actions for responding to spills including a worst-case discharge at the facility. Rail and vessel operators and owners must have contingency plans in place that address spills from vessels or from rail cars. The Grays Harbor's Geographic Response Plan identifies economic and environmentally sensitive areas and response strategies.

The applicant shall prepare and maintain U.S. Coast Guard -approved Facility Security Plan and Facility Response Plan; Environmental Protection Agency-approved Facility Response Plan and Spill Prevention Control and Countermeasure Plan; and Department of Ecology- approved Oil Spill Prevention Plan and Oil Spill Contingency Plan.

Facility Design and Emergency Response Plan

- The applicant shall comply with International Fire Code and Washington Facility Design Standards.
- All tank and rail car unloading areas shall be equipped with fire-fighting foam.
- Crude oil storage tanks shall be constructed to American Petroleum Institute (API) 650 and 653 standards and National Fire Protection Association (NFPA) No. 30 standards.
- The bulk liquid storage tanks and all associated piping shall be constructed to all applicable engineering standards to reduce the potential for spills of crude oil from the facility.

- The tank and rail spur facilities shall be equipped with concrete containment areas adequate to contain a potential spill plus an allowance for precipitation. The terminal dock shall be equipped with a curbing system as required by the USCG.
- Tanks shall include high and high-high level alarms.
- An Emergency Action Plan and Hazardous Materials Management Plan shall be filed with the local fire department, including chemical storage data and locations.
- The Westway site is located on soils derived from dredged materials that have a high liquefaction susceptibility factor. The site is rated as a seismic class D-E site. The Westway proposal is not expected to increase the liquefaction potential. The new storage tanks will sit on a concrete slab which will be supported by a series of piles driven approximately 150 feet into the ground.
- The Port of Grays Harbor is in a tsunami hazard area and is covered by the Grays Harbor County evacuation planning and risk management plan.

Oil Spill Prevention at the Facility:

- Prevention and response actions for spills to water shall be identified in the Spill Prevention Control and Countermeasure Plan required by 40 CFR 112 Oil Pollution Prevention, and the Spill Prevention Plan and Contingency Plan required by WAC 173-180 Facility Oil Handling Standards and WAC 173-182 Oil Spill Contingency Plan.
- Oil storage tanks shall be located within concrete containment areas capable of holding the total volume of the largest tank on-site plus precipitation. All of the rail area shall be built on concrete and shall be constructed to contain an entire rail car plus precipitation.
- Dock shall be constantly attended by a terminal operator during all loading operations that shall be able to stop a transfer immediately.
- During all oil loading operations, a spill response team, skimming equipment and boom shall be stationed 1,000 feet downstream at a boat ramp.
- Pre-booming of all oil transfers over water is required if safe and effective. Because the Chehalis River typically has a strong current and debris present, if pre-booming cannot be safely conducted, alternative measures are required.
- The Grays Harbor planning standard in WAC 173-182-405 specifies time and equipment requirements, including boom that is capable of encountering oil at advancing speeds of at least two knots in waves and appropriate for the operating environment. This standard shall be required in the facility's Spill Contingency Plan.

Oil Spill Prevention for the Rail Route:

- Puget Sound and Pacific (PSAP) Railroad has a contract with a spill response contractor to respond to any derailment or spill along the route from Centralia to Grays Harbor. A spill response plan has been submitted to the Federal Railroad Agency.
- *Additional mitigation measure:* In order to mitigate the risk of a spill impacting waters of the state, the applicant must ensure spill response equipment caches are positioned near identified sensitive areas such as the Chehalis River and near wetlands. A map identifying the locations and equipment of the caches shall be provided to Ecology for approval.

Oil Spill Prevention for the Vessel Route to Reduce Risk of a Spill:

- All crude oil tankers and oil barges shall be covered by the oil spill contingency plan held by Washington State Maritime Cooperative and approved by Ecology.
- US Coast Guard and Ecology shall be given advance notice of departure of all outbound crude oil vessels.
- Pilots shall schedule the departure of loaded vessels to coincide with the high tide to prevent the potential for grounding.
- All tankers shall have a pilot on board from the three nautical mile limit offshore to the dock at Terminal #1.
- The Port of Grays Harbor and the Pilots shall coordinate all commercial traffic in Grays Harbor and shall not allow any other vessel traffic in the ship channel from the terminal to the three nautical miles limit offshore when vessels loaded with crude oil depart the terminal.
- Two tugs shall accompany all loaded outbound crude vessels from the terminal to three nautical miles offshore and provide assistance if needed. A third tug shall also be available.
- A location at buoys 13 and 14 in the harbor has been identified as a suitable safe mooring area in the case of a vessel emergency. Tugs shall assist in maneuvering the vessels to the mooring area if needed.
- In the case of a vessel casualty offshore (like a loss of propulsion or sinking), response tugs at Neah Bay and Columbia River could provide assistance, however, response times will depend on tug availability and weather conditions.

Oil Spill Response

- Minor spills shall be cleaned up immediately using adsorbents, pads, or other appropriate materials.
- All materials used in cleanup shall be disposed of properly.
- The Ecology and U.S. Coast Guard approved spill response plans and contingency plans will be implemented in the case of any spill or discharge.

8. LAND AND SHORELINE USE

The applicant's proposal is consistent with the City of Hoquiam's local Shoreline Master Program. A Shoreline Substantial Development Permit will be obtained for the proposal.

- The applicant shall maintain the facility in good repair and the site shall be kept free of weeds, trash, and unsightly piles of equipment.
- The new storage tanks shall be painted white and periodically be pressure washed to remove staining.
- The applicant shall coordinate the project illumination plan with the Port of Grays Harbor to ensure that site lighting does not conflict with other land uses in the area.

9. HOUSING

The proposal will have no significant impacts on housing and no mitigation measures are required with regard to housing.

10. AESTHETICS

- The applicant shall maintain the facility in good repair and the site shall be kept free of weeds, trash, and unsightly piles of equipment.
- The new storage tanks shall be painted white and periodically be pressure washed to remove staining.

11. LIGHT AND GLARE

- New lighting shall be limited to that needed for safety and security. The applicant shall coordinate the project illumination plan with the Port of Grays Harbor to ensure that site lighting does not conflict with other land uses in the area.

12. RECREATION

- Recreational uses in the area, including recreational fishing and birding, will not be affected by the normal operations proposed for this facility.
- Spill response, preparedness and response requirements are described in more detail under item 7. The Geographic Response Plan for Grays Harbor includes response strategies tailored to the Grays Harbor area to minimize impacts of spills on sensitive resources. The Geographic Response Plan identifies sensitive natural, cultural and significant economic resources and provides strategies to respond to a spill which could affect them.

13. HISTORIC AND CULTURAL PRESERVATION

- If any potentially historical objects or other resources are found during construction, work in the vicinity of the find shall be immediately halted and the Washington Office of Archaeology and Historic Preservation shall be notified. Consultation with experts in that agency shall occur before construction proceeds.
- The applicant shall adhere to all the spill prevention, and cleanup measures specified in Item 7 to prevent and control potential spill impacts on Tribal fisheries.

14. TRANSPORTATION

The Westway proposal could result in two additional unit trains every three days (one loaded and one empty) and 60 tankers or tank barges a year (120 entry and departure transits). The Imperium proposal could result in two additional unit trains every day (one loaded and one empty) and up to 200 tankers or tank barges a year (400 entry and departure transits).

	Current level (2012)	Maximum in Westway Proposal	Maximum in Imperium Proposal	Total Maximum from both proposals	Total Number including current level and cumulative
Number of Vessel Transits per year (loaded and unloaded vessels)	168	120	400	520	688
Number of Train Transits per year (loaded and unloaded trains)	730	243	730	973	1703

The current baseline for rail traffic is approximately seven loaded trains per week. The Puget Sound and Pacific (PSAP) Railroad and Port of Grays Harbor have drafted a Freight Rail Plan 2013 that identifies infrastructure enhancements for an increase of three to seven loaded trains per week. There would be approximately nine additional loaded trains (18 loaded and unloaded trains) a week combined according to the Westway and Imperium proposals.

Vehicle Traffic

- The applicant shall provide adequate parking for additional employees as determined by the City of Hoquiam Building Official.

Rail Traffic

Two additional unit trains shall transit through the Aberdeen/Hoquiam area (one inbound, one outbound) every three days but are not expected to significantly impact existing traffic patterns at the entrances to the Olympic Gateway Shopping area and Port Industrial Road.

- *Additional mitigation measure:* To degree possible, trains shall transit the cities of Aberdeen and Hoquiam during non-rush hours, preferably in the evening, to avoid traffic congestion and impact to local businesses.
- *Additional mitigation measure:* A Rail Transportation Impact Analysis (RTIA) shall be completed prior to the applicant receiving the project Certificate of Occupancy for operation as issued by the City. The RTIA will determine the potential for impacts directly caused by changes and increases in rail traffic on local vehicular traffic and other rail commodities. The analysis shall identify any improvements or mitigation needed. Washington State Department of Transportation and the Washington Utilities and Transportation Commission will review the RTIA and provide comments to the Co-Leads.
- *Additional mitigation measure:* The applicant shall provide evidence to the City of Hoquiam that mitigation measures identified in the RTIA are implemented or are obligated to be implemented by the appropriate entities responsible for rail movements in the Aberdeen and Hoquiam area prior to the applicant receiving the project Certificate of Occupancy for operation as issued by the City.

Vessel Traffic

- All tankers shall have a pilot on board from the three nautical mile limit offshore to the dock at Terminal #1.
- All outbound vessels shall have tug escort from the terminal to the three nautical mile limit.
- *Additional mitigation measure:* Tankers and oil barges, loaded and empty, shall transit outside of 50 nautical miles along the Washington Coast as recommended by the West Coast Offshore Vessel Traffic Risk Management Project.
- *Additional mitigation measure:* Tankers and oil barges, loaded and empty, shall follow the Area to Be Avoided on the Olympic Coast and remain 25 nautical miles off the coast of the Olympic Coast National Marine Sanctuary.
- *Additional mitigation measure:* A Vessel Traffic Impact Analysis (VTIA) shall be completed prior to the applicant receiving the project Certificate of Occupancy for operation as issued by the City. The VTIA will determine the potential for impacts that

may result from changes or increases in vessel traffic in Grays Harbor. The analysis will identify any changes in existing operating policies and procedures that may be needed.

- *Additional mitigation measure:* The applicant shall provide evidence to the City of Hoquiam that mitigation measures identified in the VTIA are implemented or are obligated to be implemented by the appropriate entities having responsibility for such policies and procedures. Mitigation measures implemented shall be completed to the satisfaction of the Harbor Safety Committee and/or the US Coast Guard prior to receiving the project Certificate of Occupancy for operations as issued by the City.

15. PUBLIC SERVICES

- The applicant shall comply with all applicable fire prevention and suppression requirements and shall conduct all appropriate communication and collaboration with public service officials.
- The applicant shall develop and implement required spill response plans in conformance with all applicable laws and regulations.

16. UTILITIES

The proposal will have no significant impacts on utilities and no mitigation measures are required with regard to utilities.

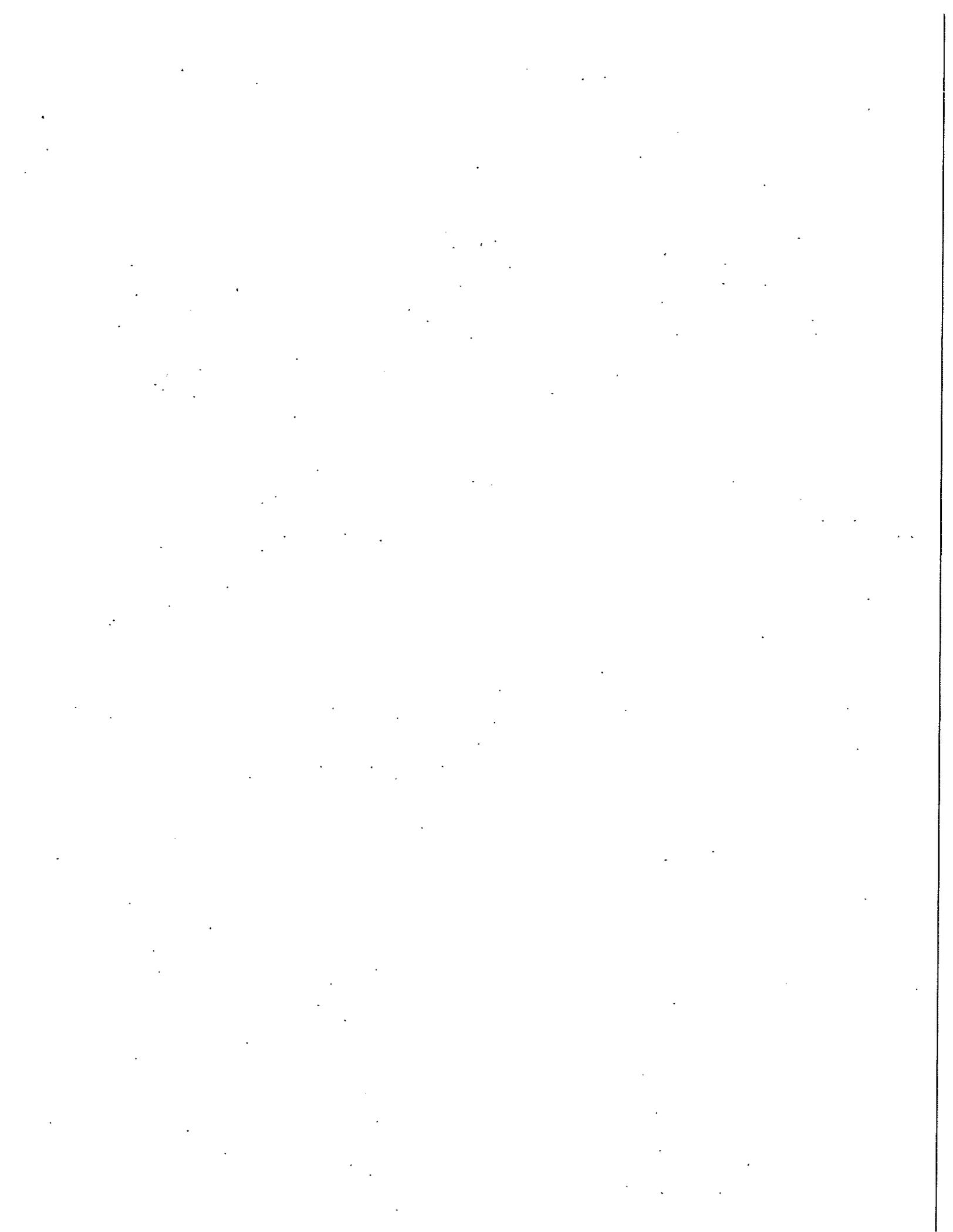


Exhibit 5

RECEIVED
DEC 03 2012

CITY OF HOQUIAM
Public Works Department - Planning
Telephone: (360) 532-5700 ex. 211
Fax: (360) 538-0938

Date Received:	12/3/12
Critical Areas File No.:	CA12-010
Critical Areas Permit Fee:	\$150.00 + SEPA Review (\$500.00)
+ Outside Agency Review Fees	

CRITICAL AREAS REPORT CHECKLIST

Applicant	Owner
Name: Westway Terminal Company LLC	Name: Port of Grays Harbor
Street Address: 3128 Port Industrial Road	Street Address: 111 S. Wooding Street
City: Hoquiam State: WA Zip: 98550	City: Hoquiam State: WA Zip: 98520
Telephone: (360) 533-8060	Telephone: (360) 533-9528
E-mail (optional) kens@westway.com	E-mail (optional)

By my signature, I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am authorized to file this application on the behalf of the owner as listed below.

SIGNATURE OF APPLICANT/AGENT Kim Shoak DATE: 11/30/12

SITE INFORMATION

1. Site Address/Location: 3128 Port Industrial Road, Hoquiam, WA 98550
2. Property Tax Account Number: City of Hoquiam Tax Parcel Number #056402300000, City of Aberdeen Tax Parcel Number #029902000200.
3. Legal Description of Property (attach if necessary): See attached plot plan showing legal boundaries
4. Approximate Site Size (acres or square feet): 16.236 acres
5. Type of Critical Area (check all that apply): Wetlands Fish & Wildlife Habitat (including streams) Geologically Hazardous Areas Frequently Flooded Areas
6. Description of Proposed Project:

Westway is proposing to expand it's existing bulk liquid storage terminal to allow for the receipt of crude oil unit trains, storage of crude oil from these trains and shipment of crude oil by vessel and/or barge from the Port of Grays Harbor Terminal #1. A site plan is attached as Figure #2.

Four (4) storage tanks will be added to the site on the south side of the existing tanks and will provide storage for crude oil. Each tank will have a capacity of 200,000 barrels (8,400,000 gallons) for a project total storage capacity of 800,000 barrels (33,600,000 gallons). The new tanks be surrounded by a concrete containment wall which will have the capacity to contain the total volume of a single tank plus an allowance for rainfall. Each tank will be 150-feet in diameter and 64

feet in height (see Figure 3). The tanks will each sit on a concrete slab which will be supported by a series of piles driven approx 150' into the ground.

The existing rail facility will be expanded from two short spurs with a total of 18 loading/unloading spots to 4 longer spurs with a total 76 loading/unloading spots. The rail spurs will continue to be serviced from the east side of the terminal. The entire rail area will be built on a concrete slab, sloped such that any spills will be contained and directed to a central sump for collection. The construction of the new rail will include the demolition of an existing wood frame warehouse. It is estimated that the terminal will receive 9,600,000 barrels of oil per year, equivalent to one unit train (120 railcars) every three days.

A new pipeline will connect the two tanks, via an existing pipe bridge, to the Port's Terminal #1. There will be no work performed on the terminal/dock itself.

CRITICAL AREAS REPORT CHECKLIST

SUBMITTAL CHECKLIST -- All items must be submitted with the application:

<u>X</u> Application form	All requested information must be provided.
<u>X</u> Filing fee	Applicable fee is calculated by city staff. (See separate Fee Schedule.)
<u>X</u> List of surrounding property owners	Attach a complete list of the names and mailing addresses of surrounding property owners for property within 500 feet of the project site.
<u>X</u> SEPA Environmental Checklist	Submit if required (including any wetland impacts – consult city staff.)
<u>X</u> Critical Areas Report and Maps (Two 11" x 17" or larger scaled copies and one 8 ½" x 11" reduction)	See the attached Critical Areas Report and Map Checklist for requirements.
<u>X</u> Specific Report NOTE: Attached is a Critical Area Report prepared for Ag Processing Inc in 2010. This report includes a Fish and Wildlife Delineation report prepared by a "qualified professional". The Westway site is adjacent to the AGP site discussed in the report. Also attached is a Fish and Wildlife Delineation Report Supplement prepared by Westway which provides additional details required in the checklist.	The following reports are required depending on the type of critical area(s) impacted: <ul style="list-style-type: none"> - Wetlands and their buffers - <u>Fish and wildlife habitat conservation areas (including streams)</u> - Critical aquifer recharge areas - Geologically hazardous areas - Frequently flooded areas Reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area. See the specific checklist for report requirements.
<u>X</u> Associated Land Use Applications	Consult with city staff to determine if other land use permits are required.

Where a valid Critical Areas Report has been prepared, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be incorporated into the required Critical Areas Report, if deemed still valid and appropriate by a professional engineer or geologist. The applicant shall submit a Hazards Assessment detailing any changed environmental conditions associated with the site based on the best professional judgment of the engineer/geologist.

CRITICAL AREAS REPORT CHECKLIST

GENERAL REQUIREMENTS

The Critical Areas Report must be prepared by a "qualified professional," as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official. The administrative official may approve a Critical Areas Report supplemented by or composed of any previous studies required by other laws and regulations.

At a minimum, the report shall contain the following:

- The name and contact information of the applicant, a description of the proposal, and identification of the permit requested.
- Maps and site plans
 - Vicinity map clearly showing the location of the property.
 - Critical areas map showing all critical areas, required buffers, and existing topography based on city or surveyed data.
 - Site plan detailing the development proposal (including stormwater facilities) and the limits of construction. This map should be overlaid on the critical area/ topographical map.
 - Topography map showing the location and extent of all grading, cut and fill, and post construction contours.
- The dates, names, and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site.
- Identification and characterization of all critical areas, water bodies, and buffers adjacent to the proposed project area.
- A statement specifying the accuracy of the report, and all assumptions made and relied upon.
- An assessment of the probably cumulative impacts to critical areas resulting from development of the site and the proposed development.
- An analysis of site development alternatives including a no development alternative.
- A description of reasonable efforts made to apply mitigation sequencing to avoid, minimize, and mitigate impacts to critical areas.
- Plans for adequate mitigation to offset any impacts in accordance with Mitigation Plan requirements and additional requirements specified for each critical area.
- A discussion of the performance standards applicable to the critical area and proposed activity.
- Financial guarantees to ensure compliance.
- Any additional information required for the critical area as specified in the corresponding chapter.

CRITICAL AREAS REPORT CHECKLIST

Wetlands

In addition to the Critical Areas Report general requirements and associated maps, submit a specific Wetlands Report, if needed. This supplemental report must also be prepared by a "qualified professional," as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official.

A wetland report shall provide an analysis of all wetlands and buffers on site and within three hundred (300) feet of the lot or parcel boundaries including, at a minimum, the following information:

- Wetland category as rated according to the Washington State Wetland Rating System for Western Washington (Department of Ecology 2004, or as revised).
- Show the standard buffer requirements for each wetland.
- The wetland boundaries shall be surveyed by a licensed surveyor or using an equivalent method with an accuracy of +/- one (1) foot of a survey.
- Determination of each wetland size.
- Description of overall water sources and drainage patterns on site.
- Description of vegetation, hydrologic conditions, and soil and substrate conditions.
- Description of wildlife and habitat.
- Functional assessment of the wetland and adjacent buffer using a local or state agency-recognized method and including the reference of the method of all data sheets.
- Wetland Mitigation Requirements

The Department of Ecology, US Army Corps of Engineers Seattle District, and Environmental Protection Agency Region 10 recently published joint guidance on wetland mitigation. This two-part publication is available at: www.ecy.wa.gov/programs/sea/wetlands/mitigation/guidance

The agencies developed this guidance to help the regulated community comply with environmental laws and policies to improve the quality and effectiveness of mitigation in Washington. A checklist for wetland mitigation plans is included in Appendix D of Wetland Mitigation in Washington State, Part 2: Developing Mitigation Plans (Version 1, Publication #06-06-011b, March, 2006). Applicants who also need state and federal permits will benefit by using this checklist, as it will help streamline the approval process.

CRITICAL AREAS REPORT CHECKLIST

Fish and Wildlife Habitat Specific Requirements

In addition to the Critical Areas Report, which is required for all applications, a specific Fish and Wildlife Delineation Report may be required. This supplemental report must also be prepared by a "qualified professional" as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official.

A Fish and Wildlife Delineation Report including:

- All habitat conservation areas and recommended buffers within three hundred (300) feet of the project area.
- All shoreline areas, floodplains, other critical areas, and related buffers within three hundred (300) feet of the project areas.
- Detailed description of vegetation on or adjacent to the project area and its associated buffer.
- Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species.
- A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area.
- A detailed discussion of the direct and indirect potential impacts on habitat by the project, including potential impacts to water quality.
- A discussion of measures, including avoidance, minimization and mitigation, proposed to preserve existing habitats in accordance with Mitigation Sequencing.
- A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.

CRITICAL AREAS REPORT CHECKLIST

Geologically Hazardous Areas Specific Requirements

In addition to the Critical Areas Report, which is required for all applications, a specific Geo-Hazards Report may be required. This supplemental report must also be prepared by a "qualified professional" as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official.

- Assessment of Geological Characteristics. The report shall include an assessment of the geologic characteristics of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion, and prior grading. Soils analysis shall be accomplished in accordance with accepted classification systems in use in the region. The assessment shall include, but not be limited to:
 - A description of the surface and subsurface geology, hydrology, soils and vegetation found in the project area and in all hazard areas addressed in the report;
 - A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, tests, investigations, or studies that support the identification of geologically hazardous areas; and
- A description of the vulnerability of the site to seismic and other geologic events.
- Site and Construction Plans including:
 - All geologically hazardous areas within the zone or distance of potential significant influence, as determined by a professional engineer/geologist;
 - The type and extent of geologic hazard areas, any other critical areas, and buffers, on, adjacent to, or within a zone or distance of potential significant influence as determined by a professional engineer/geologist;
 - Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain, if available;
 - The topography, as determined by a professional engineer or geologist, of the project area and all hazard areas addressed in the report; and
 - Clearing limits.
- Analysis of Proposal. The report shall contain a hazards analysis including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.

CRITICAL AREAS REPORT CHECKLIST

- Minimum Buffer and Building Setback.
The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis.

In addition to the above information, additional technical information must be provided for in the following specific hazards:

- Erosion and landslide hazard areas.
- Seismic hazard areas.
- Mine hazard areas.
- Other geologically hazardous areas.

CRITICAL AREAS REPORT CHECKLIST

Frequently Flooded Areas Specific Requirements

In addition to the Critical Areas Report, a specific Flood Hazard Report may be required. This supplemental report must also be prepared by a "qualified professional" as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official.

- Development within frequently flooded areas shall be allowed maintaining and improving fish access.
- The reports shall also include mitigation for adverse effects on floodplain functions.

Frequently Flood Areas Report including:

- All shoreline areas, floodplains, other critical areas, and related buffers within three hundred (300) feet of the project area.
- The report shall describe the effects of the proposed development on floodplain functions including, but not limited to:
 - Storing and conveying floodwater
 - Reducing peak flows and flow velocities;
 - Reducing redd scour and displacing rearing juvenile fish at the project site and downstream;
 - Maintaining sediment quality in streams;
 - Improving water quality.

CRITICAL AREAS REPORT CHECKLIST

Mitigation Plan Requirements

See each critical areas section for specific mitigation requirements. When mitigation is required, the applicant shall submit a Mitigation Plan with the Critical Areas Report, prepared by a "qualified professional" as defined in Chapter 11.06 of the Hoquiam Municipal Code. The Mitigation Plan shall include:

- Detailed summary of the project, including the impacts to the critical area, and the proposed mitigation to compensate for lost functions and values to appear in the beginning of the report.
- Rationale for selecting the mitigation site.
- Complete site characterization of the impact site and proposed mitigation site to include parcel size, ownership, soils, vegetation, hydrology, topography, and wildlife.
- Goals, objectives, performance standards, and implementation schedule for the mitigation proposal.
- Report and maps of the critical areas to be impacted and the proposed mitigation site, including grading and planting plan.
- Monitoring, maintenance, and contingency plan. The monitoring schedule (dates, frequencies, and protocols) must be included and a monitoring report submitted accordingly. Monitoring and maintenance shall be required for at least five years unless otherwise stipulated by another government agency.
- Map of development, with scale, shown in relation to critical area.
- Financial guarantees ("surety") for 150% of the total costs to ensure the mitigation plan is fully implemented, including, but not limited to, the required monitoring and maintenance periods.



City of Hoquiam
Critical Area Report
Fish and Wildlife Delineation Report Supplement

1. All habitat conservation areas and recommended buffers within three hundred (300) feet of the project area.

Habitat conservation areas within 300' of the site include the mudflats exposed during low tide and the open water area of the Chehalis River Estuary and Grays Harbor.

2. All shoreline areas, floodplains, other critical areas, and related buffers within three hundred (300) feet of the project areas.

Attached is a map which hi-lights the shoreline area within 300 feet of the project area.

3. Detailed description of vegetation on or adjacent to the project area and its associated buffer.

The portion of the facility that will be developed as part of this project is currently covered with asphalt paving. There is no exposed dirt, gravel, grass, trees or other vegetation that will be disturbed as a result of the terminal expansion project.

Neighbors AGP & Imperium have grounds similar to the Westway facility. The "Local Manufacturing" lumber yard is mostly exposed dirt and accumulated tree bark and wood chips. The shoreline between Terminal 1 and 2 is mostly rock but there is a small amount of short grasses, blackberry bushes and scotch-broom.

4. Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species.

The following species are on the Washington Department of Fish and Wildlife Threatened Species List and may be found in the Chehalis River:

- The Steller sea lion (*Eumetopias jubatus*) can occur in the Chehalis river
- The marbled murrelet (*Brachyramphus marmoratus*) is found in Zone 2 includes the Washington outer coast and is monitored by Washington Department of Fish and Wildlife.

The following species are on the Washington Department of Fish and Wildlife Species of Concern List:

- The bald eagle (*Haliaeetus leucocephalus*) is found in an area approx. 1 mile from the terminal where there is an active nest. The Peregrine falcon can also be found in the wooded areas of the community.

The following species are on the Washington Department of Fish and Wildlife Candidate Species List and may be found in the Chehalis River

- Chinook Salmon (*Oncorhynchus tshawytscha*)
- Steelhead (*Oncorhynchus mykiss*)
- Bull Trout (*Salvelinus confluentus*)





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The following species are on the Federal Threatened Species List and may be found in the Chehalis River:

- Coho salmon (*Oncorhynchus kisutch*)

The avian species listed above will not be impacted by the expansion of the terminal. Any potential spill will not damage their nesting or hunting grounds.

The fish and sea lion species listed could possibly be at risk if there was a large spill during the spawn run for the fish species.

5. A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area.

Attached is a report from the WDFH detailing Priority Habitats and Species near the project area. The following describes Management Recommendations developed for these habitats and species:

- Various fish species: The "Land Use Planning For Salmon, Steelhead and Trout: A land use planner's guide to salmonid habitat protection and recovery" document was updated in 2009. In this document, Recommendations for Stormwater Runoff, Riparian Areas, Nearshore Areas, Wetlands, Large Woody Debris, In-Stream Habitat, Floodplain areas, Channel Migration, Landslide Hazards Areas and Water Quality are discussed. Some of the recommendations mentioned in the report are being incorporated into Westway's management of this project. These include:
 - Use of Low Impact Development (LID) approach and techniques to better manage stormwater for new development, redevelopment and retrofit projects.
 - Implementation a comprehensive stormwater management program to manage runoff from existing development,
 - Implementation of practices limiting impervious surfaces, vegetation retention, and retention of natural soils and topography in site design
 - Protection of natural stream bank, estuarine and near shore conditions and functions, including vegetative cover, natural input of large woody debris and gravels by adopting riparian buffers (and associated building setbacks) and avoiding bank hardening.
- Bald Eagle management recommendations typically apply to projects, operations within certain distances from eagle nesting and hunting areas. These include:
 - temporary restriction of certain activities (camping, blasting, fireworks, timber harvesting) during nesting and wintering periods
 - buffer around perching and foraging areas
 - 400 meter buffer around screened roosts and a 800 meter buffer around visible roostsThe proposed Westway project will be in compliance with these management recommendations. The nearest known bald eagle nest is approx. 1 mile from the project area on the western tip of Rennie Island.





- Great Blue Heron can be found on Rennie Island. Management recommendations include
 - Distance buffers for nesting colonies range from 60 to 400 meters; the project area is well outside to 400 meter buffer zone.
 - Not engaging in:
 - removal of aquatic vegetation, especially native eelgrass.
 - use of all watercraft within 180 meters (590 ft) of shallow waters where herons forage
 - logging mature forest close to nearshore foraging habitat
 - removing perch trees adjacent to foraging areas
 - draining, filling, or dredging wetlands or marshes
 - building close to riparian shorelines

The Westway project will abide by these recommendations

- Peregrine Falcon management recommendations include the following
 - Route power lines away from nests wherever possible.
 - Strictly protect wetlands (especially intertidal mudflats, estuaries, and coastal marshes) used regularly at any time of the year by peregrine falcons from filling, development, or other excessive disturbances that could alter prey abundance.
 - Do not apply pesticides where winter prey species congregate (especially intertidal mudflats, estuaries, and coastal marshes)
 - Maintain all large trees and snags in areas where peregrine falcons are known to feed in winter.
 - Retain snags and debris located on mud flats for winter perching and roosting.
 - Peregrines can tolerate human presence at wintering sites if they are not harassed and if abundant prey remains.
 - Avoid applying pesticides around occupied peregrine nests during the breeding season.

The Westway project will abide by these recommendations

- Purple Martin management recommendations include the following
 - Pillings with known purple martin nests in standing water and snags (especially snags near water) should be protected and left standing.
 - Retain snags near saltwater or wetlands during timber harvesting operations, and during salvage operations after burns, blow-downs, and insect infestations.
 - Snags can be created in forest openings, or at forest edges (e.g., by topping trees) where nesting cavities are lacking, especially within 10 mi of existing purple martin colonies.
 - Because northern flickers and pileated woodpeckers excavate cavities used by martins, managing for these species will indirectly benefit martins (see *Management Recommendations for Washington's Priority Species: Pileated Woodpecker* for additional management guidelines).
 - If natural sites are lacking and cannot be provided by manipulating habitat, artificial nesting structures can be provided. Specifications are provided for one such design on the following page. New colony establishment through the use of artificial nesting structures is only recommended if these structures will be maintained over time (see items # 5 and 6 on the next page).
 - If pesticides are to be used in areas inhabited by martins, refer to wdfw.wa.gov/hab/phs/vol4/appndxa.pdf for useful contacts to assess the use of pesticides, herbicides, and their alternatives.

The Westway project will abide by these recommendations





Westway
TERMINALS

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- **Marbled Murrelet management recommendations include the following:**
 - **For activities that would modify habitat**
 - No timber harvest should take place within suitable habitat
 - Management activities within unsuitable habitat should be designed to accelerate the development of suitable habitat. Plans for such activities should be reviewed by qualified wildlife biologists
 - **For activities that could disturb nesting birds:**
 - Management activities that could disturb breeding birds should not occur within 0.5 miles of occupied sites during the breeding season of April 1 thru September 15
 - Departures from this guideline may be allowed when qualified biologists agree that a particular activity presents a low risk.

The Westway project will not disturb any murrelet habitat or nesting sites.

6. A detailed discussion of the direct and indirect potential impacts on habitat by the project, including potential impacts to water quality.

Land Habitats – this project will not disturb any natural land habitat nor will it affect any surrounding land habitats.

Water Habitats – A very small portion of this project will be conducted close to or over water. This will include installation of a new pipeline out to the dock at terminal #1. The project will not affect the water habitats.

7. A discussion of measures, including avoidance, minimization and mitigation, proposed to preserve existing habitats in accordance with Mitigation Sequencing.

Avoidance: The following will be implemented to preserve existing habitats surrounding the project site:

- **Construction:** the tanks associated with this project will be built to API 650 standards and maintained/inspected and repaired to API 653. Piping will be installed, maintained, inspected and repaired to ASME B31.3 standards.
- **Inspection:** A thorough inspection program will be implemented per Westway's HSEQ Procedure #43, Monthly Terminal Inspection. This program will include an inspection of the tanks, piping, pumps, valves, containment structures, etc.
- **Training:** All site personnel will be thoroughly trained in Operations and HSEQ procedures as shown in the attached "New Hire HSEQ and Operations Training Checklist".

Minimization: Should a spill or release occur, the following measures will minimize the impact on existing habitats:

- **Containment:** the tank farm and the rail unloading area will contain the spill of an entire tank or rail car.
 - The rail area will be built on concrete and sloped so that a spill will collect in a concrete sump for easy recovery.
 - The tank farm will be surrounded by a concrete containment wall which will contain the entire contents of the largest tank in the area plus have additional space for rainfall. The floor of the tank farm area will consist of rock and soil with an impervious liner underneath. The liner will prevent migration of spilled material into the groundwater.





Westway
THE ENERGY TERMINALS

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- **Pre-booming:** if weather conditions allow, spill containment boom will be deployed around the vessel as required by Ecology's Transfer Containment and Recovery Requirements.
- **Continuous monitoring:** the nature of this project is such that there will be employees at the terminal 24/7/365. They will be constantly monitoring the activity in the terminal, looking for anything abnormal such as pipeline/valve leaks, spills, etc.

Mitigation: If a spill or release escapes the facility, the following measures will be implemented to mitigate damage to existing habitats:

- A Spill Response Plan meeting the requirements of the United States Coast Guard (USCG), the Environmental Protection Agency (EPA) and the Washington Department of Ecology will be in place to address any spills that escape the terminal. This plan will include provisions for recovering any crude oil spilled on the shorelines and waters. The plan will identify applicable federal, state and Northwest Area Contingency Plan requirements for wildlife rescue and rehabilitation. It will also describe the equipment, personnel, resource and strategies for compliance with the requirements. The resources identified will have the capability to arrive on scene within twenty-four hours of spill awareness.
8. A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.

Westway will implement the following:

- An EPA Spill Prevention, Control and Countermeasures (SPCC) Plan
- Development of an EPA Facility Response Plan, a USCG Facility Response Plan and a Department of Ecology Oil Spill Prevention Plan
- Infrastructure (tanks, pipelines) will be built and maintained to the highest industry standards (American Petroleum Institute 650 for the construction of tanks and API 653 for the inspection and repair of tanks).
- A monthly terminal inspection program that meets the requirements of multiple regulatory agencies
- Internal auditing performed by HSEQ Personnel from Westway's corporate office in New Orleans, LA
- Pre-booming of vessels/barges when weather and local conditions allow
- Complete containment provided for all liquid storage areas including:
 - Concrete containment in the rail area which will prevent any spills from impacting soil and surface/ground waters
 - Concrete containment wall surrounding all tanks with geotechnical (clay) liner in tank farm area
- Installation of a vapor destruction unit which will combust air emissions from vessel/barge loading
- Fire protection equipment installed on tanks, in the rail unloading areas and at the dock.





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City of Hoquiam
Critical Area Report
Use of Ag Processing, Inc. Critical Area Report

In 2010, Ag Processing, Inc. submitted a Critical Area Report for a construction project on property adjacent to the Westway Terminal proposed expansion. Westway is incorporating their report (attached) into our Critical Area Report Checklist. We feel that this existing report clearly would apply to our project as the sites are adjoining and there have been no changes to any of the threatened, endangered, sensitive or candidate species since the report was written. Also, in the general area, there have been no changes to the shoreline or wetlands which would require a new report.

Included in our checklist is a map showing the location of the Ag Processing project area and the proposed Westway project area. Also included is a map showing the 25' Critical Area Buffer.

Kim Dorsch
11/30/12



RECEIVED
JUN 15 2010

CITY OF HOQUIAM
Public Works Department - Planning
Telephone: (360) 532-5700 ex. 211
Fax: (360) 538-0938

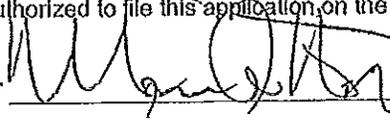
Date Received: 6-15-10
Critical Areas File No.: CA10-03
Critical Areas Permit Fee: \$150.00 + SEPA Review (\$500.00)
+ Outside Agency Review Fees

CRITICAL AREAS REPORT CHECKLIST

Owner/Applicant Ag Processing Inc	Agent Skillings Connolly Inc
Name 12700 W. Dodge Road	Name 5016 Lacey Blvd
Street Address Omaha, NE 68154	Street Address Lacey, WA 98503
(402) 498-5501	360-491-3399
Telephone klorgensen@agp.com	Telephone mhorton@skillings.com
E-mail (optional)	E-mail (optional)

By my signature, I certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am authorized to file this application on the behalf of the owner as listed below.

SIGNATURE OF APPLICANT/AGENT

 DATE: 6/10/2010

SITE INFORMATION

1. Site Address/Location: Terminal 2 at Terminal Way
2. Property Tax Account Number 056402300000 and 029902000200
3. Legal Description of Property (attach if necessary): Section 18 Township 17N Range 9W
4. Approximate Site Size (acres or square feet): 67 Acres, project site less than 5 acres
5. Type of Critical Area (check all that apply): Wetlands Fish & Wildlife Habitat (including streams)
Geologically Hazardous Areas Frequently Flooded Areas
6. Description of Proposed Project: Ag Processing Inc proposes to design and construct a grain and bulk commodity product storage facility at Port of Grays Harbor's Terminal 2, in Aberdeen and Hoquiam, Washington. The proposed facility would provide inbound unit train unloading capability, grain export capabilities, 335,000 bu of storage in shipping bins, and 52,450 metric tons (2,065,000 bu) of corn storage.

CRITICAL AREAS REPORT CHECKLIST

SUBMITTAL CHECKLIST – All items must be submitted with the application:

<u>XX</u> Application form	All requested information must be provided.
<u>XX</u> Filing fee	Applicable fee is calculated by city staff . (See separate Fee Schedule.
<u>XX</u> List of surrounding property owners	Attach a complete list of the names and mailing addresses of surrounding property owners for property within 500 feet of the project site.
<u>XX</u> SEPA Environmental Checklist	Submit if required (including any wetland impacts – consult city staff.)
<u>XX</u> Critical Areas Report and Maps (Two 11" x 17" or larger scaled copies and one 8 ½" x 11" reduction)	See the attached Critical Areas Report and Map Checklist for requirements.
<u>XX</u> Specific Report (Fish and Wildlife)	<p>The following reports are required depending on the type of critical area(s) impacted:</p> <ul style="list-style-type: none"> - Wetlands and their buffers - Fish and wildlife habitat conservation areas (including streams) - Critical aquifer recharge areas - Geologically hazardous areas - Frequently flooded areas <p>Reports for two or more types of critical areas must meet the report requirements for each relevant type of critical area. See the specific checklist for report requirements.</p>
<u>XX</u> Associated Land Use Applications	Consult with city staff to determine if other land use permits are required.

Where a valid Critical Areas Report has been prepared, and where the proposed land use activity and surrounding site conditions are unchanged, said report may be incorporated into the required Critical Areas Report, if deemed still valid and appropriate by a professional engineer or geologist. The applicant shall submit a Hazards Assessment detailing any changed environmental conditions associated with the site based on the best professional judgment of the engineer/geologist.

CRITICAL AREAS REPORT CHECKLIST

GENERAL REQUIREMENTS

The Critical Areas Report must be prepared by a "qualified professional," as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official. The administrative official may approve a Critical Areas Report supplemented by or composed of any previous studies required by other laws and regulations.

At a minimum, the report shall contain the following:

- The name and contact information of the applicant, a description of the proposal, and identification of the permit requested.
- Maps and site plans
 - Vicinity map clearly showing the location of the property.
 - Critical areas map showing all critical areas, required buffers, and existing topography based on city or surveyed data.
 - Site plan detailing the development proposal (including stormwater facilities) and the limits of construction. This map should be overlaid on the critical area/ topographical map.
 - Topography map showing the location and extent of all grading, cut and fill, and post construction contours.
- The dates, names, and qualifications of the persons preparing the report and documentation of any fieldwork performed on the site.
- Identification and characterization of all critical areas, water bodies, and buffers adjacent to the proposed project area.
- A statement specifying the accuracy of the report, and all assumptions made and relied upon.
- An assessment of the probably cumulative impacts to critical areas resulting from development of the site and the proposed development.
- An analysis of site development alternatives including a no development alternative.
- A description of reasonable efforts made to apply mitigation sequencing to avoid, minimize, and mitigate impacts to critical areas.
- Plans for adequate mitigation to offset any impacts in accordance with Mitigation Plan requirements and additional requirements specified for each critical area.
- A discussion of the performance standards applicable to the critical area and proposed activity.
- Financial guarantees to ensure compliance.

- Any additional information required for the critical area as specified in the corresponding chapter.

Fish and Wildlife Habitat Specific Requirements

In addition to the Critical Areas Report, which is required for all applications, a specific Fish and Wildlife Delineation Report may be required. This supplemental report must also be prepared by a "qualified professional" as defined in Chapter 11.06 of the Hoquiam Municipal Code. All reports may require additional information as determined by the administrative official.

A Fish and Wildlife Delineation Report including:

- All habitat conservation areas and recommended buffers within three hundred (300) feet of the project area.
- All shoreline areas, floodplains, other critical areas, and related buffers within three hundred (300) feet of the project areas.
- Detailed description of vegetation on or adjacent to the project area and its associated buffer.
- Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species.
- A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area.
- A detailed discussion of the direct and indirect potential impacts on habitat by the project, including potential impacts to water quality.
- A discussion of measures, including avoidance, minimization and mitigation, proposed to preserve existing habitats in accordance with Mitigation Sequencing.
- A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.

Contact Information

Applicant Contact
Kelly Jorgensen
Ag Processing Inc
12700 W. Dodge Rd
Omaha, NE 68154
(402) 498-5501

Agent Contact
Marc Horton
Skillings Connolly Inc.
PO Box 5080
Lacey, WA 98503
360-491-3399

1.1 Description of the Proposed Project

Ag Processing Inc proposes to design and construct a grain and bulk commodity product storage facility at Port of Grays Harbor's Terminal 2, in Aberdeen and Hoquiam, Washington (Exhibit 1). The proposed facility would provide inbound unit train unloading capability, grain export capabilities, 335,000 bu of storage in shipping bins, and 52,450 metric tons (2,065,000 bu) of corn storage.

General Concept:

The proposed facility would allow unloading inbound unit trains directly into concrete storage at a rate of 1,500 metric tons per hour based (60,000 BPH) on handling grain. The unit trains would unload immediately upon arrival, eliminating the need to coordinate car unloading with ship loading. Class I railroad power would remain connected to the unit train throughout the unloading process.

The proposed facility would operate in tandem with the existing Commodity Transload Facility (CTF), allowing Ag Processing Inc existing ship loading operation to unload products from railcars onto a ship while inbound unit trains unload into the proposed concrete storage.

The proposed facility will allow storage of the bulk commodities in preparation for loading a ship utilizing the existing CTF. Ship loading will be completed in two ways depending on the commodity. For bulk commodities, the reclaim from the proposed facility will transfer to the existing scale tower, where the product will be sampled and weighed, as it is currently, on its way to the ship.

For grain export, the proposed facility will be equipped with the equipment and shipping bins necessary to meet Federal Grain Inspection Service (FGIS) requirements for grain export. The proposed facility will then transfer grain to the existing CTF downstream of the scale tower and to the ship.

Receiving:

A rail car receiving building will be constructed to transfer products directly from inbound railcars to the new concrete storage. The receiving building will be approximately 140 feet long. The building will be equipped with a traversing car opener, fall protection, and pneumatic vibrators. The receiving operation will be interfaced with a programmable logic computer (PLC) and controlled from a human-machine interface (HMI) work station.

The receiving pit would span the length of the building and would distribute product onto enclosed drag conveyors. To control the transfer rate, the receiving pit conveyor will be powered by a variable frequency drive (VFD). The drag conveyor will be designed to transfer product at a rate of 1,500 metric tons per hour based on grain. An inbound rail car reader will be utilized to validate car receipts. Class I railroad power would remain connected to the unit train throughout the unloading process. Commodities will be received to the storage facility based on origin weights and grades, therefore no inbound scale is included in this project. An axle scale will be installed at the exit of the building. The axle scale will be used to verify cars are completely empty after unloading.

The receiving pit and conveyors will be equipped with dust control at transfer points to minimize dust emissions. The receiving area aspiration will pass through a baghouse with collected material returned to the product flow.

Storage:

Product received at the new facility or at the existing facility will be able to be transferred to the new storage. The proposed facility includes six (6) slip-formed concrete silos supported by 156-ft deep pile foundations. Each silo will have a diameter of 70 feet, an overall height of 132 feet, and a storage height of 119 feet.

Product would be stored in the silos until ship loading is initiated. When storing bulk commodities, a method of recycling product will be provided to keep the products from caking. Recycling of the material is required for a short period of time each day (15-30 minutes) from each silo to prevent caking of material between the flights on the unloaders.

Each silo would be equipped with a 380 ton per hour Laidig Unloader and dual 24" diameter metering screws to control the discharge rate. The discharge rate from the Laidig Unloader will vary depending on product density and the amount of gravity flow obtained during unloading. Controlling the discharge rate with the metering screws will allow reclaiming from multiple silos simultaneously. The Laidig Unloader would be used only for bulk commodity discharge and final cleaning of the silo for grain. To reduce wear on the Laidigs, intermediate discharges will be used for reclaiming grain until gravity flow discontinues.

Reclaim/Export:

The silos will discharge to a 1,500 metric ton per hour reclaim belt conveyor. Depending on the product and resulting flowrate, flow would be collected from one to three silos and transfer the product to either the grain shipping house or to the existing transloading scale tower.

Agriculture products stored in the concrete silos, will be transferred directly from the silos and elevated to the existing scale tower where the product will be sampled, weighed and transferred to the ship utilizing the existing CTF equipment.

Whole grain stored in the concrete silos will be reclaimed and elevated to a newly constructed grain export facility (shipping house). The shipping house will be equipped with (2) 30,000 bph gravity screeners for adjustment, a sampler, and a bulkweigher. Scalping is not being provided at this time, however, the shipping house is designed with the height and structural requirements to incorporate (2) Megatex cleaners in place of the gravity screeners in the future, if necessary.

After grading and weighing, whole grain would be stored in one of four (4), approximately 79,000 bushel, subplot bins (plus a 23,000 bushel interstice). Each subplot bin's quality and weight will serve as the official weight and grade. Once it is determined that the product meets the export specifications, the subplot bin is certified for export. Four shipping bins are provided to allow for one discharging to the ship, one waiting for final grade, one being loaded, and one in case of a bad grade. The facility is designed to allow reclaiming from the shipping bins either back to storage or back to the screeners for adjustment.

Enclosed belt conveyors would be utilized to transfer grain from the subplot bins to the existing CTF. The enclosed belt conveyors will discharge to the existing transfer conveyor, Conveyor 103, which feeds the existing ship loading operation. Due to the common ship loading operation, it should be noted that only one designated product can be loaded onto a ship at a time. The facility also includes:

- 1) A truck load facility equipped with (2) 12,500 bu overhead steel bins for storage of dust and screenings collected during export operation for later sale.
- 2) A building/control room for housing the electrical and controls equipment for the new facility.
- 3) A grading building to house the necessary testing equipment, provide storage and provide space for the FGIS inspectors during grain export activities.

1.2 Qualifications of person preparing the report.

This document was prepared by the following person:

- Brian Missildine MES FP-C, Fisheries Scientist, Skillings Connolly Inc.
Education: Masters of Environmental Studies Salmonid Toxicology 2004;
Bachelor of Science; Salmonid Ecology, 1995.

Industry experience: 15 years.

The following field work was conducted on the site:

- June 2, 2010, site visit to determine presence (or absence) of sensitive species, habitats, and general site conditions within 300 feet of the Ag Processing Inc complex (Exhibit 2).

1.3 Critical Areas

Frequently Flooded Areas

The upland area near Terminal 2 is classified by FEMA as being in Flood Zone C, "Areas outside the 1 percent annual chance floodplain, areas of 1 percent annual chance sheet flow flooding where average depths are less than 1 foot, areas of 1 percent annual chance stream flooding where the contributing drainage area is less than 1 square mile, or areas protected from the 1 percent annual chance flood by levees" (FEMA 1997).

Geologically Hazardous Area

The proposed project is located in soils classified as level udorthents derived from dredge spoils. The proposed project is located in an area that is labeled as having a "high" liquefaction susceptibility factor and is rated as a seismic site class D-E.

Fish and Wildlife Habitat Conservation Areas

The proposed project is located within 300 feet from the shoreline. Conservation areas within the proposed project are the mudflats exposed during low tide and the open water area of the Chehalis River Estuary and Grays Harbor. Although some mudflats exist at low tide, no shorebirds were observed foraging during the site visit. A more detailed description of fish and wildlife use can be found in Section 1.9. The following species are listed as occurring within Grays Harbor but will not be impacted by the proposed project and will not be discussed further in this document.

- Peregrine Falcons-There are no known occurrences of Peregrine falcons within 1 mile of the proposed project. Therefore, no impacts are expected to occur.
- Bald Eagles-There is a bald eagle nest on the western tip of Rennie Island, however, the Rennie Island bald eagle's nest is well over 1 mile from the proposed project. Sound from pile driving is expected to be the loudest of the equipment during construction of the foundation. The sound will travel over water; however, it is expected to reach ambient noise levels before reaching the nest.
- Riparian Habitats-no riparian habitats will be impacted by the proposed project because none exist at the project site.
- Purple Martin-According to WDFW PHS maps there is one Purple Martin nest observed approximately 0.75 miles east of the proposed project. It is expected that sound created by pile driving for the foundation will reach ambient noise levels before reaching the nest site. Therefore no impacts are expected to Purple Martins.

- Marbled murrelets have been observed in Grays Harbor but not near the Ag Processing Inc site. The closest observation was approximately 5 miles west of the project. Potential nesting sites have been documented within 4 miles to the south of the project. These locations are well beyond the proposed project area and will not be impacted by any component of the proposed project.
- Marbled Murrelet designated critical habitat: No marbled murrelet critical habitat exists within 1 mile of the proposed project; therefore effects to murrelet designated critical habitat are not anticipated.

Wetlands

A site visit was conducted on June 2, 2010, to determine the presence/absence of wetlands within 300 feet of the proposed project. There are no wetlands within 300 feet of the proposed project.

Geologically Hazardous Slopes

No geological hazardous slopes exist within 300 feet of the proposed project. The uplands located outside of 300 feet are flat.

1.4 Report Accuracy

The data collected for this report by Skillings Connolly Inc. is based on the following assumptions:

- The data gathered from private and public sources are assumed to be accurate and reliable.
- The characteristics of the proposed project site are truthfully described as observed during the site visit on June 2, 2010.
- The information collected for the Critical Areas, including observations are based on the best available science and professional judgment.

With any proposed project, there is an element of uncertainty regarding the presence of critical areas; it does not totally eliminate the risk to critical areas. Therefore, no warranty is made or intended regarding the impacts.

1.5 Cumulative Impacts to Critical Areas

The proposed project is not anticipated to have any cumulative impacts to critical areas. The following critical areas are present but are not anticipated to be impacted by the proposal.

Frequently Flooded Areas: The proposed project is not occurring in any frequently flooded area and will have no impact on the flooding frequency, current patterns, or areas inundated during flooding.

Geologically Hazardous Areas: The proposed project is occurring in an area that could be subjected to liquefaction during seismic activity. However, the project will not

increase the likelihood of liquefaction. Therefore, no impacts to geologically hazardous areas will occur.

Fish and Wildlife Habitat Conservation Areas: Fish and Wildlife Conservation areas will be minimally impacted by the proposed project. The only conservation areas within 300 feet of the proposed project are the waters of the Chehalis River Estuary/Grays Harbor. However, the proposed project is not anticipated to impact the following species:

Anadromous Fish Species: All work is occurring in the dry. Therefore, no anticipated impact to these species will occur from the result of the proposed project.

Avian Species: Construction noise will produce overwater noise but will most likely be no louder than aircraft noise from the nearby airport or train traffic from the rail system. In addition, the proposed project is not anticipated to impact shorebirds because shorebirds have likely become accustomed to the activities around an industrial port facility and no work is occurring in the water or directly adjacent to the shore.

1.6 Project Alternatives

There are no project alternatives to the proposed project. However, Ag Processing Inc would not be able to improve service to their clients nor would Ag Processing Inc be able to expand their business operations.

1.7 Mitigation Plan

No impacts to critical areas are occurring, therefore no mitigation is necessary.

1.8 Fish and Wildlife Conservation Areas

The only fish and wildlife conservation area within 300 feet of the proposed project is the Chehalis River Estuary/Grays Harbor. No in-water or shoreline work is occurring, therefore, the proposed project will not impact any fish and wildlife conservation areas.

Vegetation

Terrestrial vegetation

Terrestrial vegetation exists along the shoreline; however, most of the vegetation consists of shrubs, weeds, and grasses. Furthermore, no terrestrial vegetation will be impacted from the proposed project.

Aquatic vegetation

During the site visit on June 2, 2010, at low tide, no aquatic vegetation was observed growing at or near the proposed project. Therefore, no aquatic vegetation will be impacted as a result of the project.

Species of Importance

Fish Species

Anadromous Fish Species

No in-water work is occurring as part of the project. Therefore the proposed project is not expected to impact anadromous fish species.

Aquatic Environment

No in-water work is occurring, therefore, no impacts to the aquatic environment are expected to occur.

1.9 Plans for adequate mitigation to offset any impacts in accordance with Mitigation Plan requirements and additional requirements specified for each critical area.

No impacts are expected to occur in critical areas, therefore no mitigation is proposed.

Performance Standards applicable to Critical Areas.

City of Hoquiam ordinance require that development activities along shorelines or adjacent to habitat conservation areas will achieve no net loss of habitat function.

City ordinance also state that buffer corridors along shorelines will not be impacted. The proposed project is located along the shoreline of the Chehalis River estuary and is already impacted by port activities and development. There will be no net loss of habitat function as a result of the project.

1.10 Financial guarantees to ensure compliance

No financial guarantee is necessary since no mitigation is necessary.

1.11 Any additional information required for the critical area as specified in the corresponding chapter

Previous sections of this report indicated that no impacts are anticipated to wetlands, frequently flooded, or geologically hazardous critical areas.

References

FEMA 1997. FEMA Flood Insurance Rate Map, City of Hoquiam, Grays Harbor County.

USFWS. 2009. Listed and proposed endangered and threatened species and critical habitat; candidate species; and species of concern in Grays Harbor County as prepared by the U.S. Fish and Wildlife Service Western Washington Fish and Wildlife Office.

Washington State Department of Fish and Wildlife. 2007. Habitats and Species Map and Report (WDFW-PHS) in the Vicinity of Section 10 Township 17N Range 10W.

Washington State Department of Natural Resources -- Natural Heritage Program (DNR-NHP), 2006, accessed August, 2006.

Appendix A. AGP Expansion of the storage facility Critical Areas Checklist-Surrounding Property Owners.

All properties within 500 feet of Terminal 2 are owned by the Port of Grays Harbor.

Exhibit 1. Project location

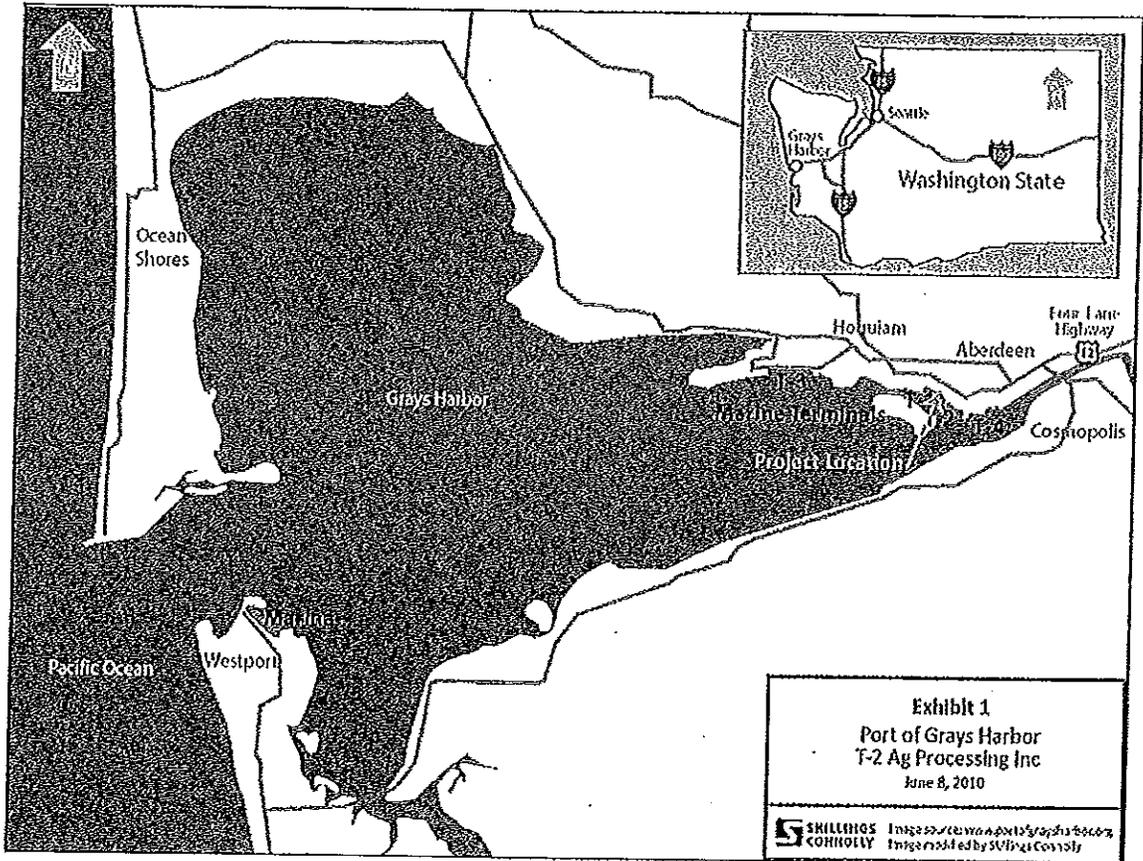
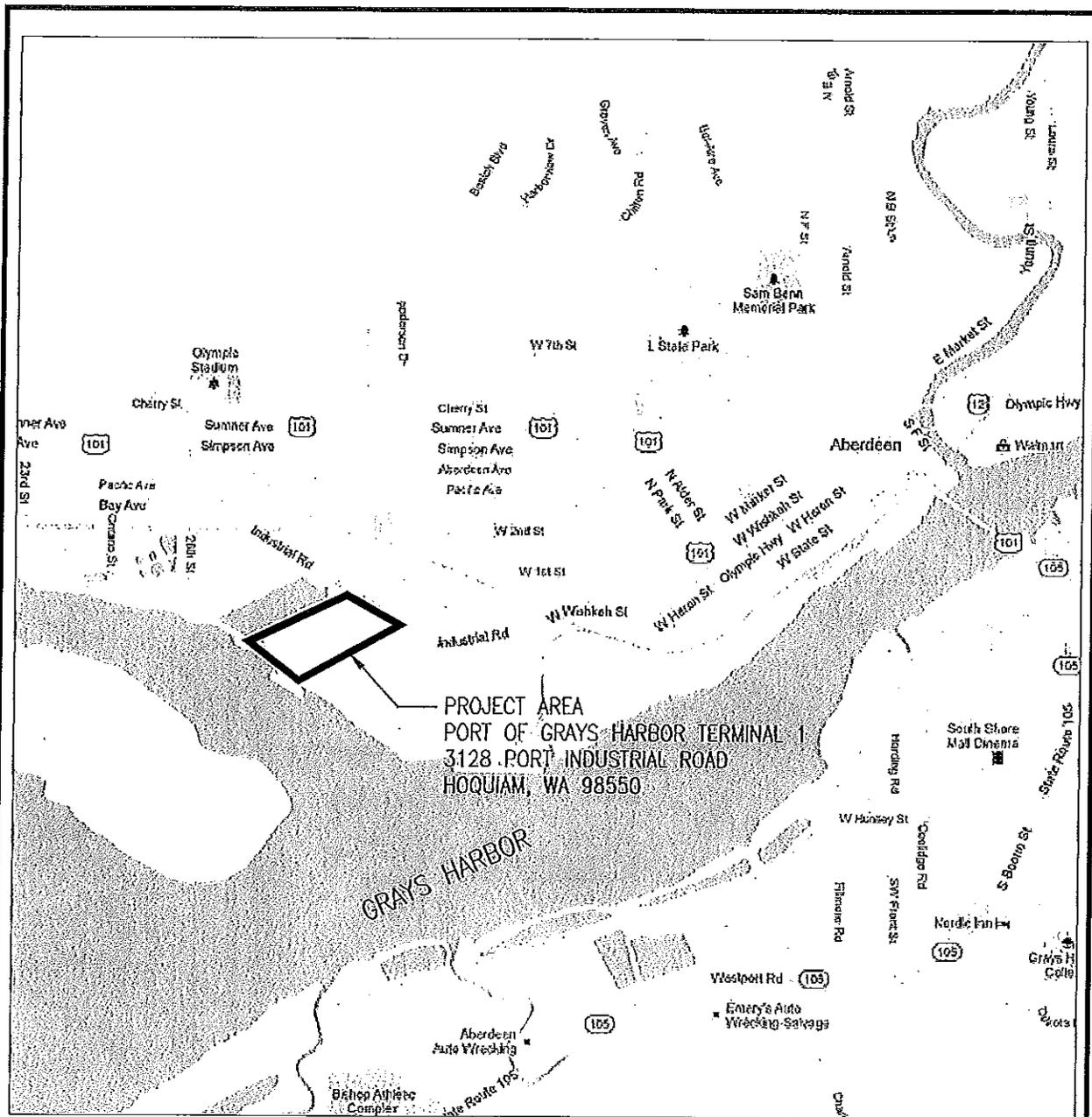


Exhibit 2. 300 foot Critical Areas Buffer.



Figure 1

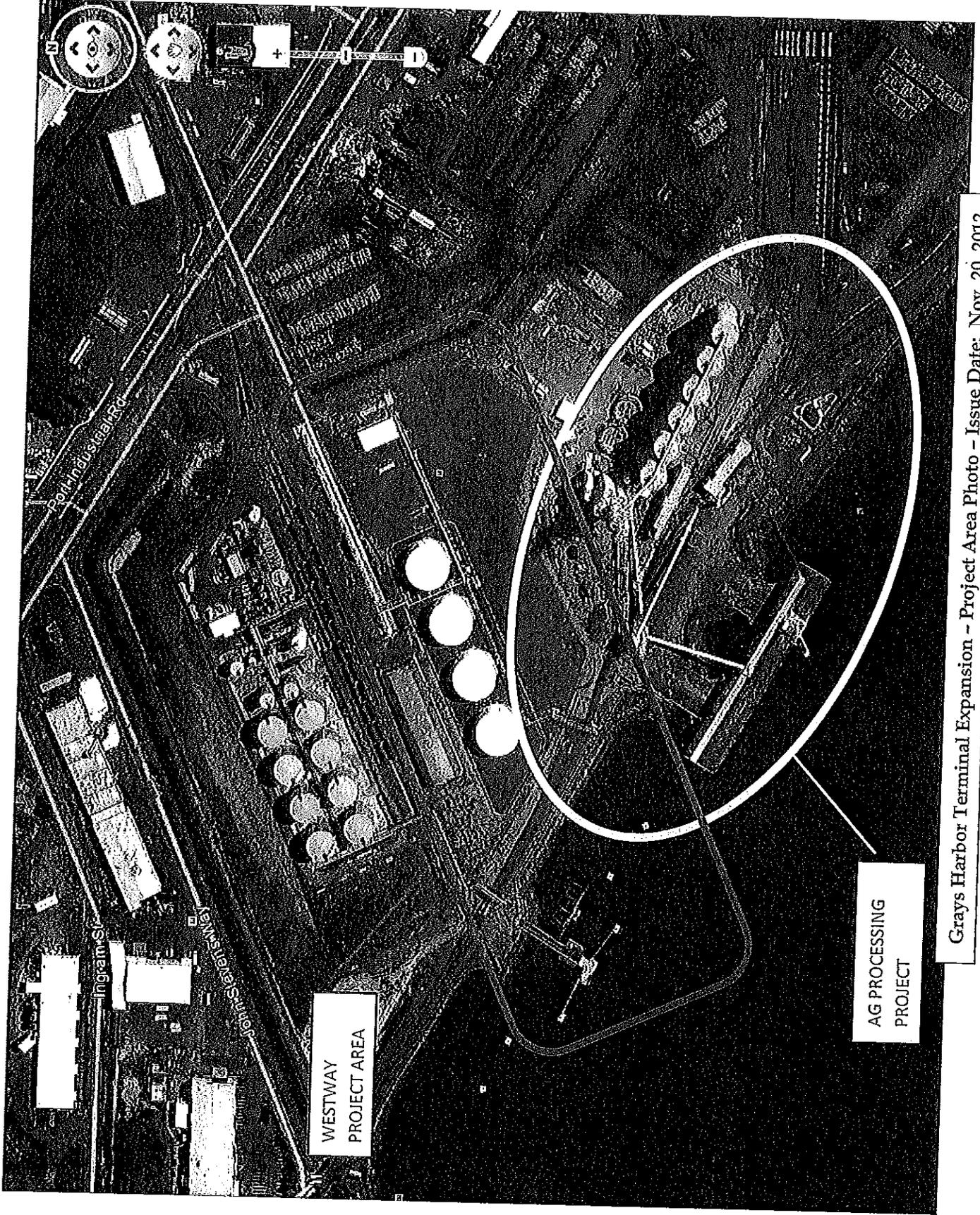


NORTH

Mark	Date	By	Description
A	10/12/12	RSM	ISSUED FOR PERMIT

 <p>Harris Group Inc. www.harrisgroup.com</p>	Scale: NTS	<p>WESTWAY TERMINAL COMPANY</p>
	Drawn: SWH	
	Designed:	
	Approved:	
Date:	Drawing Number:	Issue:
Project No: 30354.00		A

VICINITY MAP



WESTWAY
PROJECT AREA

AG PROCESSING
PROJECT

Grays Harbor Terminal Expansion - Project Area Photo - Issue Date: Nov. 20, 2012