

RESOLUTION NO. 1397

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE PORT OF BELLINGHAM AUTHORIZING THE AREA COMMONLY KNOWN AS THE AERATED STABILIZATION BASIN (ASB) BE REUSED TO SUPPORT MULTIPLE MARINE TRADE INDUSTRIES RATHER THAN SOLEY FOR MARINA PURPOSES

WHEREAS, The Port is leading environmental cleanup work for the Whatcom Waterway Site under the Model Toxics Control Act (MTCA) with the oversight and direction of the Washington State Department of Ecology (Ecology); and

WHEREAS, The Port completed the Phase 1 cleanup of the Whatcom Waterway site in 2016; and

WHEREAS, remedial action at the ASB is required under MTCA because it is part of the Whatcom Waterway site for which the Port of Bellingham faces potential environmental liability; and

WHEREAS, The existing Cleanup Action Plan, approved by Ecology, for Phase 2 of the Whatcom Waterway site includes use of an aquatic confined disposal facility which supports re-use plans for the ASB as a marina with navigable water depths of -12 feet MLLW ; and

WHEREAS, on March 6, 2018, the Port of Bellingham Board of Commissioners held a public meeting to discuss the State of recreational boating; and

WHEREAS, In 2019 the Port of Bellingham and City of Bellingham adopted the Waterfront District Subarea Plan which identifies the Marine Trades area that includes the ASB, as an area that will support a new Clean Ocean Marina or other water-dependent use which adaptively reuses the ASB to accommodate jobs revolving around marine trades such as fishing, boat building, marine product manufacturing, and research and development; and

WHEREAS, The Port of Bellingham Board of Commissioners believes the capital expenditure for a new marina to be constructed in the entirety of the ASB to not be the highest and best use considering the demand for moorage and the current capital repairs and replacement needs within existing Port marinas in Bellingham and Blaine, and

WHEREAS, on November 5, 2020 the Port of Bellingham held a public meeting in the form of a workshop with marine trade stakeholders and City partners to discuss land use programming should a near shore confined disposal facility be located within the ASB and found there to be general support for this project; and

WHEREAS, on February 18, 2021 the Port of Bellingham Board of Commissioners held a public meeting to discuss land use programming at the ASB; and

WHEREAS, on October 6, 2021 the Port of Bellingham held a meeting in the form of an open house for the general public to discuss the expansion of the marine trades and a revised land use programming concept for the ASB area; and

WHEREAS, the Port Commission believes the ASB should partially be reused as a nearshore confined disposal facility to provide 12-14 acres of usable upland fronting a similar acreage of navigable marine waters with a working depth of about -25 feet. MLLW for supporting multiple marine trade industries; and

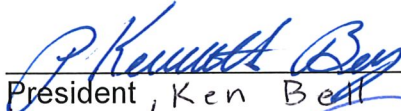
WHEREAS, design for Phase 2 of the Whatcom Waterway MTCA site, including the ASB is getting underway; and

WHEREAS, the Port's role, as a steward of the marine waterfront, is to provide economically sustainable and environmentally responsible access to the waterfront and water related activities.

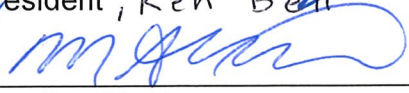
NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Port of Bellingham, as follows:

1. The Executive Director is authorized and directed to take all steps deemed necessary to:
 - A. Amend the Port of Bellingham's Comprehensive Scheme of Harbor Improvements for the Waterfront District Planning Area known as the Marine Trades Area, which includes the ASB area, for the purpose of supporting expansion of marine trade industries rather than solely for use as a Marina by creating up to 12-14 acres of usable upland fronting a similar acreage of navigable marine waters with a working depth of approximately -25 feet MLLW; and
 - B. Amend the Whatcom Waterway, Phase 2 Cleanup Action Plan to include a portion of the ASB being reused for a nearshore confined disposal facility.
2. This resolution supersedes Port of Bellingham Resolution 1194.

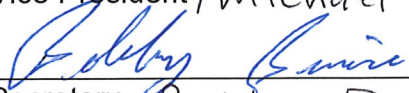
ADOPTED by the Port of Bellingham Board of Commissioners on the 2 day of November, 2021, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof with the seal of the Commission affixed hereto.



President, Ken Bell



Vice President, Michael Shepard



Secretary, Bobby Briscoe