



CITY OF SUMAS
Public Works Department
Conditional Use Permit Application

The following information or material must accompany this conditional use permit application. If any of this information is missing or incomplete, processing of the application will not begin.

- ☒ Filing fee of **\$500** -Includes eight hours of staff time; additional billed actual
- ☒ Completed SEPA checklist (non-refundable fee of **\$250** may apply for Review/ Determination)

**Fee Schedule established in Section 3.030.010 SMC

- ☒ Complete answers to the 6 questions that are attached. If additional space is needed use a separate sheet of paper.
- ☒ A map, drawn to scale, of the location of the proposed conditional use showing existing buildings, street(s) and property lines, as well as any proposed new structures, roads, parking areas, landscaping, or other improvements. If the map is larger than 11" X 17", submit 3 copies. The map must clearly outline the property included in the conditional use request and must state the area (sq. ft.) of the property.
- ☐ Self-adhesive address labels preaddressed to the latest recorded real property owners within three hundred feet (300') of the property affected by the application, as shown by the records of the Whatcom County Assessor

Applicant(s) Name(s): Oleo Energies, Inc. / Freeland & Associates, Inc.

Tony Freeland

Mailing Address: 2500 Elm Street, Bellingham, Washington, 98225

Phone Number: 360-650-1408

Address of Affected Property: 191 West Front Street, Sumas, Washington, 98295

Assessor's tax parcel number for affected property: 400403 351532 0000

Legal Description of affected property: See attached.

Current use of property: Food related materials delivery, storage and transfer.

Proposed conditional use of property (briefly describe): Diesel exhaust fluid delivery, storage and transfer.

Provide the following information:

*If more space is needed, please continue on a separate sheet of paper.

1. Describe how the conditional use will be harmonious and consistent with the general and specific objectives of the Sumas Comprehensive Plan.

This project provides jobs and supports the local tax base and is geographically separated from residential neighborhoods. This product is used to reduce emissions of nitrogen oxide which causes acid rain. There is no ammonia in this product.

2. Describe how the use will be designed, and operated so as to be compatible with the character of the neighborhood. For new construction, provide elevations and a site plan, drawn to scale.

The current use of the property is the rail delivery of raw food goods and transfer to trucks for distribution. The proposed use will be of similar character as the current use.

3. Describe in detail the impact of the use upon public facilities, including streets (e.g. number of trips generated by employees and customers, size and type of vehicles), water system (water used per month), sewer systems, storm drainage system (amount of impervious surface, police and fire services, refuse disposal service, school system).

The use will generate approximately 5 rail car trips per week, 2 truck trips per day, use 1.5 million gallons of water per year, and create 6400 square feet of impervious surfaces.

4. Describe hours of operation; number of employees; type of product service rendered; processes, activities, materials, chemicals, equipment, and conditions of operation.

The hours of operation will be Monday through Friday, 8:00 a.m. to 6:00 p.m. The product and process will be the storage and dilution of diesel exhaust fluid.

Diesel exhaust fluid is not inherently harmful to humans or the environment as a non-toxic, biodegradable, non-flammable solution of purified water and urea. It poses no risk if it comes in contact with the skin.

It's half life is 14 days or less.

5. Describe associated noise, fumes, glare, dust, odor, smoke, mechanical vibration, and radio or television interference.

The associated odor will be noticed in close proximity of the storage and transfer. It has a faint harmless ammonia like odor. Noise emissions will be a pump during loading and unloading and will not exceed current noise levels.

6. If applicable describe how natural, scenic, or historic features will be maintained and protected from destruction, loss, or damages.

No impact.

DECLARATION:

I (we) the undersigned hereby declare under penalty of perjury that:

- a. The property affected by this application is exclusively owned by the applicant(s) or has been submitted with the consent of all owners of the affected property;
- b. The project permit application materials contain no known misrepresentation of fact or proposed action or design that, if completed would result in a structure, improvement, lot or condition in violation of the Sumas Municipal Code; and

Signature of Applicant(s): _____

Date of Submittal: _____

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FOR OFFICE USE ONLY BELOW THIS LINE

Date of Notice of Completion to Applicant (mailed): _____

Date of Notice of Application to the Public (mailed, published): _____

Date of Close of Comment Period: _____

Date of Administrator's Decision: _____

Date of Notice of Decision to Public (mailed, published): _____

DESCRIPTION OF PARCEL A:

All that portion of Government Lot 1, Section 3, Township 40 North, Range 4 East of W.M., lying East of the centerline of Johnson Creek, North of the Northeasterly boundary line of the former Chicago Milwaukee & Saint Paul Railroad right-of-way, West of a line drawn 50 feet West and coincident to the centerline of the main Burlington Northern Railroad track number 403-7120 and South of the Southerly right-of-way line of West Front Street;

TOGETHER with all of Government Lot 1 of Section 3, Township 40 North, Range 4 East of W.M., lying East of the thread of Johnson Creek, lying Southwesterly and West of both the 60 foot Chicago, Milwaukee, St. Paul and Pacific Railroad and the 100 foot Burlington Northern and Santa Fe Railroad right-of-ways. **EXCEPT** a triangular tract, beginning at the intersection of the Southwesterly boundary line of 60-foot Railroad right-of-way and the Westerly boundary line of 100-foot Railroad right-of-way; thence Southerly 85.4 feet along the Westerly boundary of said 100-foot Railroad right-of-way; thence Northerly to a point on the Southerly boundary line of said 60-foot railroad right-of-way which is 202.1 feet Northwesterly of said intersection of both said boundary lines of the Railroad right-of-way; thence Southeasterly 202.1 feet to said intersection; being said point of beginning.

Further **EXCEPTING** Railroad right-of-way.

OCT 13 2025

CITY OF SUMAS

WAC 197-11-960 Environmental checklist.

**State Environmental Policy Act (SEPA)
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.

Instruction 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 question 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 designation. 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 read as "proposal," "proposer," and "affected geographic area," respectively.

**The City of Sumas Council has established a non-refundable amount of \$250.00 for SEPA Environmental Checklist Review/ Threshold Determination.

A. Background

1. Name of proposed project, if applicable: Sumas Diesel Exhaust Fluid (D.E.F.)
2. Name of Application: Oleo Energies, Inc. / Freeland & Associates, Inc.
3. Address and phone number of application and contact person:
Tony Freeland, 360-650-1408
4. Date checklist prepared: 10/13/2025
5. Agency requesting checklist: City of Sumas
6. Proposed timing or schedule (including phasing, if applicable):
Permitting - Fall 2025
Construction - Winter 2025
7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, explain.
None
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.
None
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
None
10. List any government approvals or permits that will be needed for your proposal, if known.
City of Sumas Conditional Use Permit
City of Sumas SEPA
City of Sumas Fill and Grade Permit
City of Sumas Building Permit

11. Give a brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (lead agencies may modify this form to include additional specific information on project description.)

The project is the delivery, storage, blending with water, and distribution of diesel exhaust fluid.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

The proposed project is located at 191 West Front Street, Sumas, Washington.

B. Environmental Elements

1. Earth

- a. General description of site: ☒ Flat, ☐ rolling, ☐ steep slopes, ☐ mountainous, ☐ other _____

- b. What is the steepest slope on the site (approximate percent slope)?
Approximately 2%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The soils are poorly graded gravel.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None

- e. Describe the purpose type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

The purpose of filling and grading is to construct pipelines, storage tanks, and driving surfaces.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Yes. Minor erosion could occur as a result of exposed soils.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Approximately 57% of the site will be covered with impervious surfaces.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Best management practices to include silt fencing and seeding will be used to control erosion impacts.

2. Air

- 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.

Emissions from construction equipment and transport trucks will occur.

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

None

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

Vehicles will have emission control devices.

3. Water

- a. Surface

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.

Yes. Johnson Creek is greater than 100 feet from the site.

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters?

No

3. Estimate the 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.

None

4. Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6. Does the proposal involve any discharge of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground

1. Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

No

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: 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.

None

c. Water runoff (including stormwater):

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.

The stormwater runoff will sheet flow and infiltrate into the ground.

2. Could waste materials enter ground or surface waters? If so, generally describe.

Not likely.

3. Proposed measure to reduce or control surface, ground, and runoff water impacts, if any:

The stormwater will sheet flow and infiltrate into the ground.

4. Plants

a. Check the types of vegetation found on the site:

- ☒ Deciduous tree: alder, maple, aspen, other
- ☒ Evergreen tree: fir, cedar, pine, other
- ☒ Shrubs
- ☐ Grass
- ☐ Pasture
- ☐ Crop or grain
- ☐ Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- ☐ Water plants: water lily, eelgrass, milfoil, other
- ☐ Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Minor amounts of trees and shrubs will be removed.

c. List threatened or endangered species known to be on or near the site.
None known.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
The Johnson Creek buffer will remain undisturbed.

5. Animals

- a. Check 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, ☒ songbirds, other: _____

Mammals: ☒ deer, ☐ bear, ☐ elk, ☐ beaver, other: _____

Fish: ☐ bass, ☒ salmon, ☐ trout, ☐ herring, ☐ shellfish, other: _____

b. List any threatened or endangered species known to be on or near the site.
None known.

c. Is the site part of a migration route? If so, explain.
Yes. Pacific Flyway.

d. Proposed measures to preserve or enhance wildlife, if any:
The Johnson Creek buffer will remain undisturbed.

6. Energy and natural resources

- 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.

The project will use electric power.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

- c. What kinds of energy conservation feature are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

None

7. Environmental health

- 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.

No. Diesel exhaust fluid is a non-toxic, non-flammable, solution of purified water and urea.

1. Describe special emergency services that might be required.

None

2. Proposed measures to reduce or control environmental health hazards, if any:

None

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

None

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 (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short term - construction equipment

Long term - trains and trucks

3. Proposed measures to reduce or control noise impacts, if any:

None

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties?

The current use of the site and adjacent properties is industrial.

- b. Has the site been used for agriculture? If so, describe.

No

- c. Describe any structures on the site.

Structures on the site store food material to be transferred.

- d. Will any structures be demolished? If so, what?

No

- e. What is the current zoning classification of the site?

Industrial

- f. What is the current comprehensive plan designation of the site?

Industrial

- g. If applicable, what is the current shoreline master program designation of the site?

Urban Conservancy

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Yes. Johnson Creek is a critical area.

- i. Approximately how many people would reside or work in the completed project?

Approximately 15 people will work on the completed project.

- j. Approximately how many people would the completed project displace?

None

- k. Proposed measure to avoid or reduce displacement impacts, if any:

None

- l. Proposed measure to ensure the proposal is compatible with existing and projected land uses and plans, if any:

No

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.

None

- c. Proposed measures to reduce or control housing impacts, if any:
None

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principle exterior building material(s) proposed?

The storage tanks are 20 feet tall.

- b. What views in the immediate vicinity would be altered or obstructed?
None

- c. Proposed measures to reduce or control aesthetic impacts, if any:
None

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

None

- b. Could light or glare from the finished project be a safety hazard or interfere with views?
No

- c. What existing off-site sources of light or glare may affect your proposal?
None

- d. Proposed measure to reduce or control light and glare impacts, if any:
None

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?
None

- b. Would the proposed project displace any existing recreational uses? If so, describe.
No

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:
None

13. Historic and cultural preservation

- 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.

None known

- b. Generally, describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None

- c. Proposed measures to reduce or control impacts, if any:

None

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The site is served by West Front Street.

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

The nearest transit stop is 500 feet away at Sumas Avenue and Morton Street.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

None

- 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).

No

- e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Yes. The project will use rail for delivery of diesel exhaust fluid.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

The project will generate 2 truck vehicle trips per day.

- g. Proposed measures to reduce or control transportation impacts, if any:

A driveway on West Front Street will be maintained.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None

16. Utilities

- a. Circle utilities currently available at the site: electricity, natural gas, water refuse service, telephone, sanitary sewer, septic system, other.

Electricity, Water, Refuse Service, Telephone, Sanitary Sewer

- 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.

The extension of water and power are proposed.

Water - City of Sumas

Electric - City of Sumas

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Date Submitted: _____

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.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

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?

Proposed measures to protect such resources or to avoid or reduce impacts are:

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?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

