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2 **BEFORE THE STATE OF WASHINGTON**  
3 **ENERGY FACILITY SITE EVALUATION COUNCIL**

4 In the matter of  
5 Application No. 2002-01

6 BP WEST COAST PRODUCTS, LLC

7 BP CHERRY POINT  
8 COGENERATION PROJECT

EXHIBIT 40.0 (BE-T)

9 **WHATCOM COUNTY'S PREFILED TESTIMONY**  
10 **WITNESS # 40 : Bill Elfo**

11 Q: Please introduce yourself to the Council.

12 A: I am Bill Elfo, Whatcom County Sheriff.

13 Q: What are the subjects of your testimony?

14 A: As Sheriff I am familiar with the manpower and budgetary resources of the Whatcom  
15 County Sheriff's Office. I am also aware of the British Petroleum (BP) application to  
16 the Energy Facility Site Evaluation Council (EFSEC) seeking permission to construct  
and operate the Cherry Point Cogeneration Facility. I wish to address manpower and  
funding impacts, and security issues which the project may raise if permitted.

17 Q: What fiscal and/or manpower issues might the project pose for your office?

18 A: According to the application, if permitted, the construction phase of the project will  
19 being, at its peak, an estimated 706 new temporary workers, perhaps their families,  
20 into the community for about 23 months. In addition, based on my experience, the  
21 construction of the facility itself will, from time to time, likely require law enforcement  
22 services such as for providing traffic regulation during the movement of large  
equipment and vehicles on public roadways. The facility's construction will no doubt  
23 result, either directly or indirectly, in increased demands upon the services of the  
24 Whatcom County Sheriff's Office.

25 The increased demands may or may not stress the limits of my Office's service limits.  
In the past, construction activities at the Cherry Point industrial site have not imposed  
service demands for which the Sheriff's Office could not meet within its existing  
manpower and budgetary levels; therefore, I would anticipate the Sheriff's Office will  
be fully capable of meeting the manpower needs during the construction phase of the  
project. However, our existing service levels and budget do not include the potential

1 which a project of this nature can place upon law enforcement. Should the construction  
2 phase of the project result in unanticipated or extraordinary costs, either directly or  
3 indirectly, due to increased calls for service, such additional costs may strain my very  
4 limited operating budget. Given the transitory nature of such additional fiscal demands  
upon a local governmental budget, should such unanticipated or extraordinary costs be  
incurred, they should be borne by the applicant. Provisions for such transitory costs  
should be made a part of the Site Certification Agreement.

5 Q: Does the construction of the cogeneration facility raise any security concerns for you?

6 A: Yes it does. It should go without saying that the terrorist attacks our country  
7 experienced on September 11, 2001, has resulted in a very new and different set of  
8 issues for our national security. Unfortunately, essential facilities such those presently  
9 sited at the Cherry Point industrial area and the proposed cogeneration facility  
10 constitute primary targets for terrorism. Given our present circumstances, such  
11 facilities now present new and greater security issues for local law enforcement.  
12 Granted those concerns will exist for the Whatcom County Sheriff's Office with or  
13 without the addition of the proposed facility, but EFSEC should not lose sight of the  
14 fact that there are cumulative impacts which the development of this project will have  
for the area. As more and more critical industrial facilities are located within the  
Cherry Point industrial area, unfortunately that area becomes more attractive as a target  
for terrorism. As a result the need for a more localized law enforcement presence  
increases as well. Should the facility be permitted, EFSEC should recommend that  
measures be undertaken, either individually by the facility itself or jointly with  
neighboring facilities, to furnish an appropriate space within the industrial complex for  
the Whatcom County Sheriff's Office to locate and operate a departmental substation  
until such date that our homeland security needs dictate otherwise.

15 END OF TESTIMONY

16 I declare under penalty of perjury that the above testimony is true and correct to the best  
17 of my knowledge.

18 Executed at Bellingham, Washington, on this \_\_\_\_\_ day of November, 2003.

19  
20 By: \_\_\_\_\_  
Bill Elfo