

**DETERMINATION OF NONSIGNIFICANCE**  
**Pursuant to Chapter 463-47 WAC and WAC 197-11-970**

**Description of current proposal:** BP West Coast Products LLC (BP or Certificate Holder) submitted a request to amend the Cherry Point Cogeneration Project Site Certification Agreement (SCA). The Cherry Point Project was approved by Governor Locke in December 2004, as a 720 MW natural gas fired combustion cycle cogeneration facility. BP has requested that the SCA be amended as follows:

- Transfer of the SCA and associated permits to Cherry Point Cogeneration LLC, a newly formed affiliate of BP p.l.c.
- Remove laydown areas 1 and 3 and associated stormwater treatment facilities from the SCA, as they will no longer be used for the Cogeneration project.
- Modify wetland mitigation provisions to reflect changes in the wetland mitigation plan, to compensate for some additional impacts associated at the Cogeneration site.

**Proponent:** BP West Coast Products LLC, 4519 Grandview Road, Blaine, WA 98230

**Location of proposal:** The Project is located in Whatcom County, Washington, approximately 15 miles northwest of Bellingham and 7 miles south of Blaine, beside the existing BP Refinery.

**Lead Agency:** Energy Facility Site Evaluation Council

The lead agency for this proposal has determined that it does not have a probable significant adverse 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 lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. **Comments must be submitted by March 11, 2008.**

**Responsible official:** Allen J. Fiksdal

**Position/title:** EFSEC Manager

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**Date:** February 15, 2008

  
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