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
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Date: February 15, 2008