

WAC 197-11-960 Environmental checklist.

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.

Instructions 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 questions 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 designations. 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 be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable: BP Cherry Point Cogeneration Project
2. Name of applicant: BP Cherry Point Cogen LLC ("BP")

3. Address and phone number of applicant and contact person:

Darrel Thorson
BP
700 Louisiana Street, 33rd Floor
Houston, Texas 77002
(713)354-2169

4. Date checklist prepared: January 28, 2008

5. Agency requesting checklist: Energy Facility Site Evaluation Council

6. Proposed timing or schedule (including phasing, if applicable):

BP proposes to commence construction of the Cherry Point Cogeneration Project within the term of the existing Site Certification Agreement (SCA), which requires construction to commence by December 21, 2014.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Final Environmental Impact Statement, BP Cherry Point Cogeneration Project (August 2004) ("FEIS"); Application for Site Certification (Revised April 2003); Final Cogeneration Project Compensatory Mitigation Plan (October 15, 2004); Revised BP Cherry Point Final Cogeneration/Facilities Projects Compensatory Mitigation Plan (January 15, 2008).

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. Yes. An application for an amendment to the PSD permit for the Project that was submitted in June 2006 has been approved by EFSEC, but is pending approval from the U.S. Environmental Protection Agency.

10. List any government approvals or permits that will be needed for your proposal, if known.

Amendment to EFSEC Site Certification Agreement; amendment to United States Army Corps of Engineers section 404 permit.

11. Give 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.)

BP currently possesses a Site Certification Agreement (SCA) and related permits authorizing the construction and operation of a gas-fired cogeneration facility known as the Cherry Point Cogeneration Project (Project). BP now seeks to amend the existing SCA by removing Laydown Areas 1 and 3 and Detention Pond 2 from the SCA to allow the Cherry Point Refinery to use those areas. The Refinery in turn would provide the Project access to areas already developed and permitted by the Refinery for future laydown area requirements. BP also proposes to permanently disturb 2.5 acres of wetland located in the southeast corner of the Project Site. This area would be used for additional equipment and laydown area during construction.

BP also requests to transfer the SCA from BP West Coast Products LLC to Cherry Point Cogen LLC, both of which are wholly-owned subsidiaries of BP p.l.c.

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 Cogeneration Project is located in unincorporated Whatcom County, along Grandview Road, adjacent to the Cherry Point Refinery.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. **General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous, other**
The Project site is relatively flat. A detailed description of the site is provided in the FEIS.
- b. **What is the steepest slope on the site (approximate percent slope)?**
Refer to FEIS
- 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.**
Refer to FEIS
- d. **Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.**
Refer to FEIS
- e. **Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.**
The SCA currently authorizes filling and grading of the Project Site and approximately 13 acres associated with Laydown Areas 1 and 3. The impacts associated with this activity is addressed in the FEIS. The requested amendment would eliminate approximately 13 acres of Laydown Area from the Project, but would expand the Project Site by approximately 2.5 acres.
- f. **Could erosion occur as a result of clearing, construction, or use? If so, generally describe.**
The potential for erosion and measures taken to prevent erosion are described in the FEIS.
- g. **About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**
See FEIS.
- h. **Proposed measures to reduce or control erosion, or other impacts to the earth, if any:**
The mitigation measures recommended in the FEIS remain unchanged.

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.**
The requested amendment will not result in an increase in air emissions. To the extent that construction activities may result in some fugitive dust or vehicle emissions, the requested amendment will likely decrease the potential emissions from the Cogeneration Project with the removal of Laydown Areas 1 and 3 and Detention Pond 2.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. No

c. Proposed measures to reduce or control emissions or other impacts to air, if any:
The mitigation measures proposed in the FEIS for the Project remain unchanged.

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.

See FEIS and Revised Final BP Cherry Point Cogeneration/Facilities Projects Compensatory Plan.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Yes. Wetland impacts and proposed compensation are described in Revised Final BP Cherry Point Cogeneration/Facilities Projects Compensatory Plan.

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.

See Revised Final BP Cherry Point Cogeneration/Facilities Projects Compensatory Plan.

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 discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No, the requested amendment does not involve discharges.

b. Ground:

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

No, the requested amendment does not involve groundwater withdrawals or discharges to groundwater.

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.

n/a

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 requested amendment will result in the stormwater control measures associated with Laydown Areas 1, 2 and 3 and Detention Pond 2 being removed from the SCA. The Refinery would develop these areas in accordance with applicable regulatory requirements and permits conditions. The stormwater system for the Project Site that is described in the Application for Site Certification and the FEIS will remain the same except for some modifications to the ditch located the southeast corner of the Site. This location of this ditch would be modified to accommodate the additional 2.5 acres of disturbance.

BP will revise and submit the approved a Storm Water Pollution Prevention Plan (SWPPP) and Engineering Report to EFSEC prior to commencing construction.

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

The requested amendment will not change the handling of waste materials. Refer to FEIS for discussion of these issues regarding the approved project.

d. **Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:**

The requested amendment does not make any changes to these measures. Mitigation measures for the approved Project are described in the application for Site certification and FEIS.

4. **Plants**

a. **Check or circle types of vegetation found on the site: Refer to FEIS**

- Deciduous tree: Alder, maple, aspen, other
- Evergreen tree: Fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Wet soil plants: Cattail, buttercup, bullrush, 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?**

The requested amendment will reduce the amount of vegetation removed or altered as a result of Project activities. The Project will no longer develop the 33.1 acres of land (23.5 acres of wetland) associated with Laydown Areas 1, 2 and 3 and Detention Pond 2. The amendment will allow an additional 2.5 acres of wetlands in the southeast corner of the Project site to be filled.

c. **List threatened or endangered species known to be on or near the site.**

Refer to FEIS

- d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:**

The Wetland Mitigation Plan has been revised to incorporate additional mitigation to compensate for the additional 2.5 acres of permanent wetland disturbance on the Project site. The remainder of the Project site will not change the proposed landscaping and mitigation measures described in the FEIS.

5. Animals

- a. **Circle any birds and animals which have been observed on or near the site or are known to be on or near the site: Refer to FEIS**

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.**
Refer to FEIS

- c. **Is the site part of a migration route? If so, explain.**
Refer to FEIS

- d. **Proposed measures to preserve or enhance wildlife, if any:**

The requested amendment will not impact wildlife, and therefore, no additional measures are proposed to preserve or enhance wildlife. The mitigation measures associated with the approved project are described in the FEIS.

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.**
Refer to FEIS and Application for Site Certification.

- 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 features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:**
The requested amendment will not result in increased energy use, and does not include any energy conservation features. Energy conservation features of the approved project are discussed in the Application for Site Certification and FEIS.

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. The requested amendment will not change the use and mitigation measures described in the FEIS and Application for Site Certification.

1) Describe special emergency services that might be required.

No special emergency services are expected to be required as a result of the requested amendment. Refer to FEIS for a discussion of emergency services in connection with the approved project.

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

No environmental health hazards are associated with the requested amendment and, therefore, no measures to reduce hazards are proposed. Refer to FEIS for a discussion of health hazards and mitigation measures associated with the approved project.

b. Noise

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

Refer to FEIS

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.

The proposed amendment is not expected to change the types and levels of noise described in the FEIS.

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

The proposed measures to mitigate noise described in the FEIS remain unchanged.

8. Land and shoreline use

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

Refer to FEIS

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

Refer to FEIS

c. Describe any structures on the site.

Refer to FEIS

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

No, not as a result of the request amendment.

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

Heavy Impact Industrial

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

Major/Port Industrial Growth Areas with the Cherry Point Urban Growth Area

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

Not applicable

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

The previously approved project included wetland impacts and corresponding mitigation requirements. The project is no longer expected to utilize Laydown Areas 1 and 3, so wetland impacts in those areas are no longer associated with the Cogeneration Project. However, the requested amendment will result in 2.5 acres of additional wetland fill at the Project Site. The Wetland Mitigation Plan will be revised to incorporate additional mitigation for these impacts.

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

The Cogeneration Project will employ approximately 30. Refer to FEIS.

- j. **Approximately how many people would the completed project employ?**
Approximately 30. Refer to FEIS
- k. **Proposed measures to avoid or reduce displacement impacts, if any:**
None. The requested amendment will not result in any displacement.
- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:**
The requested amendment will not result in any change in land use. Refer to FEIS for a discussion of the land use impacts associated with the approved project.

9. Housing

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**
Zero
- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**
Zero
- c. **Proposed measures to reduce or control housing impacts, if any:**
No measures are proposed because no impacts are expected.

10. Aesthetics

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**
The requested amendment does not propose any new structures. Refer to application for Site Certification for description of structures associated with the approved project.
- b. **What views in the immediate vicinity would be altered or obstructed?**
The proposed amendment is not expected to change the impacts on views. The FEIS discusses the potential impact of the approved project on views.
- c. **Proposed measures to reduce or control aesthetic impacts, if any:**
No new measures are proposed because the requested amendment will not impact views. Refer to FEIS for a discussion of measures associated with the approved project.

11. Light and glare

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**
The requested amendment is not expected to change light and glare impacts.
- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**
No, refer to FEIS
- c. **What existing off-site sources of light or glare may affect your proposal?**
None
- d. **Proposed measures to reduce or control light and glare impacts, if any:**
No new measures are proposed because the requested amendment will not result in additional light or glare impacts. Refer to FEIS for a discussion of measures associated with the approved project.

12. Recreation

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

Refer to FEIS.

- 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:**
No new measures are proposed because the requested amendment will not result in additional impacts to recreational uses. Refer to FEIS for a discussion of impacts associated with the approved project.

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.**
Refer to FEIS.
- b. **Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.**
Refer to FEIS
- c. **Proposed measures to reduce or control impacts, if any:**
The requested amendment will not impact historical or cultural landmarks or objects, and therefore no measures are proposed. Refer to FEIS for a discussion of potential impacts and mitigation measures associated with the approved project.

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.**
Refer to FEIS
- b. **Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?**
Refer to FEIS
- c. **How many parking spaces would the completed project have? How many would the project eliminate?**
The requested amendment will have no effect on the number of parking spaces associated with the Cogeneration Project. Refer to FEIS for a discussion of parking associated with the approved project.
- 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. Refer to FEIS for discussion of roads and improvements associated with the approved project.
- e. **Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**
Refer to FEIS

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

The requested amendment will not result in any additional vehicular trips. Refer to FEIS and application for Site Certification for a discussion of vehicle trips associated with the approved project.

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

No measures are proposed in connection with the requested amendment. Refer to FEIS for discussion of measures associated with the approved project.

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.**

The requested amendment will not increase the need for public services.

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

No measures are proposed in connection with the requested amendment. Refer to FEIS for a discussion of measures associated with the approved project.

16. Utilities

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

Refer to FEIS

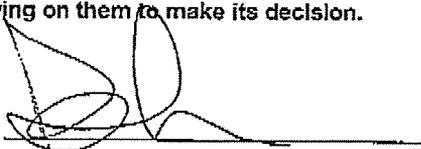
- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

The requested amendment does not propose any additional utilities. Refer to FEIS for a discussion of utilities associated with the approved project.

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: January 29, 2008