

AGENCY USE ONLY

Agency Reference #:

Date Received: _

Circulated by:

(local govt. or agency)

JOINT AQUATIC RESOURCES PERMIT APPLICATION FORM (JARPA)

(for use in Washington State)

PLEASE TYPE OR PRINT IN BLACK INK



I am applying for a Fish Habitat Enhancement Project per requirements of RCW 75.20.350. You must submit a copy of this completed JARPA application form, and the (Fish Habitat Enhancement JARPA Addition) to your local Government Planning Department and Washington Department of Fish & Wildlife Area Habitat Biologist on the same day.

NOTE: LOCAL GOVERNMENTS – You must submit any comments on these projects to WDFW within 15 working days.

Based on the instructions provided, I am sending copies of this application to the following: (check all that apply)

- Local Government for shoreline: Substantial Development Conditional Use Variance Exemption Revision
 Floodplain Management Critical Areas Ordinance
- Washington Department of Fish and Wildlife for HPA (Submit 3 copies to WDFW Region)
- Washington Department of Ecology for 401 Water Quality Certification Nationwide Permits (to Regional office-Federal Permit Unit)
- Washington Department of Natural Resources for Aquatic Resources Use Authorization Notification
- Corps of Engineers for: Section 404 Section 10 permit
- Coast Guard for Section 9 Bridge Permit
- US Fish & Wildlife Service or National Marine Fisheries Service for Endangered Species Act (ESA) Consultation

SECTION A - Use for all permits covered by this application. Be sure to ALSO complete Section C (Signature Block) for all permit applications.

1. APPLICANT			
BP Cherry Point Refinery: Contact Mike Torpey			
MAILING ADDRESS			
4519 Grandview Road - Blaine, Washington 98230			
WORK PHONE	E-MAIL ADDRESS	HOME PHONE	FAX #
(360) 371-1757	Torpeym1@bp.com		(360) 371-1836

If an agent is acting for the applicant during the permit process, complete #2.

2. AUTHORIZED AGENT			
David Every - URS			
MAILING ADDRESS			
• 1400 Century Square, 1501 4th Avenue; Seattle, WA 98101			
WORK PHONE	E-MAIL ADDRESS	HOME PHONE	FAX #
(206) 438-2105	david_every@urscorp.com		1 (866) 489-4873

3. RELATIONSHIP OF APPLICANT TO PROPERTY: OWNER PURCHASER LESSEE OTHER:

4. NAME, ADDRESS, AND PHONE NUMBER OF PROPERTY OWNER(S), IF OTHER THAN APPLICANT:

5. LOCATION (STREET ADDRESS, INCLUDING CITY, COUNTY AND ZIP CODE, WHERE PROPOSED ACTIVITY EXISTS OR WILL OCCUR)
Parcel adjacent to 4519 Grandview Road, No existing street address at this time for the project site.
 LOCAL GOVERNMENT WITH JURISDICTION (CITY OR COUNTY) **Whatcom County**

WATERBODY					TRIBUTARY OF	WRIA #
N/A						
¼ SECTION	SECTION	TOWNSHIP	RANGE	GOVERNMENT LOT	SHORELINE DESIGNATION	
NW	8	39N	1E			
LATITUDE & LONGITUDE IF KNOWN:					ZONING DESIGNINATION	
Lat: 48.8907					Heavy Industrial	
Long: -122.7230						
TAX PARCEL NO:					DNR STREAM TYPE, IF KNOWN	

6. DESCRIBE THE CURRENT USE OF THE PROPERTY, AND STRUCTURES EXISTING ON THE PROPERTY. IF ANY PORTION OF THE PROPOSED ACTIVITY IS ALREADY COMPLETED ON THIS PROPERTY, INDICATE MONTH AND YEAR OF COMPLETION.

The proposed project site is currently fallow agricultural land that has not been cultivated in over 10 years. Some portions of the site are planted with hybrid poplars intended for pulpwood harvest. There are no existing structures on the project site property.

An existing COE permit for impacts on wetlands related to construction of a power line that would service the proposed power plant was exercised in 2000. The access roads and the transmission tower pads have been constructed, but the towers and wires have not been erected. The mitigation for the wetland impacts associated with the transmission line has been constructed and is currently being monitored.

IS THE PROPERTY AGRICULTURAL LAND? YES NO

ARE YOU A USDA PROGRAM PARTICIPANT? YES * NO

7a. DESCRIBE THE PROPOSED CONSTRUCTION AND/OR FILL WORK FOR THE PROJECT THAT YOU WANT TO BUILD THAT NEEDS AQUATIC PERMITS: COMPLETE PLANS AND SPECIFICATIONS SHOULD BE PROVIDED FOR ALL WORK WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE, INCLUDING TYPES OF EQUIPMENT TO BE USED. IF APPLYING FOR A SHORELINE PERMIT, DESCRIBE ALL WORK WITHIN AND BEYOND 200 FEET OF THE ORDINARY HIGH WATER MARK. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

The proposed project is the construction of a 720 mw Cogeneration Facility and associated facilities including construction laydown areas on BP property in Whatcom County. The project site will encompass approximately 33 acres, of which approximately 25 acres will be converted to impervious surface area for the plant construction. This will result in the filling of 11.88 acres of emergent wetlands. An additional 36 acres of land will be converted to impervious or graveled surface area for construction of laydown areas and access roads. The construction of the laydown areas and a site access road will impact 23.49 acres of wetlands. Total wetlands impact is approximately 35.37 acres. No work will be conducted within the ordinary high water mark of any stream or other water body. A shoreline permit is not required.

7b. DESCRIBE THE PURPOSE OF THE PROPOSED WORK AND WHY YOU WANT OR NEED TO PERFORM IT AT THE SITE. PLEASE EXPLAIN ANY SPECIFIC NEEDS THAT HAVE INFLUENCED THE DESIGN.

See attached Alternatives Analysis.

7c. DESCRIBE THE POTENTIAL IMPACTS TO CHARACTERISTIC USES OF THE WATER BODY. THESE USES MAY INCLUDE FISH AND AQUATIC LIFE, WATER QUALITY, WATER SUPPLY, RECREATION, and AESTHETICS. IDENTIFY PROPOSED ACTIONS TO AVOID, MINIMIZE, AND MITIGATE DETRIMENTAL IMPACTS, AND PROVIDE PROPER PROTECTION OF FISH AND AQUATIC LIFE. ATTACH A SEPARATE SHEET IF ADDITIONAL SPACE IS NEEDED.

See attached reports including the wetland delineation report, wetlands function and value assessment, the 404(b)1 alternatives analysis and the proposed mitigation plan, and wetland delineation report for the mitigation areas.

PREPARATION OF DRAWINGS: SEE SAMPLE DRAWINGS AND GUIDANCE FOR COMPLETING THE DRAWINGS. ONE SET OF ORIGINAL OR GOOD QUALITY REPRODUCIBLE DRAWINGS MUST BE ATTACHED. NOTE: APPLICANTS ARE ENCOURAGED TO SUBMIT PHOTOGRAPHS OF THE PROJECT SITE, BUT THESE DO NOT SUBSTITUTE FOR DRAWINGS. THE CORPS OF ENGINEERS AND COAST GUARD REQUIRE DRAWINGS ON 8-1/2 X 11 INCH SHEETS. LARGER DRAWINGS MAY BE REQUIRED BY OTHER AGENCIES.

8. WILL THE PROJECT BE CONSTRUCTED IN STAGES? YES NO

PROPOSED STARTING DATE: **First Quarter 2004**

ESTIMATED DURATION OF ACTIVITY: **2 Years**

9. CHECK IF ANY STRUCTURES WILL BE PLACED:

WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH OR TIDAL WATERS; AND/OR

WATERWARD OF MEAN HIGH WATER LINE IN TIDAL WATERS

10. WILL FILL MATERIAL (ROCK, FILL, BULKHEAD, OR OTHER MATERIAL) BE PLACED:

WATERWARD OF THE ORDINARY HIGH WATER MARK OR LINE FOR FRESH WATERS?

IF YES, VOLUME (CUBIC YARDS) _____ / AREA _____ (ACRES)

WATERWARD OF THE MEAN HIGHER HIGH WATER FOR TIDAL WATERS?

IF YES, VOLUME (CUBIC YARDS) _____ / AREA _____ (ACRES)

11. WILL MATERIAL BE PLACED IN WETLANDS? YES NO
 IF YES:

A. IMPACTED AREA IN ACRES: **35.37**

B. HAS A DELINEATION BEEN COMPLETED? IF YES, PLEASE SUBMIT WITH APPLICATION. YES NO

C. HAS A WETLAND REPORT BEEN PREPARED? IF YES, PLEASE SUBMIT WITH APPLICATION. YES NO

D. TYPE AND COMPOSITION OF FILL MATERIAL (E.G., SAND, ETC.): **Granular gravels**

E. MATERIAL SOURCE: **Clean fill from approved quarry site**

F. LIST ALL SOIL SERIES (TYPE OF SOIL) LOCATED AT THE PROJECT SITE, & INDICATE IF THEY ARE ON THE COUNTY'S LIST OF HYDRIC SOILS. SOILS INFORMATION CAN BE OBTAINED FROM THE NATURAL RESOURCES CONSERVATION SERVICE (NRCS): **Birchbay, Tromp, Kickerville, Labounty (Hydric), Whitehorn (Hydric)**

12. WILL PROPOSED ACTIVITY CAUSE FLOODING OR DRAINING OF WETLANDS? YES NO
 IF YES, IMPACTED AREA IS ___ ACRES.

13. WILL EXCAVATION OR DREDGING BE REQUIRED IN WATER OR WETLANDS? YES NO
 IF YES:

A. VOLUME: **>50,000** (CUBIC YARDS) / AREA **35.4** (ACRES)

B. COMPOSITION OF MATERIAL TO BE REMOVED: **Silty clay loams**

C. DISPOSAL SITE FOR EXCAVATED MATERIAL: **Some material will be used on-site for landscaping, but excess material will be taken to approved and permitted disposal site.**

D. METHOD OF DREDGING: **(Excavation) Earth movers**

14. HAS THE STATE ENVIRONMENTAL POLICY ACT (SEPA) BEEN COMPLETED? YES NO
 SEPA LEAD AGENCY: _____ SEPA DECISION: DNS, MDNS, EIS, ADOPTION, EXEMPTION DECISION DATE (END OF PERIOD): _____
 SUBMIT A COPY OF YOUR SEPA DECISION LETTER TO WDFW AS REQUIRED FOR A COMPLETE APPLICATION

15. LIST OTHER APPLICATIONS, APPROVALS, OR CERTIFICATIONS FROM OTHER FEDERAL, STATE OR LOCAL AGENCIES FOR ANY STRUCTURES, CONSTRUCTION, DISCHARGES, OR OTHER ACTIVITIES DESCRIBED IN THE APPLICATION (I.E., PRELIMINARY PLAT APPROVAL, HEALTH DISTRICT APPROVAL, BUILDING PERMIT, SEPA REVIEW, FEDERAL ENERGY REGULATORY COMMISSION LICENSE (FERC), FOREST PRACTICES APPLICATION, ETC.) ALSO INDICATE WHETHER WORK HAS BEEN COMPLETED AND INDICATE ALL EXISTING WORK ON DRAWINGS.

TYPE OF APPROVAL	ISSUING AGENCY	IDENTIFICATION NO.	DATE OF APPLICATION	DATE APPROVED	COMPLETED?
Site Certification	WA State Energy Facility Site Evaluation Council	2002-01	June 3, 2002		No

16. HAS ANY AGENCY DENIED APPROVAL FOR THE ACTIVITY DESCRIBED HEREIN OR FOR ANY ACTIVITY DIRECTLY RELATED TO THE ACTIVITY DESCRIBED HEREIN? YES NO IF YES, EXPLAIN:

SECTION B - Use for Shoreline and Corps of Engineers permits only:

17. TOTAL COST OF PROJECT. THIS MEANS THE FAIR MARKET VALUE OF THE PROJECT, INCLUDING MATERIALS, LABOR, MACHINE RENTALS, ETC.
\$580 Million, subject to change as the project progresses

18. LOCAL GOVERNMENT WITH JURISDICTION:
Whatcom County

19. FOR CORPS, COAST GUARD, AND DNR PERMITS, PROVIDE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF ADJOINING PROPERTY OWNERS, LESSEES, ETC..
 PLEASE NOTE: SHORELINE MANAGEMENT COMPLIANCE MAY REQUIRE ADDITIONAL NOTICE — CONSULT YOUR LOCAL GOVERNMENT.

NAME	ADDRESS	PHONE NUMBER
See attached list		

SECTION C - This section MUST be completed for any permit covered by this application

20. APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES. I HEREBY GRANT TO THE AGENCIES TO WHICH THIS APPLICATION IS MADE, THE RIGHT TO ENTER THE ABOVE-DESCRIBED LOCATION TO INSPECT THE PROPOSED, IN-PROGRESS OR COMPLETED WORK. I AGREE TO START WORK <u>ONLY</u> AFTER ALL NECESSARY PERMITS HAVE BEEN RECEIVED.	
SIGNATURE OF APPLICANT OR AUTHORIZED AGENT	DATE
I HEREBY DESIGNATE <u>David Every, URS Corp.</u> TO ACT AS MY AGENT IN MATTERS RELATED TO THIS APPLICATION FOR PERMIT(S). I UNDERSTAND THAT IF A FEDERAL PERMIT IS ISSUED, I MUST SIGN THE PERMIT.	
SIGNATURE OF APPLICANT	DATE
SIGNATURE OF LANDOWNER (EXCEPT PUBLIC ENTITY LANDOWNERS, E.G. DNR)	DATE
THIS APPLICATION <u>MUST</u> BE SIGNED BY THE APPLICANT AND THE AGENT, IF AN AUTHORIZED AGENT IS DESIGNATED.	

18 U.S.C §1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly falsifies, conceals, or covers up by any trick, scheme, or device a material fact or makes any false, fictitious, or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than 5 years or both.

COMPLETED BY LOCAL OFFICIAL
A. Nature of the existing shoreline. (Describe type of shoreline, such as marine, stream, lake, lagoon, marsh, bog, swamp, flood plain, floodway, delta; type of beach, such as accretion, erosion, high bank, low bank, or dike; material such as sand, gravel, mud, clay, rock, riprap; and extent and type of bulkheading, if any:)
B. In the event that any of the proposed buildings or structures will exceed a height of thirty-five feet above the average grade level, indicate the approximate location of and number of residential units, existing and potential, that will have an obstructed view:
C. If the application involves a conditional use or variance, set forth in full that portion of the master program which provides that the proposed use may be a conditional use, or, in the case of a variance, from which the variance is being sought:

These Agencies are Equal Opportunity and Affirmative Action employers.
For special accommodation needs, please contact the appropriate agency in the instructions.

ADJACENT LANDOWNERS
BP Cherry Point Cogeneration Facility

James A. and Leanne Unruh
6432 Olson Rd.
Ferndale, WA 98248

Douglas L. and Susan Jay
2749 Brown Rd.
Ferndale, WA 98248

Trillium Corp.
4350 Cordata Pkwy
Bellingham, WA 98226

Puget Sound Energy
Attn.: Property Tax Dept.
P.O. Box 90868
Bellevue, WA 98009

Georgia Strait Crossing
Pipeline LP
295 Chipeta Way
Salt Lake City, UT 84108

Chemco, Inc.
P.O. Box 875
Ferndale, WA 98248

Lloyd H. Bailey Trust
6783 Kickerville Rd.
Ferndale, WA 98248-9620

Terminal Forest Products, Inc.
12180 Mitchell Rd.
Richmond, B.C.
Canada V6V1M8

L.A. Freeman
1411 E. Street
Blaine, WA 98230

Robert Sherby Trust
6691 Kickerville Rd.
Ferndale, WA 98248

Campbell Land Corp.
Attn.: Herbert A. Davis
726 W. 16th Ave.
Vancouver, B.C.
Canada V5Z1S7

Paul S. and Pacifica Cesar
292 W. 45th Ave.
Vancouver, B.C.
Canada V5Y2W4

Eugene M. Anderson and Douglas L.
Anderson and Ray P. Freeman
6118 Kickerville Rd.
Ferndale, WA 98248

Leland S. Madero
2151 Washington St., #3
Ferndale, WA 98248

Shanda Ross
4865 Bay Rd.
Blaine, WA 98230-9051

Beverly J. Ross
7258 Jackson Rd.
Blaine, WA 98230-4623

Harry L. Ross
4759 Bay Rd.
Blaine, WA 98230-9642

Maynard Gooby
90 Louisiana Avenue S.
Golden Valley, MN 55426-1538

Thelma R. Suartos
4593 Bay Rd.
Blaine, WA 98230

Michael R. and Shirley A. Walker
936 Peace Portal Way DMB71
Blaine, WA 98230

ADJACENT LANDOWNERS
BP Cherry Point Cogeneration Facility

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4539 Bay Rd.
Blaine, WA 98230-9005

Elmo and Betty Creech
7288 Blaine Rd.
Blaine, WA 98230

Michael R. and Angela L. Stevenson
4515 Bay Rd.
Blaine, WA 98230

Alexander Irwin
17 Springbank Gardens
Riverview, Dunblane
Scotland, UK

Stephayla Inc.
P.O. Box 564
Custer, WA 98240

Diane M. Weber
4437 Bay Rd.
Blaine, WA 98230-9011

Douglas Sandness
4870 Ross St.
Vancouver, B.C.
Canada V5V4V2

Leland Cochran
8226 Birch Bay Dr.
Blaine, WA 98230

Floyd Anderson
7203 Blaine Rd.
Blaine, WA 98230-9641

Harold R. and Carol Arant
5992 Longdin Rd.
Ferndale, WA 98248

Ted V. Linde and Marjorie Thatcher
Carolyn C. Moss and Delores E. Nearing
1421 Kamm Rd.
Lynden, WA 98264-9528

Thomas and Linda Tucker
4371 Bay Rd.
Blaine, WA 98230

Calvin N. Vanderpol
P.O. Box 184
Custer, WA 98240-0184

R. Joe and Celeste Bailey
4351 Blaine Rd.
Blaine, WA 98236

Earl T. and Beatrice M. Ball
7387 Jackson Rd.
Blaine, WA 98230

Thomas J. Hull
4333 Bay Rd.
Blaine, WA 98230

Ronald D. Clark
P.O. Box 385
Harrison Hot Springs, B.C.
Canada V0M1K0

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4-8266 King George Hwy.
Surrey, B.C.
Canada V3W5C2

H.A. Nielsen
9680 Westminster Hwy.
Richmond, B.C.
Canada V6X1B1

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Blaine, WA 98230

Laura L. Slade
3821 Williamson Way #2
Bellingham, WA 98226

ADJACENT LANDOWNERS
BP Cherry Point Cogeneration Facility

Emperor Mushroom Corp.
P.O. Box 219
Blaine, WA 98231

Laurence J. and Michelle Davis
4313 Bay Rd.
Blaine, WA 98230

Ronald J. and Barbara J. Bishop
4181 Bay Rd.
Blaine, WA 98230

Jeannie Moody
P.O. Box 2772
Blaine, WA 98231

Kenneth A. and Elaine N. Sheets
4137 Bay Rd.
Blaine, WA 98230

Marion W. M Wright et al.
1622 Stephens St.
Vancouver, B.C.
Canada V6K3V3

Rodney E. and Bertha A. Tremmel
7289 Kickerville Rd.
Ferndale, WA 98248

Western Pacific Funding Corp.
5612 Lake Washington Blvd., #100
Kirkland, WA 98033

Seigman Family Revocable Trust
7235 Kickerville Rd.
Ferndale, WA 98248-9692

Great Northern Railway Company
404 Union St.
Seattle, WA 98101

Victor and Carrie Unick
6078 Neevel Rd.
Ferndale, WA 98248

Lajos Solar and Bela Toth
2215 E. 54th Ave.
Vancouver, B.C.
Canada V5P1Y8

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Ferndale, WA 98248

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Bellingham, WA 98226

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7193 Kickerville Rd.
Ferndale, WA 98248

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Bellingham, WA 98226

Donald S. Roosma
7161 Kickerville Rd.
Ferndale, WA 98248

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P.O. Box 961089
Fort Worth, TX 76161-0089

Leeland and Judy Carlson
7145 Kickerville Rod.
Ferndale, WA 98248

David L. Johnson
P.O. Box 2656
Bellingham, WA 98227