

**From:** [Eddy Ury](#)  
**To:** [PDS Planning Commission](#); [Ashley Ubil](#); [Mark Personius](#); [Matt Aamot](#)  
**Cc:** [Jeff.Chalfant@bp.com](#); [Brady, Pamela](#); [James.Verburg@bp.com](#)  
**Subject:** Re: Cherry Point Amendments - additional comments  
**Date:** Friday, July 10, 2020 5:55:08 PM

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Congratulations to Commissioners and PDS staff on completing your final work session for Cherry Point Amendments!

Following up, I apologize for expressing my exasperation at the end of last night's meeting in my remarks about the motion to amend the definition of Renewable Fuel Refinery to encompass the BP Cherry Point Refinery. I regret the lapse in composure and realize I could have made my point better without speculating on BP's intentions.

I have spoken amicably with Mr. Chalfant of BP today and we agreed to work together in hopes to present mutually acceptable definitions of key terms in the code amendments. We are optimistic about reaching an understanding.

Definitions should not be a matter of policy intent; the goals are to make terms clear, consistent, unequivocating, differentiating, accurate and operable.

In all honesty, I was very disappointed to be excluded from Monday's meeting between industry reps and PDS about the Value Added Processing (VAP) definition, and even more so to see PDS unexpectedly recommend WSPA's proposed definition without addressing apparent problems with the VAP language explained in my June 25th comments. Nonetheless I do assume good intentions of PDS staff and see now that I could have delivered my objections to the use of the term and the definition with greater clarity. I still believe that the term could be better applied for its intended effect in other sections of the code, and that the sentence fragment which it's currently used in creates significant inconsistency with the prohibited use section, and that notwithstanding, the clause does not accomplish what Commissioners intended by adding it. I will present new suggestions with further explanation in hopes to resolve that issue at a later date after consulting with industry stakeholders.

Furthermore on the matter of co-processing upgrades at oil refineries: though I saw no need to make changes in substitution to BP's proposed language (because the draft code provisions clearly do not impose any restrictions or conditions whatsoever on refinery upgrade projects for co-processing non-fossil fuel feedstocks) I have nonetheless identified some simple alternative revisions that may satisfy BP's wish to have these projects more explicitly addressed to ensure that future biofuel co-processing upgrades are permitted. I will be seeking feedback on these potential edits from industry, and am optimistic we can devise suitable language in affirmation of apparent intentions. RE Sources may not necessarily support the adoption of this revision as policy, but aim to provide the County Council with clear text for policy options that will achieve intended purposes without embedding contradictions between related statutes.

Hopefully all stakeholders can come to a consensus in support of the same language for some particular sections of code. We look forward to addressing the Commission again on these matters at the public hearing on August 13th.

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**Eddy Ury**

Climate & Energy Policy Manager  
RE Sources for Sustainable Communities  
Office: (360) 733-8307 ext. 215  
Mobile: (206) 972-2001  
[re-sources.org](http://re-sources.org) | [Facebook](#) | [Blog](#) | [E-News](#)

On Thu, Jul 9, 2020 at 6:28 PM Eddy Ury <[eddyu@re-sources.org](mailto:eddyu@re-sources.org)> wrote:

Please note the attached letter for reference during tonight's work session. I will be attending and available to answer questions at the request of Commissioners. Suggested motions are on the final page. Thank you for your thoughtful consideration of our input.

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**Eddy Ury**

Climate & Energy Policy Manager  
RE Sources for Sustainable Communities  
Office: (360) 733-8307 ext. 215  
Mobile: (206) 972-2001  
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