



Withdrawal Notice
SEPA Mitigated Determination of Nonsignificance (MDNS)

Withdrawal: This notice serves as a withdrawal of the MDNS issued on December 18, 2020 for the proposed project actions of the BP Cherry Point Refinery improvements. The proposed improvements include the Hydrocracker Improvement project, Cooling Water Infrastructure project and Air System Infrastructure project as described in the project description below. The MDNS is withdrawn because the SEPA distribution did not include an affected agency. After issuance the County received comments from an affected agency who was not identified in the distribution list. A new threshold determination will be issued along with a new public notice and comment period.

File: SEP2020-00092 & SEP2020-00097

Project Description: BP Cherry Point Refinery has submitted three Land Disturbance Permits (LDP2020-00097, LDP2020-00098 and LDP2020-00100) regarding proposed refinery improvements. Whatcom County Planning and Development Services is issuing one associated SEPA determination for cumulative environmental review of the proposed projects.

LDP2020-00097: The Hydrocracker Improvement project will construct a new process structure area, motor control building, pipe rack supports, and associated equipment foundations; install a new vacuum tower; and relocate/install underground utilities within existing operational areas of the refinery. Work will include approximately 4,254 cubic yards of excavation and approximately 2,456 cubic yards of fill/backfill within a 0.45 acre site. This project also requires that over sized construction equipment is delivered by barge to the refinery. A temporary ramp will be constructed of gravity bearing pier supports that will support a series of steel flange ramps with tapered ends to span the beach. The ramp is temporary in nature and the area will be returned as close as practicable to its pre-landing condition.

LDP2020-00098: The Cooling Water Infrastructure project will construct new cooling tower infrastructure and a motor control center building, install ancillary equipment, and conduct site grading to improve the refinery's existing #2 cooling tower and adjacent facility access. Work will include approximately 2,746 cubic yards of excavation/site grading and approximately 687 cubic yards of fill/backfill within a 0.63 acre site.

LDP2020-00100: The Air System Improvement project will construct a new compressor building and associated equipment foundations, relocate existing underground utilities, and install new duct banks and infrastructure tie-ins. Work will include approximately 1,580 cubic yards of excavation and approximately 1,280 cubic yards of fill/backfill within a 0.3 acre site.

Proponent: BP Cherry Point Refinery c/o Ryan O'Larey and Ken Taylor

Address and Parcel #: 4519 Grandview Road / APNs 390107317235 & 390108074352

Lead Agency: Whatcom County Planning & Development Services

Zoning: HII **Comp Plan:** Major Port/ Industrial UGA

Shoreline Jurisdiction: Cherry Point Management Unit

Responsible Official: Mark Personius, mpersoni@whatcomcounty.us

Title: Director

Telephone: 360-778-5900

Address: 5280 Northwest Drive
Bellingham, WA 98226

Date of Withdrawal: January 11, 2021

Signature: _____

A handwritten signature in black ink, appearing to read 'M Personius', is written over a horizontal line.



Mitigated Determination of Non-significance (MDNS)

Mitigating Conditions:

Adverse Impacts by the proposed development can be caused at the commencement of construction. Therefore, the Whatcom County SEPA Official finds that, pursuant to Substantive Authority, as allowed by WCC 16.08, the following SEPA mitigating conditions shall be required as a condition of the underlying permit:

For LDP2020-00097, if cultural resources are unexpectedly encountered during construction, the applicant shall implement the Inadvertent Discovery Plan as identified in the October 2, 2020 Cultural Resources Review prepared by AECOM for the BP Cherry Point Refinery Hydrocracker Value Improvement Project.

For LDP2020-00098, if cultural resources are unexpectedly encountered during construction, the applicant shall implement the Inadvertent Discovery Plan as identified in the October 2, 2020 Cultural Resources Assessment prepared by AECOM for the BP Cherry Point Refinery Cooling Water Infrastructure Project.

For LDP2020-00100, if cultural resources are unexpectedly encountered during construction, the applicant shall implement the Inadvertent Discovery Plan as identified in the October 9, 2020 Cultural Resources Assessment prepared by AECOM for the BP Cherry Point Refinery Air System Infrastructure Project.