



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office

PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

September 23, 2022

bp Cherry Point Refinery
ATTN: Becca Hardie
4519 Grandview Road
Blaine, WA 98230

Re: Coastal Zone Consistency for West Avenue D Laydown Area (Corps No. **NWS-2022-108**),
Ferndale, Whatcom County, Washington

Dear Becca Hardie:

On January 19, 2022, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. On August 12, 2022, bp Cherry Point Refinery and Ecology agreed to stay the CZM until September 30, 2022.

This determination is for construction of an approximately 4.73 acre laydown area at the bp Cherry Point Refinery. The project site is currently an undeveloped area of the facility and primarily vegetated by grass. The proposal includes collection of stormwater generated at the proposed West Avenue D Laydown area, and routing to existing stormwater treatment facilities and detention pond. The project will result in approximately 1.5 acres of direct wetland fill, and 0.42 acres of indirect wetland impacts. Compensation for wetland and wetland buffer impacts will occur at bp's already constructed Brown Road Materials Storage Area mitigation site. These improvements would be located within the bp Cherry Point Refinery, 4519 Grandview Road, approximately 4.9 miles west of Ferndale, Washington, in Whatcom County.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with bp Cherry Point Refinery's determination that the proposed work is consistent with Washington's CZMP.

If you have any questions regarding Ecology's consistency determination, please contact Chris Luerkens at (360) 410-4807 or Chris.Luerkens@ecy.wa.gov.

Your right to appeal

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt. The appeal process is governed RCW 43.21B and

WAC 371-08. "Date of receipt" is defined in RCW 43.21B.001(2). More information is available at <https://eluhwa.gov/content/11>.

To appeal, you must do all of the following within 30 days of the date of receipt of this decision:

- File your notice of appeal and a copy of this Order with the PCHB (see filing options below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this Order on the Department of Ecology, in paper form, by mail or in person (see addresses below). E-mail is not accepted.

You must also comply with other applicable requirements in RCW 43.21B and WAC 371-08.

Filing an appeal with the PCHB:

For the most current information regarding filing with the PCHB, visit:
<https://eluhwa.gov/content/11>

Filing by mail

Mailing Address:

Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

Filing in person (or by certified mail/courier)

Street Address:

Pollution Control Hearings Board
1111 Israel RD SW
STE 301
Tumwater, WA 98501

Filing electronically

E-mail Address:

Pchb-shbappeals@eluhwa.gov

Serving a copy of the appeal on Ecology:

Electronic copies of appeals are not accepted at the Department of Ecology per WAC 371-08-305(10).

Filing by mail

Mailing Address:

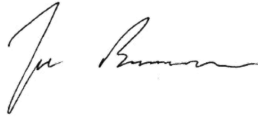
Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

Filing in person (or by certified mail/courier)

Street Address:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

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Joe Burcar, Section Manager
Northwest Regional Office
Shorelands and Environmental Assistance Program

Sent by electronic mail: Rebecca.hardie@bp.com

E-cc: Amy de Vera, ERM

Randel Perry, U.S. Army Corps of Engineers
Jon-Paul Shannahan, Whatcom County
Loree' Randall, Department of Ecology
Chris Luerkens, Department of Ecology
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