

Aven, Heather M.

From: Gregg Dunphy <GreggD@lummi-nsn.gov>
Sent: Monday, March 25, 2024 3:42 PM
To: Bell, Kathy M.; Sundin, Steven C.
Cc: Vincent J. Feliciano Jr.; Lena A. Tso; Tamela S. Smart
Subject: Re: The Woods at Viewcrest - Proposed Bellingham, WA Project

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Good afternoon, Kathy:

Thank you for the notice. Please keep Vince Feliciano, copied with this e-mail for your convenience, and me fully apprised of the developments of this proposed project. The Lummi Natural Resources Department is interested in this project because of the potential issues and impacts that it may pose to treaty-reserved rights and resources. I look forward to receiving regular and timely updates about this project from the City of Bellingham.

Kind regards,

Gregg S. Dunphy

TFW - FFR Division Manager / Biologist
Lummi Natural Resources Department
2665 Kwina Road
Bellingham, WA 98226
Cell: 360-410-1743 / Office: 360-312-2311
E-mail: greggd@lummi-nsn.gov

From: Bell, Kathy M. <kbell@cob.org>
Sent: Monday, March 25, 2024 2:49 PM
To: Bell, Kathy M. <kbell@cob.org>; Sundin, Steven C. <ssundin@cob.org>
Subject: The Woods at Viewcrest - Proposed Bellingham, WA Project

Good afternoon.

The City of Bellingham would like to inform your agency that a Notice of Application for a 38-lot preliminary plat located at 352 Viewcrest Road, Bellingham has been issued. This notice is anticipated to generate significant public interest and the public may reach out to your agency. Currently, the preliminary plat application does not propose any in-water work. A forest practice application may be required for conversion of approximately 20% of the 37-acre site for infrastructure and the proposed lots. Tribal Historic Preservation Offices will be further notified during the SEPA review process.

In the event your agency is contacted for information related to this project, you may direct them to The Woods at Viewcrest project webpage found here: [The Woods at Viewcrest - City of Bellingham \(cob.org\)](https://www.cob.org/the-woods-at-viewcrest)

The City has not issued a SEPA threshold determination at this time and you will be notified when that determination is issued.

Thank you for your consideration. If you have further questions, please feel free to reach out to Steve Sundin at ssundin@cob.org or myself.

Kathy Bell | Senior Planner

Planning & Community Development Dept., City of Bellingham

360.778.8347 kbell@cob.org



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[The Bellingham Plan | Engage Bellingham](#)

Note: My incoming/outgoing e-mail messages are subject to public disclosure requirements per RCW 42.56

CAUTION: This email has been received from outside the Lummi Indian Business Council – Think before clicking on links, opening attachments, or responding.

Aven, Heather M.

From: Larry Horowitz <dakini1@comcast.net>
Sent: Monday, March 25, 2024 3:16 PM
To: Bell, Kathy M.; Sundin, Steven C.
Subject: Notice of Application - The Woods at Viewcrest

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

352 View Crest Road
SUB2022-0011/VAR2022-0002/CAP2022-0005/SHR2022-0007/SHR2022-0008/ VAC2022-0001/SEP2022-0013

A decision will be made on the project following the comment period. If you want to receive notification of the action, you may either submit a public comment on the project website or complete and return this section of the notice to the Planning and Community Development Department, City Hall, 210 Lottie Street, Bellingham, WA 98225.

Attn: Steve Sundin, Senior Planner and Kathy Bell, Senior Planner

Yes, I would like to know the action taken. VIA EMAIL AT dakini1@comcast.net

Name Larry Horowitz

Address 212 Sea Pines Rd, Bellingham, WA 98229
(including City, Zip)

Email: dakini1@comcast.net

On 3/25/2024 2:50 PM, Bell, Kathy M. wrote:

Good afternoon.

You are receiving this email because you requested the City provide you with notifications concerning the project known as The Woods at Viewcrest. The City has issued a Notice of Application for this project which establishes a public comment period through April 24, 2024. This notice and additional information related to the project are available on [The Woods at Viewcrest](#) webpage.



[The Woods at Viewcrest](#)

(Updated 03/25/2024) Project Overview The City received applications for a new residential subdivision on a vacant 37.7-acre site located generally in the 300 Block of Viewcrest Road and Area 7 of the Edgemoor Neighborhood. The submitted proposal consists of 38 single-family lots and three open-space tracts. The lots are proposed to be accessed from both Viewcrest and ... [Read more cob.org](#)

The City will continue to update this webpage as the project moves through the land use application review process.

Kathy Bell | Senior Planner

Planning & Community Development Dept., City of Bellingham
360.778.8347 kbell@cob.org



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[The Bellingham Plan | Engage Bellingham](#)

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Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Monday, March 25, 2024 3:49 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Greg Poehlman
Attachments: Public Comment - 642.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Greg Poehlman
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>We live at 336 Viewcrest Rd. and are opposed to proposed development known as The Woods at Viewcrest. Our primary reason for opposition is the impact this project would have on the service roads - The two primary roads servicing this property (VC & Fieldston) are narrow, do not have sidewalks and already pose a threat to pedestrians (these are heavily walked). The developers use a 2 car per lot calculation to gauge the additional traffic this project would create, but this is not realistic - this is an affluent neighborhood where many homes have more vehicles than that. The build out of this project would take many years and throughout this entire time there will be increased vehicle count due to contractors</p>

(not to mention large vehicles/machinery which neither VC or Fieldston and easily accommodate as it is.
The proposed site map that I have seen appears to contain two access roads which will direct traffic right onto VC. At a minimum we would suggest aligning the western most access road at an angle to direct traffic towards Fieldston - this would create a natural separation of traffic splitting the impact. We're not against development and recognize the owners have their rights, however we feel the density is too great for this community and encourage the City to recognize this and reduce the scope of the project.

EMAIL

greg.poehlman@hubinternational.com

DATE

3/25/2024

Aven, Heather M.

From: Tamela S. Smart <TamelaS@lummi-nsn.gov>
Sent: Monday, March 25, 2024 3:45 PM
To: Bell, Kathy M.; Sundin, Steven C.
Cc: Lena A. Tso; Jolivette, Stephanie (DAHP); Gregg Dunphy
Subject: Re: The Woods at Viewcrest - Proposed Bellingham, WA Project

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Kathy Bell,

The Lummi Nation has received notice of the proposed The Woods at Viewcrest Project, located at 352 Viewcrest Road, Bellingham, Washington and is responding as an affected tribe. The Lummi Nation Tribal Historic Preservation Office (LNTHPO) has facilitated a review of the distributed project documents including the following report by Garth L. Baldwin, Courtney J. Paton, and Marsha R. Hanson:

- "Cultural Resources Review of 352 Viewcrest Road (TPNs: 370212030004, 370213075542, 370213083499, 370213113550), Bellingham, Whatcom County, Washington " dated July 20, 2020.

Based on this review, The LNTHPO recommends that the project crew conducting the ground disturbing work receive an Inadvertent Discovery Plan (IDP) training from a professional archaeologist. The IDP should be on-site and followed should archaeological resources or human remains be encountered. The LNTHPO would also like to be notified of the project schedule and be allowed to make site visits.

Please consult with the Department of Archaeology and Historic Preservation (DAHP) regarding historic site 45WH77.

Inadvertent Discovery of Archaeological Resources:

Should archaeological resources (e.g. shell midden, animal remains, stone tools) be observed during project activities, all work in the immediate vicinity should stop, and the area should be secured. The Washington State Department of Archaeology and Historic Preservation (Stephanie Jolivette, Local Government Archaeologist 360-628-2755) and the Lummi Nation Tribal Historic Preservation Office (Lena Tso, THPO 360-961-7752; Tamela Smart, Deputy THPO 360-927-2944) should be contacted immediately in order to help assess the situation and to determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required.

Inadvertent Discovery of Human Skeletal Remains on Non-Federal and Non-Tribal Land in the State of Washington (RCWs 68.50.645, 27.44.055, and 68.60.055)

"If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains" (DAHP).

These comments are based on the information available at the time of the review. The LNTHPO should review any changes related to the proposed project. Should you have any questions or concerns, please do not hesitate to contact me at 360-927-2944 or via email at tamelas@lummi-nsn.gov.

Sincerely,

Tamela S. Smart (she/her)
Deputy THPO/Compliance Officer
Lummi Nation Culture Department
2665 Kwina Road, Bellingham, WA 98226
Cell: 360-927-2944 Email: TamelaS@lummi-nsn.gov

Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites are exempt from disclosure (RCW 42.56.300)



From: Bell, Kathy M. <kbell@cob.org>
Sent: Monday, March 25, 2024 2:49 PM
To: Bell, Kathy M. <kbell@cob.org>; Sundin, Steven C. <ssundin@cob.org>
Subject: The Woods at Viewcrest - Proposed Bellingham, WA Project

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The City has not issued a SEPA threshold determination at this time and you will be notified when that determination is issued.

Thank you for your consideration. If you have further questions, please feel free to reach out to Steve Sundin at ssundin@cob.org or myself.

Kathy Bell | Senior Planner
Planning & Community Development Dept., City of Bellingham
360.778.8347 kbell@cob.org



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Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Monday, March 25, 2024 5:25 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Denise Weeks
Attachments: Public Comment - 643.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Denise Weeks
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	I would like to know what Exhibit W is supposed to be showing. That is, where are the labels or explanations or arrows showing where the pipes are supposed to be releasing the run off? Reverting to the first plan, which was questioned, does not seem like an adequate solution.
EMAIL	denise.weeks@comcast.net
DATE	3/25/2024

Aven, Heather M.

From: Paul Brock <brock_paul@hotmail.com>
Sent: Tuesday, March 26, 2024 7:41 PM
To: Sundin, Steven C.; Bell, Kathy M.
Subject: Yes, I would like to know the action taken.

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**352 View Crest Road
SUB2022-0011/VAR2022-0002/CAP2022-0005/SHR2022-0007/SHR2022-0008/ VAC2022-0001/SEP2022-0013**

A decision will be made on the project following the comment period. If you want to receive notification of the action, you may either submit a public comment on the project website or complete and return this section of the notice to the Planning and Community Development Department, City Hall, 210 Lottie Street, Bellingham, WA 98225.

Attn: Steve Sundin, Senior Planner and Kathy Bell, Senior Planner

Yes, I would like to know the action taken.

Name

Address

(including City, Zip)

Paul Brock

301 Crest Ln, Bellingham WA 98229

brock_paul@hotmail.com

Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, March 29, 2024 11:55 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Jane & Eric Frankenfeld
Attachments: Public Comment - 647.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Jane & Eric Frankenfeld
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>When we bought our home on Sea Pines Road (South Bellingham neighborhood) thirty-four years ago, the surrounding qualities of nature were the primary attraction, along with the relative absence of man-made sounds, intrusions, and and desecrations. We certainly never anticipated the possibility of our road might becoming an outlet for Edgemore traffic, or of the cliffs on Mud Bay (which support diverse flora and fauna, acting to sustain the health of the bay and the waters beyond) being bulldozed to a likely point of instability.</p> <p>If nothing else, please consider the impact of further development of the cliffs upon the the</p>

Chuckanut Creek salmon run, which feeds into the bay and is only one of the many important contributors to the healthy ecology of the bay itself that the proposed development threatens to impact and possibly destroy.

We fervently hope that the Council takes into consideration the qualities that make life beyond Edgemoor quite rare and unique, and we encourage the Council to reject the proposed linkage of the two neighborhoods.

Thank you very much for your consideration of this issue.

Sincerely,

Jane and Eric Frankenfeld
112 Sea Pines Rd.

EMAIL

t4t3u@aol.com

DATE

3/29/2024

Aven, Heather M.

From: Jillian Froebe <jillianfroebe@gmail.com>
Sent: Tuesday, March 26, 2024 4:53 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

Some people who received this message don't often get email from jillianfroebe@gmail.com. [Learn why this is important](#)

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Dear Mr. Lyon, Mr. Sundin, and Ms. Bell,

I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for The Woods at Viewcrest, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose significant adverse impacts to the environment. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its specific characteristics and its physical setting. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics

Important Habitat Hub. The 2021 City of Bellingham Wildlife Corridor Analysis designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an Important Habitat Hub - and one of the only Important Habitat Hubs in south Bellingham that remains unprotected.

Geohazards. Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.

Storm Microclimate. This location is well-known locally for its

microclimate of gales during storms - among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

Wildlife Network. This Important Habitat Hub is the center part that links two other Important Habitat Hubs - Clark's Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space - all of which are connected to a larger, protected Wildlife Network. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.

Estuarine Wetlands. Mud Bay Cliffs is a key watershed adjacent to Mud Bay's Category I Estuarine Wetlands.

Stormwater. Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.

Great Blue Herons. The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.

Salmon. Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.

Traffic Safety and Level of Service.

Traffic safety issues have been well documented on Edgemoor's narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.

Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest's intersection with Chuckanut Drive is significant as an access point to public amenities including Clark's Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is

severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.

The Wildlife Habitat Assessment fails to: identify this site as an Important Habitat Hub connected to other nearby hubs by two Important Habitat Corridors; address the harmful wildlife Habitat Network fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.

The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.

There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.

The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the mature woodland. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot "buffer" along the shoreline would be affected by adjacent tree removal; it is probable that tree removal would degrade the health of nearby trees in the proposed "buffer" wildlife habitat connecting two Important Habitat Hubs.

The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address the known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site's unique specific characteristics and unique physical setting, and because of the subdivision application's profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

Sincerely,

Jillian Froebe

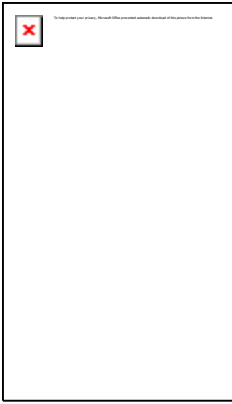
Thank you for your email. I may have taken more time to respond, as I am limiting my screen time. I appreciate your understanding.

Jillian Froebe

(she/her)

360.319.8704

<http://www.turtlehavensanctuary.com/>



I gratefully acknowledge my location on the ancestral homelands of the Coast Salish Peoples past and present. These lands continue to carry the stories of these Peoples and their struggles for survival and identity. I give thanks to my indigenous neighbors, the Lhaq'te'mish (Lummi Nation) and Nuxwsá7aq (Nooksack), as well as all other Salishan families, for their care and protection of this magnificent place that is our common home.

"**Joy** doesn't betray but sustains activism. And when you face a politics that aspires to make you fearful, alienated and isolated, joy is a fine initial act of insurrection." -Rebecca Solnit

"There is nothing so useless as doing efficiently that which should not be done at all." -Peter Drucker

"We don't have to wait for some grand utopian future. The future is an infinite succession of presents, and to live now as we think human beings should live, in defiance of all that is bad around us, is itself a marvelous victory." -Howard Zinn

"Regardless of the name a person uses for the Infinite Force that holds us together, it is the source of our miraculous, unpredictable creativity and our dignity." -Ashok Gangadean

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Aven, Heather M.

From: Vanessa Haycock <vanessahaycock45@gmail.com>
Sent: Tuesday, March 26, 2024 12:22 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

Some people who received this message don't often get email from vanessahaycock45@gmail.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Mr. Lyon, Mr. Sundin and Ms. Bell,

From : Vanessa Haycock

2139 Franklin St, Bellingham, WA 98225

03.26.2024

I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to the environment**. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

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Specific Characteristics

- **Important Habitat Hub.** The 2021 *City of Bellingham Wildlife Corridor Analysis* designates this property, which consists of rare mature shoreline woodlands and

wetlands habitat, as an *Important Habitat Hub* - and one of the only *Important Habitat Hubs* in south Bellingham that remains unprotected.

- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.
- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms - among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

- **Wildlife Network.** This *Important Habitat Hub* is the center part that links two other *Important Habitat Hubs* - Clark's Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space - all of which are connected to a larger, protected *Wildlife Network*. The public has invested heavily to protect and maintain the Hubs and Corridors of this *Wildlife Network*.
- **Estuarine Wetlands.** Mud Bay Cliffs is a key watershed adjacent to Mud Bay's Category I Estuarine Wetlands.
- **Stormwater.** Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.
- **Great Blue Herons.** The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.
- **Salmon.** Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.
- **Traffic Safety and Level of Service.**
 - Traffic safety issues have been well documented on Edgemoor's narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.
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B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

- The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.
- The Wildlife Habitat Assessment fails to: identify this site as an *Important Habitat Hub* connected to other nearby hubs by two *Important Habitat Corridors*; address the harmful wildlife *Habitat Network* fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.
- The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.
- There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.
- The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the **mature woodland**. There is no assessment for how the gales from worsening storms, combined with extensive tree

removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot "buffer" along the shoreline would be affected by adjacent tree removal; it is probable that tree removal would degrade the health of nearby trees in the proposed "buffer" wildlife habitat connecting two Important Habitat Hubs.

- The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address the known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site's unique specific characteristics and unique physical setting, and because of the subdivision application's profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

Sincerely,

Vanessa Haycock NTS, LMP, CCHT

P: (360) 296 FIVE842

Aven, Heather M.

From: liloette ireland <liloette@gmail.com>
Sent: Tuesday, March 26, 2024 3:16 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

[Some people who received this message don't often get email from liloette@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Good afternoon

I'm writing you from the cliffs above mud bay. As I type, I can see wild checked lilies, rich green succulents, a bald eagle who's been flying back and forth the tide & currently perched on a Douglas fir 30 feet away. This eagle is my inspiration to stop what I'm doing & send you this email now.

I've lived in chuckanut village for nearly 20 years. It's a magical bay & this coastal forest is where I come to re ground & ponder my life. There are very few places left along our bellingham coast that have this "feeling". If you are a sensitive person and in touch with nature, it's impossible to deny this cliffside needs to be saved from development. Please do not allow this area to be destroyed! We have native pnw yew trees up here (which are extremely rare) one of the healthiest groves of madrone trees to be seen on mainland exist inside the development plat.

This bay has an abundance of sea life, blue herons, eagles, otters, ducks, clams, oysters, seals, salmon & unique native coastal plants that have survived only because man has yet to destroy this tiny region.

The railroad tracks alone have caused a build up of extra fill & waist, being there is only one opening under the trestle.

If you haven't seen the beauty we have here, I urge you to walk by foot down mud bay & up the narrow cliffside trail (very few people even know this trail exists which makes it all the more sacred).

Please do not allow this land to become another development.

Thank you for considering,

Annie Ireland
Chuckanut Village resident

1717 Fairhaven ave
Bellingham Wa
98229











Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, March 26, 2024 10:45 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Rebekah Jayne
Attachments: Public Comment - 644.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Rebekah Jayne
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for The Woods at Viewcrest, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.</p> <p>The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose significant adverse impacts to the environment. In addition to these adverse impacts, the developer's application materials are flawed in substantive</p>

ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its specific characteristics and its physical setting. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics

Important Habitat Hub. The 2021 City of Bellingham Wildlife Corridor Analysis designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an Important Habitat Hub – and one of the only Important Habitat Hubs in south Bellingham that remains unprotected.

Geohazards. Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.

Storm Microclimate. This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

Wildlife Network. This Important Habitat Hub is

the center part that links two other Important Habitat Hubs – Clark’s Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected Wildlife Network. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.

Estuarine Wetlands. Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.

Stormwater. Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.

Great Blue Herons. The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.

Salmon. Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.

Traffic Safety and Level of Service.

Traffic safety issues have been well documented on Edgemoor’s narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has

been notified of these hazardous conditions but has yet to take any action to mitigate them.

Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends.

Viewcrest's intersection with Chuckanut Drive is significant as an access point to public amenities including Clark's Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.

The Wildlife Habitat Assessment fails to: identify this site as an Important Habitat Hub connected to other nearby hubs by two Important Habitat Corridors; address the harmful wildlife Habitat Network fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony

(feeding and sheltering); provide a sufficient wildlife inventory.

The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.

There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.

The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the mature woodland. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot "buffer" along the shoreline would be affected by adjacent tree removal; it

is probable that tree removal would degrade the health of nearby trees in the proposed “buffer” wildlife habitat connecting two Important Habitat Hubs.

The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address the known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site’s unique specific characteristics and unique physical setting, and because of the subdivision application’s profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

EMAIL

rebekah.m.jayne@gmail.com

DATE

3/26/2024

Aven, Heather M.

From: Laura Mackenzie <lmackenzie31@gmail.com>
Sent: Tuesday, March 26, 2024 12:24 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Cc: Wayne Gerner
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Ms. Bell, Mr. Sundin, and Mr. Lyon,

My husband, Wayne Gerner, and I live across the bay from the proposed subdivision, The Woods at Viewcrest. We ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs. We support the work of the Protect Mud Bay Cliff group that has clearly outlined the problems with the proposal and

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to the environment**. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its **specific characteristics** and its **physical setting**. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics

- **Important Habitat Hub.** The 2021 City of Bellingham *Wildlife Corridor Analysis* designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an *Important Habitat Hub* – and one of the only *Important Habitat Hubs* in south Bellingham that remains unprotected.
- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.
- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

- **Wildlife Network.** This *Important Habitat Hub* is the center part that links two other *Important Habitat Hubs* – Clark's Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected *Wildlife Network*. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.

- **Estuarine Wetlands.** Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.
- **Stormwater.** Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.
- **Great Blue Herons.** The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.
- **Salmon.** Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.
- **Traffic Safety and Level of Service.**
 - Traffic safety issues have been well documented on Edgemoor’s narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.
 - Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest’s intersection with Chuckanut Drive is significant as an access point to public amenities including Clark’s Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

- The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.
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- The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.

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Because of this site’s unique specific characteristics and unique physical setting, and because of the subdivision application’s profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

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Sincerely,

Laura Mackenzie and Wayne Gerner
3615 18th Street, Bellingham, WA 98229

lmackenzie31@gmail.com

gernerwa@yahoo.com

Aven, Heather M.

From: Janis Olson <olsonjanis1@gmail.com>
Sent: Tuesday, March 26, 2024 4:51 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

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CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Mr. Lyon and Ms. Bell,

I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to the environment**. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

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Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.

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Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

Sincerely,

Janis Olson 1197 Chuckanut Drive

3/26/24

Sent from my iPad

Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, March 26, 2024 12:48 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Adam Resnick
Attachments: Public Comment - 645.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Adam Resnick
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Bellingham needs more housing, and the City should facilitate the progress The Woods at Viewcrest following planning and environmental best practices, and minimizing the influence of neighborhood anti-development activists. Almost all of the anti-Woods at Viewcrest arguments lack merit. Instead, these arguments cite tradeoffs related to building any new home: construction traffic, noise, dust, cutting down trees, and displacing habitat.</p> <p>There is no impact-free pathway to building housing. All of the anti-development yard signs sit in front of single family homes that required cutting trees, moving earth, and</p>

displacing wildlife. A subset of the anti-development signage is posted in front of homes adjacent to the proposed development, above the same aquatic habitat. Why was it OK to build on and live above Mud Bay Cliffs starting a few decades ago, but new efforts must be stopped at all costs? A certain five letter acronym starting with N and ending with Y comes to mind.

I live nearby, and moved into a neighborhood (Woodlands) that was only partially built out in 2004 when we purchased our house, including a vacant lot next door and a house under construction across the street. We have endured over a decade of construction nearby, and to my knowledge, no one in our neighborhood has protested this activity. We expected that privately owned, vacant lots, zoned residential, would eventually have houses built on them. It was really not that big a deal, and of course we are glad that now we have neighbors instead of vacant lots.

I am an environmentalist and conservation voter, but I believe that owners of land zoned for residential use should be able to build on that land. I also expect rigorous enforcement of zoning, environmental, and other rules. My suggestion for The Woods at Viewcrest is that density should be increased per state law to include duplexes and fourplexes. Further, I'd suggest a partial rezone to facilitate a retail location along the lines of Elizabeth Station (a small community market and pub). Our neighborhood would really benefit from greater economic diversity, and walkable access to a store and gathering place. I realize this is unrealistic, but it's my honest vision of what "the best" use of this land would be for our community.

The objections from neighborhood activists, in my view, go well beyond what is reasonable, and I encourage the City to stick to their framework for permitting and development, and not to bow to pressure from neighbors

who as asking others not to do what they have already done. Please move forward with approving this proposed development, applying all of the relevant zoning, environmental, and other rules while minimizing the impact of anti-development activists.

EMAIL

adamsresnick@hotmail.com

DATE

3/26/2024

Aven, Heather M.

From: Brent Woodland <brent.woodland@gmail.com>
Sent: Tuesday, March 26, 2024 8:08 PM
To: Bell, Kathy M.
Cc: Sundin, Steven C.
Subject: Re: Notice of Application - The Woods at Viewcrest

You don't often get email from brent.woodland@gmail.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Kathy,

Thankyou for keeping me in the loop regarding the Woods at Viewcrest application. Going forward, can please continue to keep me informed? I have also attached the request form taken from the bottom of the Notice of Application dated March 25, 2024.

Please also include notices or decisions in at least the following land use applications as part of the overall process.

- Type I: Critical Areas Permit
- Type II: Shoreline Substantial Development Permit
- Type IIIA: Shoreline Conditional Use Permit
- Type IIIB: Preliminary Plat and Subdivision Variance
- Street Vacation Petition
- SEPA Environmental Checklist

Brent J Woodland
321 Viewcrest Rd
Bellingham, WA 98229
Email: brent.woodland@gmail.com

The City will continue to update this webpage as the project moves through the land use application review process.

Kathy Bell | Senior Planner

Planning & Community Development Dept., City of Bellingham

360.778.8347 kbell@cob.org



The Bellingham Plan will help shape the city's future. Learn how you can take part!

[The Bellingham Plan | Engage Bellingham](#)

Note: My incoming/outgoing e-mail messages are subject to public disclosure requirements per RCW 42.56

Aven, Heather M.

From: Rud Browne <Rud@rudbrowne.com>
Sent: Wednesday, March 27, 2024 8:54 PM
To: Bell, Kathy M.
Subject: The Woods at Viewcrest

You don't often get email from rud@rudbrowne.com. [Learn why this is important](#)

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352 View Crest Road
SUB2022-0011/VAR2022-0002/CAP2022-0005/SHR2022-0007/SHR2022-0008/VAC2022-0001/SEP2022-0013

Yes, I would like to know the action taken.

Name **Rud Browne**
Address **315 Sea Pines Rd, Bellingham WA 98229**
Rud@RudBrowne.com

Rud Browne

315 Sea Pines Road
Bellingham, WA 98229
360-820-9494
Rud@RudBrowne.com

PID 18717 / 3702121400030000

Sheila Kyle-Browne

315 Sea Pines Road
Bellingham, WA 98229

Greg Gudbranson

311 Sea Pines Road
Bellingham, WA 98229
360-671-8969
2014loudog@gmail.com

PID 18791 / 3702121560120000

May 31st 2023

Ms. Kathy Bell
Senior Planner
Planning and Community Development Department
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Via Email: kbell@cob.org

Re: Proposed public access trail easement with The Woods at Viewcrest development

Dear Ms. Bell,

We live in the two properties immediately adjacent to the east of The Woods at Viewcrest site (the "Development"). The proposed new public access trail ("Trail") would intersect Sea Pines Rd within a few feet of where the existing shared driveway serving our two houses joins Sea Pines Rd.

We believe that this Trail would pose an extreme safety hazard that will ultimately result in serious injury or death of a cyclist or runner, due to the location of its entry onto Sea Pines Rd, as illustrated below:

Our driveway has two curves, is about 300 ft long, the slope averages in excess of 25 degrees, and at the bottom where it joins Sea Pines Rd it is cut about 10 feet below the natural grade on the adjacent Development parcel. It is very common to see a visitor who is unfamiliar with it to pick up quite a bit of speed when descending, this is especially true of younger people and new parcel delivery drivers. The latter use vehicles that have poor lateral sightlines.

The Trail will be about 600ft long and drop about 140ft in over its length, an average of over 20 degrees.

Two of the three of us are avid cyclists and trail walkers, we are well aware both the cyclist and pedestrians using the Trail would have little to no line of sight of each other due to the steep terrain, the terrain cut and wild vegetation, and curves. In addition, it is not uncommon for new people visiting our neighbors to partially park across the entrance to our driveway making navigation in this corner often both difficult and distracting.

After reading the AASHTO Guide for the Development of Bicycle Facilities (2012) which is listed as a primary resource the COB relied on in the development of the Bellingham Bicycle Master Plan, we believe no trail can safely be built on the Development if it enters Sea Pines Rd, for the following reasons:

1. AASHTO Section 5.2.4 indicates a Design Speed of 18 mph for flat areas and up to 30 mph for hilly areas. As a car or truck simply rolling down our 300ft driveway in neutral can easily exceed 30 mph we believe the minimum anticipated design speed for a youth on a bike racing down the trail should be at least 30 mph.

2. AASHTO Section 5.2.5 indicates the Horizontal Alignment for a turn on at 30 mph should be a minimum turn radius of 166 ft for asphalt, and if the proposed trail is going to be gravel then according to AASHTO "On unpaved surfaces, friction factors should be reduced by 50 percent" Which would require the turn radius to be doubled to 332 ft.

Both these numbers likely assume no camber on the slope, however, as the turn will be across the downslope, one must assume that erosion from use of the trail will create an increasing negative camber over time. Loss of control, and high-speed collisions between downhill cyclists and other trail users will likely be frequent.

3. AASHTO Section 5.2.7 states: "The maximum grade of a shared use path adjacent to a roadway should be 5 percent, but the grade should generally match the grade of the adjacent roadway..."

... Grades on shared use paths in independent rights-of-way should be kept to a minimum, especially on long inclines. Grades steeper than 5 percent are undesirable because the ascents are difficult for many path users, and the descents cause some users to exceed the speeds at which they are competent or comfortable."

While we could not find a specific formula for the recommended grade for a path entering a roadway, straight on (as opposed to 90 degrees) the likely minimum design criteria is at least equal to the above standards. The grade before where the Trail will intersect Sea Pines Rd is clearly in excess of 5% and therefore, we believe it does not meet this AASHTO standard.

4. Most important is AASHTO Section 5.2.8 provides standards for the Stopping Sight Distance, the minimum distance at 30 mph assuming no grade is 300ft, at a 10% grade it is 600ft, and at 15% it is 1,600 ft. Our driveway is only 300ft long and averages over 25%, and the proposed trail averages over 20%. Even if it was possible for the uneven topography to be significantly leveled, the ten-foot hill at the intersection of our driveway/street was removed, and the trees and scrubs in the adjacent wetlands were replaced with grass (none of which we are advocating), it would still be impossible to meet the minimum AASHTO Stopping Sight Distance requirements due to the steep slopes.

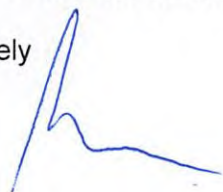
The two curves on our driveway and the seven proposed curves along the Trail further confirms it is even more impossible to meet the minimum Stopping Sight Distance specified in AASHTO.

There are likely other AASHTO minimums that can't be met by a trail in this location, but hopefully the above will be enough to convince you that this is an exceptionally dangerous location for a trail, and it should not be included. We believe that if allowed in any form the trail will create a significant potential source of liability for ourselves, our guests, and the City. I am sure none of us want to see a fatality or serious injury result from circumstances that could have easily been prevented if the Trail had not been allowed.

We therefore request the following:

1. the inclusion of a Trail from the Development to Sea Pines Rd be completely abandoned.
2. As this community has a long history of residents constructing unauthorized trails, we also formally request the project be redesigned in such a way as to prevent the construction of an informal trail for the same safety reasons we have outlined above.
3. This letter be added to the materials provided to the Hearing Examiner

Sincerely



Rud Browne

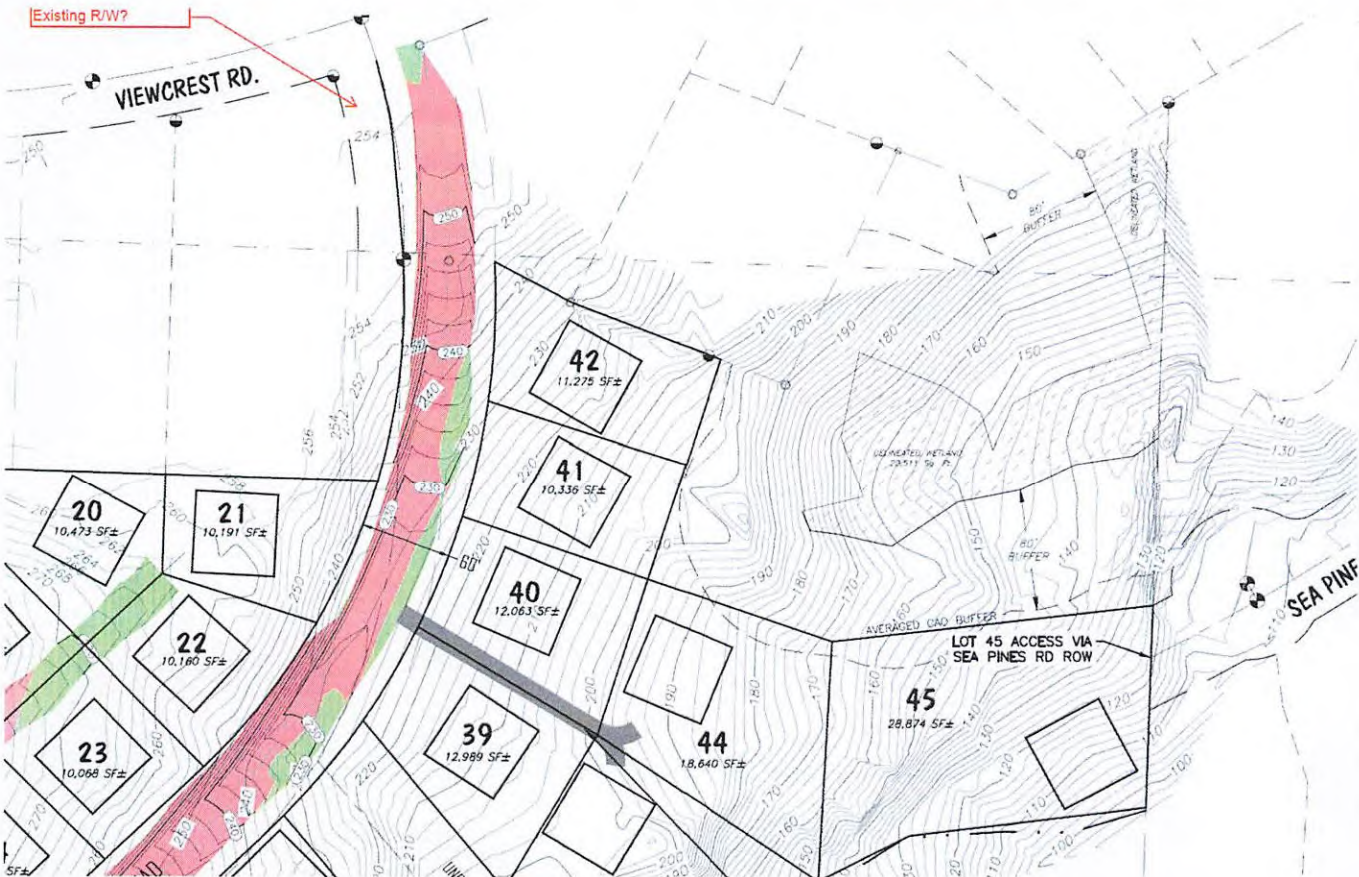
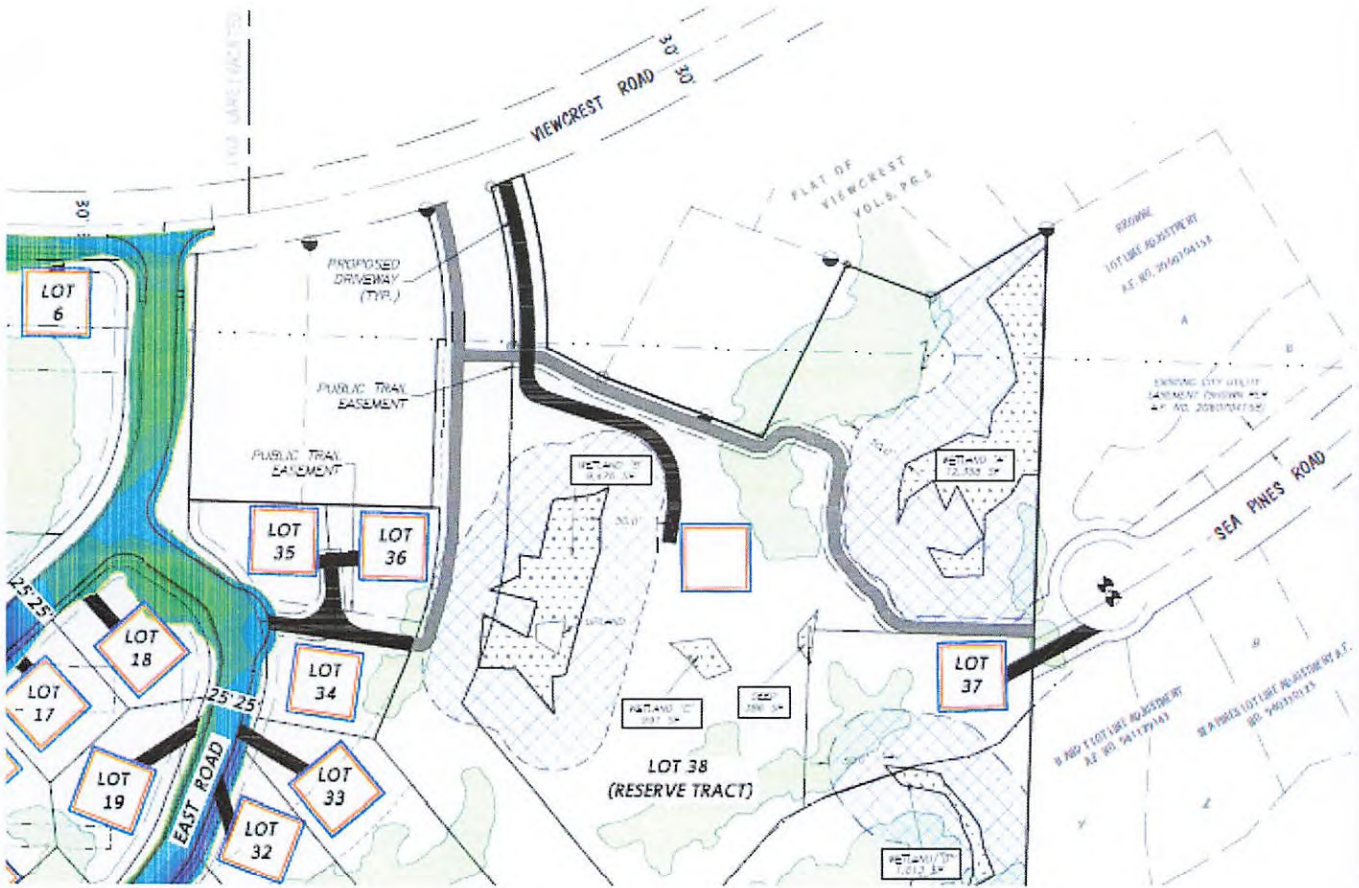


Sheila Kyle-Browne



Greg Gudbranson

EXHIBIT A



Aven, Heather M.

From: Donna Davis <wildonmdavis@gmail.com>
Sent: Wednesday, March 27, 2024 7:18 AM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Mr. Lyon and Ms. Bell,

I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to the environment**. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its **specific characteristics** and its **physical setting**. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics

- **Important Habitat Hub.** The 2021 City of Bellingham *Wildlife Corridor Analysis* designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an *Important Habitat Hub* – and one of the only *Important Habitat Hubs* in south Bellingham that remains unprotected.

- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.
- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

- **Wildlife Network.** This *Important Habitat Hub* is the center part that links two other *Important Habitat Hubs* – Clark’s Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected *Wildlife Network*. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.
- **Estuarine Wetlands.** Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.
- **Stormwater.** Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.
- **Great Blue Herons.** The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.
- **Salmon.** Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.
- **Traffic Safety and Level of Service.**
 - Traffic safety issues have been well documented on Edgemoor’s narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and

unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.

- Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest's intersection with Chuckanut Drive is significant as an access point to public amenities including Clark's Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

- The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.
- The Wildlife Habitat Assessment fails to: identify this site as an *Important Habitat Hub* connected to other nearby hubs by two Important Habitat Corridors; address the harmful wildlife *Habitat Network* fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.
- The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.
- There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential

environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.

- The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the **mature woodland**. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot “buffer” along the shoreline would be affected by adjacent tree removal; it is probable that tree removal would degrade the health of nearby trees in the proposed “buffer” wildlife habitat connecting two Important Habitat Hubs.
- The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address the known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site’s unique specific characteristics and unique physical setting, and because of the subdivision application’s profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

Sincerely,

Donna Davis

338 Viewcrest Road

Bellingham, WA 98229

360-733-6778 (home)

360-319-5242 (cell)

I would also like to add my other personal reasons for objecting to this particular development since I live at 338 Viewcrest Rd.

My primary reason for opposition is the impact this project would have on the service roads - The two primary roads servicing this property (Viewcrest & Fieldston) are narrow, do not have sidewalks and already pose a threat to pedestrians (these are heavily walked). The developers use a two car per lot calculation to gauge the additional traffic this project would create, but this is not realistic - this is an affluent neighborhood where many homes have more vehicles than that. The build out of this project would take many years and throughout this entire time there will be increased vehicle count due to contractors (not to mention large vehicles/ machinery which neither Viewcrest or Fieldston can easily accommodate as it is.

The proposed site map that I have seen appears to contain two access roads which will direct traffic right onto Viewcrest Rd. At a minimum I would suggest aligning the western most access road at an angle to direct traffic towards Fieldston - this would create a natural separation of traffic splitting the impact.

Aven, Heather M.

From: Marna Jones <marnajones@gmail.com>
Sent: Thursday, March 28, 2024 1:24 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: The Woods at Viewcrest

Some people who received this message don't often get email from marnajones@gmail.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

To: Kathy Bell, Senior Planner, kbell@cob.org

Steve Sundin, Senior Planner, ssundin@cob.org

Blake Lyon, Planning & Community Development Department Director, bglyon@cob.org

Planning & Community Development Department

210 Lottie Street

Bellingham, WA 98225

From: Marna Jones, 710 Fieldston Road, Bellingham, WA 98225

March 28, 2024

Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

Dear Mr. Lyon, Mr. Sundin, and Ms. Bell,

Please prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and safeguard our community against known and severe subdivision development risks, by requiring an independent Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

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be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

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Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.


I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

Sincerely,

Marna Jones

3 most effective ways to save 

 switch to clean energy

 fly less

 eat plant-based diet

Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Thursday, March 28, 2024 7:36 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Mike Tomitz
Attachments: Public Comment - 646.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Mike Tomitz
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	Many people, myself included, walk along Viewcrest every day. It is already dangerous due to a lack of sidewalks and blind spots. With the considerable extra traffic that the Woods at Viewcrest will create, it's just a matter of time when people will get seriously injured or killed. Please do not allow this project to proceed. Thank you.
EMAIL	miketomitz@gmail.com
DATE	3/28/2024

Aven, Heather M.

From: Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>
Sent: Friday, March 29, 2024 1:43 PM
To: Sundin, Steven C.
Cc: Lena A. Tso; Gregg Dunphy; Tamela S. Smart; Bell, Kathy M.
Subject: DAHP Project 2020-05-03338 RE: The Woods at Viewcrest - Proposed Bellingham, WA Project
Attachments: 2020-05-03338_DAHP_Additional_Survey_TheWoodsatViewcrest.pdf

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Hello Steve Sundin,

We have reviewed the archaeological survey report and the project documents available on the City of Bellingham website. Please see the attached letter from the DAHP recommending the following:

- Additional archaeological survey for planned activities crossing and within the shoreline area – including storm drainage, improvements to beach access trails, and any other planned activities. See the attached letter for specific details.
- An IDP Training for on the ground staff and IDP be followed for all activities in the already surveyed upland area.
- Notification to affected Tribes and site access if requested.

See the attached letter for a more detailed discussion. Feel free to contact me if you have questions about these recommendations.

Best,
Stephanie



Stephanie Jolivette (*She/Her/Hers*)
Local Government Archaeologist

Email: Stephanie.Jolivette@dahp.wa.gov
Mobile: (360) 628-2755 | Main Office: (360) 586-3065
Hours: 8AM - 4:30PM Monday to Friday
Physical Address: 1110 Capitol Way South Suite 30, Olympia, WA 98501
Mailing Address: PO Box 48343, Olympia, WA 98504-8343

www.dahp.wa.gov

From: Tamela S. Smart <TamelaS@lummi-nsn.gov>
Sent: Monday, March 25, 2024 3:45 PM
To: Bell, Kathy M. <kbell@cob.org>; Sundin, Steven C. <ssundin@cob.org>
Cc: Lena A. Tso <LenaT@lummi-nsn.gov>; Jolivette, Stephanie (DAHP) <stephanie.jolivette@dahp.wa.gov>; Gregg Dunphy <GreggD@lummi-nsn.gov>
Subject: Re: The Woods at Viewcrest - Proposed Bellingham, WA Project

Dear Kathy Bell,

The Lummi Nation has received notice of the proposed The Woods at Viewcrest Project, located at 352 Viewcrest Road, Bellingham, Washington and is responding as an affected tribe. The Lummi Nation Tribal Historic Preservation Office (LNTHPO) has facilitated a review of the distributed project documents including the following report by Garth L. Baldwin, Courtney J. Paton, and Marsha R. Hanson:

- "Cultural Resources Review of 352 Viewcrest Road (TPNs: 370212030004, 370213075542, 370213083499, 370213113550), Bellingham, Whatcom County, Washington " dated July 20, 2020.

Based on this review, The LNTHPO recommends that the project crew conducting the ground disturbing work receive an Inadvertent Discovery Plan (IDP) training from a professional archaeologist. The IDP should be on-site and followed should archaeological resources or human remains be encountered. The LNTHPO would also like to be notified of the project schedule and be allowed to make site visits.

Please consult with the Department of Archaeology and Historic Preservation (DAHP) regarding historic site 45WH77.

Inadvertent Discovery of Archaeological Resources:

Should archaeological resources (e.g. shell midden, animal remains, stone tools) be observed during project activities, all work in the immediate vicinity should stop, and the area should be secured. The Washington State Department of Archaeology and Historic Preservation (Stephanie Jolivette, Local Government Archaeologist 360-628-2755) and the Lummi Nation Tribal Historic Preservation Office (Lena Tso, THPO 360-961-7752; Tamela Smart, Deputy THPO 360-927-2944) should be contacted immediately in order to help assess the situation and to determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required.

Inadvertent Discovery of Human Skeletal Remains on Non-Federal and Non-Tribal Land in the State of Washington (RCWs 68.50.645, 27.44.055, and 68.60.055)

"If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains" (DAHP).

These comments are based on the information available at the time of the review. The LNTHPO should review any changes related to the proposed project. Should you have any questions or concerns, please do not hesitate to contact me at 360-927-2944 or via email at tamelas@lummi-nsn.gov.

Sincerely,

Tamela S. Smart (she/her)

Deputy THPO/Compliance Officer

Lummi Nation Culture Department

2665 Kwina Road, Bellingham, WA 98226

Cell: 360-927-2944 Email: TamelaS@lummi-nsn.gov

Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites are exempt from disclosure (RCW 42.56.300)



From: Bell, Kathy M. <kbell@cob.org>

Sent: Monday, March 25, 2024 2:49 PM

To: Bell, Kathy M. <kbell@cob.org>; Sundin, Steven C. <ssundin@cob.org>

Subject: The Woods at Viewcrest - Proposed Bellingham, WA Project

Good afternoon.

The City of Bellingham would like to inform your agency that a Notice of Application for a 38-lot preliminary plat located at 352 Viewcrest Road, Bellingham has been issued. This notice is anticipated to generate significant public interest and the public may reach out to your agency. Currently, the preliminary plat application does not propose any in-water work. A forest practice application may be required for conversion of approximately 20% of the 37-acre site for infrastructure and the proposed lots. Tribal Historic Preservation Offices will be further notified during the SEPA review process.

In the event your agency is contacted for information related to this project, you may direct them to The Woods at Viewcrest project webpage found here: [The Woods at Viewcrest - City of Bellingham \(cob.org\)](http://TheWoodsatViewcrest-CityofBellingham(cob.org))

The City has not issued a SEPA threshold determination at this time and you will be notified when that determination is issued.

Thank you for your consideration. If you have further questions, please feel free to reach out to Steve Sundin at ssundin@cob.org or myself.

Kathy Bell | Senior Planner

Planning & Community Development Dept., City of Bellingham

360.778.8347 kbell@cob.org



The Bellingham Plan will help shape the city's future. Learn how you can take part!

[The Bellingham Plan | Engage Bellingham](#)

Note: My incoming/outgoing e-mail messages are subject to public disclosure requirements per RCW 42.56

CAUTION: This email has been received from outside the Lummi Indian Business Council – Think before clicking on links, opening attachments, or responding.



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

March 27, 2024

Steve Sundin
City of Bellingham
110 Lottie Street
Bellingham, WA 98225

In future correspondence please refer to:
Project Tracking Code: 2020-05-03338
Property: 352 Viewcrest Rd_City of Bellingham The Woods at Viewcrest
Re: Archaeology – Additional Survey Requested for Proposed Shoreline Work

Dear Steve Sundin:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. As a result of our review of the report entitled “Cultural Resources Review of 352 Viewcrest Road (TPNs: 370212030004, 370213075542, 370213083499, 370213113550), Bellingham, Whatcom County, Washington.”, our professional opinion is that the project area still has the potential to contain archaeological resources. Specifically, almost the entire shoreline of the property is currently recorded as being within precontact period archaeological site 45WH00077. Most of the proposed development is outside the site boundary. However, the following proposed activities may impact the archaeological site and additional archaeological survey is needed before any of these activities occur:

- The proposed outfall conveyance and proposed shoreline flow dispersion tee (Exhibit A – Project Plans, pages 7-8) crosses the boundaries of the known archaeological site. The pre-application plans showed this dispersion connecting to Sea Pines Rd, which could potentially avoid the site. If the dispersion must go to the water as shown in the new Exhibit A, then further survey work is needed at the top of the bluff and at the base of the bluff where the flow dispersion tee will be placed.
- The Open Space Tracts were not assessed by archaeologists as part of the original survey, therefore any planned activities in these areas should be reviewed by the DAHP and Tribes. This includes any additional drainage or beach access plans, any landscaping activities utilizing heavy equipment, any tree removal utilizing heavy equipment, or any other ground disturbing activities.
- When plans are finalized for future phases of the project, such as the house construction plans, the DAHP and Tribes should be consulted to determine if these activities have the potential to impact the archaeological site. These plans may include additional storm drainage requirements or landscaping that could impact the site.
- Planned activities within the area previously surveyed by an archaeologist, including the upland roads and house footprints, should move forward following an Inadvertent Discovery training and following an Inadvertent Discovery Plan, as recommend in the survey report.
- Any Tribal members who request notification of start of work should be notified and granted access if requested.



If any federal funds or permits are associated with this proposal, Section 106 of the National Historic Preservation Act, as amended, and its implementing regulations, 36 CFR 800, must be followed. This is a separate process from both the NEPA and SEPA environmental review processes and requires formal government-to-government consultation with the affected Tribes and the SHPO.

These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance with Washington State law. Should additional information become available, our assessment may be revised.

Thank you for the opportunity to comment on this project and we look forward to receiving the survey report addendum for the planned shoreline activities. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephanie Jolivette". The signature is fluid and cursive, with a large loop at the end.

Stephanie Jolivette, M.A.
Local Governments Archaeologist
(360) 628-2755
Stephanie.Jolivette@dahp.wa.gov



Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Saturday, March 30, 2024 8:29 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Andrea DaCosta
Attachments: Public Comment - 648.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Andrea DaCosta
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	I am opposed to this project due to the harm it will cause to the surrounding area in the form of erosion, landslides, degradation of important wildlife habitat due to the damage to the Mud Bay estuarine wetlands. Adding 40 plus new homes to this area will also negatively impact traffic density. Using dynamite on extremely steep hillsides will negatively impact all that live around the area and cause the hillside to fracture in unseen areas.
EMAIL	almaness@yahoo.com

DATE

3/30/2024

Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Saturday, March 30, 2024 10:20 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Barbara DaCosta
Attachments: Public Comment - 649.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Barbara DaCosta
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>It is incomprehensible that with significant environmental concerns worldwide that the city would even think about allowing a developer, who is only interested in profits no matter how concerned they may seem about environmental issues, to destroy and degrade a pristine area that is enjoyed by all in order to build yet more homes. If this construction is allowed, then we know that there are deep pockets and lobbying with politicians to push the developer's agenda. Fraud is the name of the game these days and the Mud Flats will be forever and ever totally destroyed. A resounding NO to build homes there. The concerns are, as you already are aware... -damage to the Mud Bay estuarine wetlands</p>

-harm to wildlife, including salmon and great blue herons
-degradation of important wildlife habitat area and wildlife corridors
-more traffic density and safety issues across Bellingham
-removal of mature trees, reduced carbon capture, increased wind damage
-increased erosion and landslides

EMAIL

bdacosta40@yahoo.com

DATE

3/30/2024

Aven, Heather M.

From: Cheryl McCarthy <cherylmccarthy@gmail.com>
Sent: Saturday, March 30, 2024 2:58 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Housing vs wild places

Some people who received this message don't often get email from cherylmccarthy@gmail.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Kathy, Steve, Blake,

I see two valid interests here: the need for housing, and the need for wild space within town. In the case of Mud Bay, the latter is more important. For this particular piece of land, the need to preserve some of the last wild space within Bellingham outweighs the need for housing.

I hope to see no more than four houses built here — I'd avoid even that if possible — with the land kept available for public trails, unlike Clark's Point, which is protected from development but off limits to the public.

Cheryl McCarthy, Edgemoor, Bellingham

Aven, Heather M.

From: Nancy Orłowski <nmorłowski@yahoo.com>
Sent: Sunday, March 31, 2024 5:13 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Ms. Bell, Mr. Sundin, and Mr. Lyon,

I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to the environment**. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its **specific characteristics** and its **physical setting**. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics

- **Important Habitat Hub.** The 2021 City of Bellingham *Wildlife Corridor Analysis* designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an *Important Habitat Hub* – and one of the only *Important Habitat Hubs* in south Bellingham that remains unprotected.

- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.
- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

- **Wildlife Network.** This *Important Habitat Hub* is the center part that links two other *Important Habitat Hubs* – Clark’s Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected *Wildlife Network*. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.
- **Estuarine Wetlands.** Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.
- **Stormwater.** Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.
- **Great Blue Herons.** The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.
- **Salmon.** Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.
- **Traffic Safety and Level of Service.**
 - Traffic safety issues have been well documented on Edgemoor’s narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and

unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.

- Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest's intersection with Chuckanut Drive is significant as an access point to public amenities including Clark's Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

- The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.
- The Wildlife Habitat Assessment fails to: identify this site as an *Important Habitat Hub* connected to other nearby hubs by two Important Habitat Corridors; address the harmful wildlife *Habitat Network* fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.
- The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.
- There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential

environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.

- The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the **mature woodland**. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot “buffer” along the shoreline would be affected by adjacent tree removal; it is probable that tree removal would degrade the health of nearby trees in the proposed “buffer” wildlife habitat connecting two Important Habitat Hubs.
- The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address the known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site’s unique specific characteristics and unique physical setting, and because of the subdivision application’s profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full understanding of the risks to the environment, and to public safety.

Sincerely,

Nancy Orlowski

520 Fieldston Rd, Bellingham WA 98225

360-927-7783

Sent from my iPhone

Aven, Heather M.

From: Fran and Matt <fmmaas@comcast.net>
Sent: Monday, April 1, 2024 2:20 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

You don't often get email from fmmaas@comcast.net. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

April 1, 2024

Dear Ms. Bell, Mr. Sundin, and Mr. Lyon

Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

Please prevent harm to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to environment**. In addition to these adverse impacts, developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and/wildlife habitats, to considerable risk. Significant adverse impacts, coupled with substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. Location of the proposed subdivision is unique both in its **specific characteristics** and its **physical setting** are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of proposed subdivision is currently distinguished by these features:

Specific Characteristics

- **Important Habitat Hub.** The 2021 City of Bellingham *Wildlife Corridor Analysis* designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an *Important Habitat Hub* – one of the only *Important Habitat Hubs* in south Bellingham that remains unprotected.
- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout site, and they are sensitive to development disturbances including hydrological changes.
- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms – among strongest gales in Bellingham. Gale intensity has been increasing over past

decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Settings

- **Wildlife Network.** This *Important Habitat Hub* is center part that links two other *Important Habitat Hubs* – Clark’s Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected *Wildlife Network*. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.

- **Estuarine Wetlands.** Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.

- **Stormwater.** Most drainage from this site flows directly into Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair health of this wetland habitat.

- **Great Blue Herons.** The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.

- **Salmon.** Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.

- **Traffic Safety and Level of Service.**
 - Traffic safety issues have been well documented on Edgemoor’s narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). Traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.

- Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest's intersection with Chuckanut Drive is significant as an access point to public amenities including Clark's Point, Hundred Acre Woods (trailhead at intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

- The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.
- The Wildlife Habitat Assessment fails to: identify this site as an *Important Habitat Hub* connected to other nearby hubs by two *Important Habitat Corridors*; address the harmful wildlife *Habitat Network* fragmentation the proposed development would cause; address impacts to Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.
- The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for subdivision residents, neighbors, and community at large. These dangers would begin with development disturbances, and would persist for decades to come.
- There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.

- The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the **mature woodland**. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot “buffer” along shoreline would be affected by adjacent tree removal. Tree removal would probably degrade health of nearby trees in proposed “buffer” wildlife habitat connecting two Important Habitat Hubs.
- The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site’s unique specific characteristics and unique physical setting, and because of the subdivision application’s profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Application materials indicate that proposal is likely to have a significant adverse impact on natural environment, built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so any permit decisions are based on a full understanding of risks to environment, and to public safety.

Sincerely,

Fran J. and Matthias Maas

Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, April 3, 2024 7:31 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Daniel Robert Carollo
Attachments: Public Comment - 652.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Daniel Robert Carollo
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>I'm a resident in The Edgemoor neighborhood - just down the road from this proposed housing development near Mud Bay and Viewcrest. I resoundingly reject this proposed project, as it is a disaster in the making on multiple levels. Not only is it an Important Habitat Hub and Wildlife Corridor, there is significant potential for traffic problems, safety to children who walk the roads in this area. There is significant potential for landslide, and erosion throughout the area. It is just astonishing that anyone could seriously entertain the idea of grading this land to accommodate 38 lot developments without causing serious impacts. I urge you to please NOT go forward with this project.</p>

EMAIL

dancarollo@gmail.com

DATE

4/3/2024

Aven, Heather M.

From: Don Helling <dhelling@gmail.com>
Sent: Wednesday, April 3, 2024 4:38 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

Some people who received this message don't often get email from dhelling@gmail.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Ms. Bell, Mr. Sundin, and Mr. Lyon,

As a long time resident of Bellingham, and a resident of the nearby neighborhood that will be affected by this proposed subdivision, I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for The Woods at Viewcrest, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose significant adverse impacts to the environment. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its specific characteristics and its physical setting. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics (we agree with all of the concerns stated below, but have special focus on the wildlife habitat, which we have encountered on our weekly walks to mud bay, and the proposed traffic concerns that would surely be impacted. The intersections with Chuckanut are dangerous as they are now, but would become even more concerning with an increase in traffic.

Important Habitat Hub. The 2021 City of Bellingham Wildlife Corridor Analysis designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an Important Habitat Hub – and one of the only Important Habitat Hubs in south Bellingham that remains unprotected.

Geohazards. Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.

Storm Microclimate. This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and

sheltering), and for the community.

Physical Setting

Wildlife Network. This Important Habitat Hub is the center part that links two other Important Habitat Hubs – Clark’s Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected Wildlife Network. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.

Estuarine Wetlands. Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.

Stormwater. Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.

Great Blue Herons. The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.

Salmon. Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek. Significant public investment has been made to restore these habitats for salmon.

Traffic Safety and Level of Service.

Traffic safety issues have been well documented on Edgemoor’s narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.

Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest’s intersection with Chuckanut Drive is significant as an access point to public amenities including Clark’s Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive

Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.

The Wildlife Habitat Assessment fails to: identify this site as an Important Habitat Hub connected to other nearby hubs by two Important Habitat Corridors; address the harmful wildlife Habitat Network fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.

The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.

There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.

The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the mature woodland. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot "buffer" along the shoreline would be affected by adjacent tree removal; it is probable that tree removal would degrade the health of nearby trees in the proposed "buffer" wildlife habitat connecting two Important Habitat Hubs.

The Traffic Impact Analysis fails to address how Levels of Service to public parks, public natural amenities, and scenic byway would be impacted by traffic from this development. Further, it fails to address the known public safety issues which would be exacerbated by increased traffic from the 152 potential new housing units, since fourplexes would be allowed on all 38 lots under a new statewide law.

Because of this site's unique specific characteristics and unique physical setting, and because of the subdivision application's profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

Moreover, the application materials themselves indicate that the proposal is likely to have a significant adverse impact on the natural environment, the built environment, and public health and safety.

I ask the city to protect our public interest and prevent harms to the community:

Require an Environmental Impact Statement, so that any permit decisions are based on a full

understanding of the risks to the environment, and to public safety.

Sincerely,

Don Helling

Aven, Heather M.

From: Judith E Mullenix <judithemullenix@yahoo.com>
Sent: Wednesday, April 3, 2024 6:19 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs

You don't often get email from judithemullenix@yahoo.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

To: Kathy Bell, Senior Planner, Steve Sundin, Senior Planner, Blake Lyon, Planning & Community Development Department Director,
Planning & Community Development Department
210 Lottie Street
Bellingham, WA 98225

From: Judith E Mullenix
223 E Bakerview Rd, Apt 143, Bellingham, WA 98226

April 3, 2024

Dear Ms. Bell, Mr. Sundin, and Mr. Lyon,

I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, by requiring an Environmental Impact Statement (EIS) be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

The proposed subdivision (of 4 current lots into 38 proposed lots, with up to 152 housing units) would likely impose **significant adverse impacts to the environment**. In addition to these adverse impacts, the developer's application materials are flawed in substantive ways, which further exposes the public's interests, including public investments in neighboring fish and wildlife habitats, to considerable risk. The likely significant adverse impacts, coupled with the substantive application flaws, compel the city to issue a State Environmental Protection Act (SEPA) Determination of Significance and require an EIS.

A. Unique and Special Site. The location of the proposed subdivision is unique both in its **specific characteristics** and its **physical setting**. These unique characteristics and physical setting are important factors that influence why the current subdivision proposal

is likely to have significant adverse environmental impacts. The site of this proposed subdivision is currently distinguished by these features:

Specific Characteristics

- **Important Habitat Hub.** The 2021 City of Bellingham *Wildlife Corridor Analysis* designates this property, which consists of rare mature shoreline woodlands and wetlands habitat, as an *Important Habitat Hub* – and one of the only *Important Habitat Hubs* in south Bellingham that remains unprotected.
- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes.
- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

Physical Setting

- **Wildlife Network.** This *Important Habitat Hub* is the center part that links two other *Important Habitat Hubs* – Clark’s Point and Chuckanut Village Marsh/ Chuckanut Bay Open Space – all of which are connected to a larger, protected *Wildlife Network*. The public has invested heavily to protect and maintain the Hubs and Corridors of this Wildlife Network.
- **Estuarine Wetlands.** Mud Bay Cliffs is a key watershed adjacent to Mud Bay’s Category I Estuarine Wetlands.
- **Stormwater.** Most drainage from this site flows directly into the Mud Bay Estuarine Wetlands. Drainage discharges from existing city stormwater outlets have already begun to impair the health of this wetland habitat.
- **Great Blue Herons.** The Post Point Colony of Great Blue Herons relies on this site for shelter, and on the Mud Bay Estuarine Wetlands to feed their young. This Heron Colony fled its previous home near Chuckanut Bay as a result of subdivision development activity. Significant public investment has been made to provide habitat protection for this Colony at its new Post Point nesting location.
- **Salmon.** Juvenile salmonids rely on clean water and safe passage through the Mud Bay Estuarine Wetlands, Chuckanut Village Marsh, and Chuckanut Creek.

Significant public investment has been made to restore these habitats for salmon.

- **Traffic Safety and Level of Service.**

- Traffic safety issues have been well documented on Edgemoor's narrow, hilly roads with limited sightlines, including where Viewcrest Road intersects Chuckanut Drive (State Route 11). The traffic conditions where Fairhaven Middle School meets the 12th Street Bridge are particularly dangerous. These well-documented issues create precarious and unsafe conditions for walkers, runners, cyclists, and motorists. The city has been notified of these hazardous conditions but has yet to take any action to mitigate them.
- Viewcrest Road and the roadways it intersects provide unique access to important public amenities. These amenities tend to have more visitors seasonally and on weekends. Viewcrest's intersection with Chuckanut Drive is significant as an access point to public amenities including Clark's Point, Hundred Acre Woods (trailhead at the intersection), and the Chuckanut Scenic Byway (which itself is the sole access to multiple public parklands, trail systems, and public natural amenities).

B. Severe Application Flaws. The proposed subdivision application is severely flawed. Objective and comprehensive assessments suitable to this unique site and setting must be completed to address these flaws before an informed consideration of any subdivision proposals can be made. For example:

- The Stormwater Management Plan is incomplete, lacking key required plan elements. As proposed, the subdivision would result in significant increases in runoff volumes, speeds, and sediment/pollution loads. Moreover, by discharging polluted stormwater into the Mud Bay Estuarine Wetlands, significant adverse environmental impacts are probable. The plan fails to address how the ecologically sensitive Mud Bay Estuarine Wetlands, and the Public Shoreline, will be impacted by this development.
- The Wildlife Habitat Assessment fails to: identify this site as an *Important Habitat Hub* connected to other nearby hubs by two *Important Habitat Corridors*; address the harmful wildlife *Habitat Network* fragmentation the proposed development would cause; address impacts to the Mud Bay Estuarine Wetlands and salmon habitat of Chuckanut Village Marsh and Chuckanut Creek; address impacts to the Post Point Heron Colony (feeding and sheltering); provide a sufficient wildlife inventory.

- The Geotechnical Investigation & Geohazard Report fails to assess the impact of development on groundwater flow and the likely increase in probability, frequency and magnitude of flooding, erosion, and landslide activity. It is documented that development activities would likely make the site hazardous for the subdivision residents, neighbors, and the community at large. These dangers would begin with development disturbances, and would persist for decades to come.
- There is no Hydrology assessment at all, which this unique site's characteristics and setting necessitate. A Hydrology report is essential to evaluate potential environmental impacts, and ensure that any development at this site will not harm local ecosystems and water quality. Clearly, development of infrastructure such as roads, retention walls, driveways, structures and other hardscaping will alter the topography and the flow of water on this geologically complex site. With soils disturbances and proposed infrastructure cutting across the site, it is probable that saturation, drainage, and flooding would be greatly affected. Erosion, rockfall, landslide and flooding to the north would be likely, unless plans are developed using Hydrology information. These likely impacts could severely affect neighboring public and private lands, waters, and wildlife habitat.
- The applicant has failed to show how tree removal during both initial infrastructure development, and then later by lot owners, would impact the **mature woodland**. There is no assessment for how the gales from worsening storms, combined with extensive tree removal, would impact sheltering wildlife and public safety. There is no assessment of how the remaining trees in the proposed narrow 200-foot "buffer" along the shoreline would be affected by adjacent tree removal; it is probable that tree removal would degrade the health of nearby trees in the proposed "buffer" wildlife habitat connecting two Important Habitat Hubs.
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Because of this site's unique specific characteristics and unique physical setting, and because of the subdivision application's profound flaws, the city does not have the accurate, sufficient, and objective information it needs to identify and assess potential significant adverse impacts.

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Sincerely,

Judith E Mullenix

Aven, Heather M.

From: avery maverick <avery.maverick415@gmail.com>
Sent: Thursday, April 4, 2024 5:57 PM
To: Bell, Kathy M.; Sundin, Steven C.; Lyon, Blake G.
Subject: Require an EIS for the Proposed Subdivision on Mud Bay Cliffs
Attachments: MudBay_LiDAR_Bank_Instability.jpg

Some people who received this message don't often get email from avery.maverick415@gmail.com. [Learn why this is important](#)

CAUTION: This message originated from outside of this organization. Please exercise caution with links and attachments.

Dear Ms. Bell, Mr. Sundin, and Mr. Lyon,

I am a licensed geologist in Washington State, have my masters degree from Western Washington University in Coastal Geology, represent the recreation interest on the Whatcom MRC, and work for a local environmental consulting firm specializing in coastal restoration and geologic hazards. I have reviewed the proposal and I ask you to prevent harms to Bellingham's publicly-owned spaces connected to Mud Bay Cliffs, and to safeguard our community against known and severe subdivision development risks, **by requiring an Environmental Impact Statement (EIS)** be prepared for *The Woods at Viewcrest*, a proposed subdivision on the mature woodlands and wetlands of Mud Bay Cliffs.

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- **Geohazards.** Significant landslide, erosion and seismic hazards exist throughout the site, and they are sensitive to development disturbances including hydrological changes. **Attached shows the LiDAR data of the site, which is a 3D representation of the**

earth with buildings and trees removed. Based on my professional opinion, the LiDAR data shows signs of slope instability and needs to be investigated further.

- **Storm Microclimate.** This location is well-known locally for its microclimate of gales during storms – among the strongest gales in Bellingham. Gale intensity has been increasing over the past decade due to climate change. The existing mature woodland acts as a protective buffer for wildlife (both resident and sheltering), and for the community.

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Sincerely,

Avery Maverick

--

Avery Maverick

Aven, Heather M.

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Thursday, April 4, 2024 12:59 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Jeremy Wilson
Attachments: Public Comment - 653.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Jeremy Wilson
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>The Chuckanut Pocket Estuary is a unique ecological gem within Bellingham and Whatcom county, a stunning playground and science lab for all ages of Bellingham residents and visitors. Building 38 single family houses along that hillside would decimate the character and health of the area, as tremendous unhealthy runoff would trickle into the waters that teem with such a variety of wildlife. That hillside is also a corridor for wildlife to travel from the pocket estuary up the hillside to the Clark's Point region. There are hundreds of bird nests in trees that would be felled for this development. The homes would be a tremendous blight on this landscape that is fairly untouched. I cannot support more</p>

expensive housing to take away more public access in such a unique part of our town and ecosystem. Please do not approve of this permit!

EMAIL

jrwcclimbs@gmail.com

DATE

4/4/2024
