

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, July 25, 2025 2:22 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Kirk Lang
Attachments: Public Comment - 785.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Kirk Lang
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	No suprise here since the city is more concerned about revenue generation. Phoney front of caring for the natural surrounds exemplifies the continued decline of our planet! due to human neglect. Thanks ya'll!
EMAIL	kirkclang07@gmail.com
DATE	7/25/2025

Heather M Aven

From: DCLongwell <DCLongwell@comcast.net>
Sent: Friday, July 25, 2025 7:38 PM
To: Kathy M Bell
Subject: The Woods at Viewcrest, Public Hearing Requirement Questions

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

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

Hi Kathy

Does the MDNS eliminate a City need for having a Public Hearing with the Hearing Examiner?

Are all access roads and sidewalks widths for The Woods at Viewcrest designed or provided exactly per City Code or City standards?

Please confirm whether a Public Hearing is required when a roadway or sidewalk is NOT designed or provided exactly per City Code or standards.

Please confirm whether a Public Hearing is required when a development's Sheet Flow and Piped Stormwater Disposal method violate a City Municipal Code which protects every City Park from the disposal of waste materials.

Thanks

Dean Longwell
621 Linden Road

From: Kathy M Bell [mailto:kbell@cob.org]
Sent: Friday, July 25, 2025 1:36 PM
To: Kathy M Bell; Steven C Sundin
Subject: NOTICE - MDNS The Woods at Viewcrest, 352 Viewcrest Road

Good afternoon.

You are receiving this email because you have provided public comment on The Woods at Viewcrest project. Today, July 25, 2025, the responsible SEPA official issued a Mitigated Determination of Nonsignificance (MDNS) for this proposal.

The MDNS is attached and available online at [Current Planning Notices](#). All supporting documents to the MDNS are available online at [The Woods at Viewcrest - City of Bellingham](#)



The Woods at Viewcrest - City of Bellingham

Project Status Consolidated Permit Process and SEPA Review On April 4, 2025, the City accepted the applicant's March 18, 2025, request to consolidate review of the Type I, II and III land use applications associated with the proposal pursuant to BMC 21.10.060. This means that the City's Hearing Examiner will issue decisions on all of the land use permit applications after holding a public ...

cob.org



Thank you for your interest in this 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

Heather M Aven

From: laura widman <laurajgw@yahoo.com>
Sent: Friday, July 25, 2025 7:01 PM
To: Kathy M Bell
Subject: Re: NOTICE - MDNS The Woods at Viewcrest, 352 Viewcrest Road

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

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

Unbelievable no EIS needed. "No adverse impact on environment "

Hahahahahahaha. Tell that to the trees and the aquatic animals and all the animals that use that habitat

May God bless you people making these incredibly farcical decisions. You'll need it.
Sent from my iPhone

On Jul 25, 2025, at 1:36 PM, Kathy M Bell <kbell@cob.org> wrote:

Good afternoon.

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The Woods at Viewcrest - City of Bellingham

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cob.org



Thank you for your interest in this process.

Kathy Bell | Senior Planner

Planning & Community Development Dept., City of Bellingham

360.778.8347 kbell@cob.org

<Outlook-
dy33rkxq.png> *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

<FINAL MDNS The Woods ONLY 7 25 2025.pdf>

Heather M Aven

From: lalaw324@aol.com
Sent: Saturday, July 26, 2025 4:43 PM
To: Kathy M Bell
Cc: MY - mayorsoffice@cob.org; CC - Shared Department (ccmail@cob.org)
Subject: Re: NOTICE - MDNS The Woods at Viewcrest, 352 Viewcrest Road
Attachments: FINAL MDNS The Woods ONLY 7 25 2025.pdf

You don't often get email from lalaw324@aol.com. [Learn why this is important](#)

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

The city's push for housing seems to be at all costs. This is very disappointing for this steep, waterfront site and the amount of proposed homes, even if they reduce from the crazy initial proposal. This is misguided to say it is not even worthy of an EIS. Shame on Bellingham administrators to allow the build and not even understand the site! The Cascades touch the sea only in the Chuckanuts, to not protect the only areas left in Bellingham proper is malfeasance.

On Friday, July 25, 2025, 01:36:31 PM PDT, Kathy M Bell <kbell@cob.org> wrote:

Good afternoon.

You are receiving this email because you have provided public comment on The Woods at Viewcrest project. Today, July 25, 2025, the responsible SEPA official issued a Mitigated Determination of Nonsignificance (MDNS) for this proposal.

The MDNS is attached and available online at [Current Planning Notices](#). All supporting documents to the MDNS are available online at [The Woods at Viewcrest - City of Bellingham](#)



The Woods at Viewcrest - City of Bellingham

Project Status Consolidated Permit Process and SEPA Review On April 4, 2025, the City accepted the applicant's March 18, 2025, request to consolidate review of the Type I, II and III land use applications associated with the proposal pursuant to BMC 21.10.060. This means that the City's Hearing Examiner will issue decisions on all of the land use permit applications after holding a public ...

cob.org

□

Thank you for your interest in this 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



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

July 28, 2025

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 - Concur with Survey; IDP recommended

Dear Steve Sundin:

Thank you for contacting the State Historic Preservation Officer (SHPO) and the Department of Archaeology and Historic Preservation (DAHP) with documentation regarding the above referenced project. In response, we concur with the results and recommendations provided in the survey report. Historic site 45WH77 is recorded within the project area. We recommend that this site be avoided. If it cannot be avoided, then the DAHP would like to be further consulted. We also recommend that an Inadvertent Discovery Plan be on-site and followed should cultural resources or human remains be encountered.

We appreciate receiving any correspondence or comments from concerned tribes and other parties that you receive as you consult on this project.

These comments are based on the information available at the time of this review. Should the project scope of work and/or location change significantly, please contact DAHP for further review.

Thank you for the opportunity to review and comment on this project. Should you have any questions, please feel free to contact me.

Sincerely,

Tamela Smart, M.A.
Local Government Archaeologist
(360) 628-2755
Tamela.Smart@dahp.wa.gov



From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, July 29, 2025 3:11 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Cynthia Denchfield
Attachments: Public Comment - 788.pdf



City of Bellingham

Public Comment

Entry Details

NAME

Cynthia Denchfield

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

It is clear to me that this city (and county and state) get a HUGE portion of funding through property taxes. It is in the city's interest to approve expensive housing so that the tax base is supported. This is at the detriment of the environment and access to the our beautiful wild areas. The Woods at Viewcrest project is a perfect example of this. Over the years I have seen extremely expensive homes built along the Chuckanuts. Every new home brings in the big bucks for the city from the rich owners of those homes. Many of those rich people don't even occupy those homes much of the year. As these expensive homes are built in our most beautiful areas, our environment deteriorates and access to the

wild spaces diminishes. This is not sustainable for the environment or the city's budget.

We need the trees and wild places to remain to protect our precious natural environments. We want to protect our gorgeous city and surrounding areas, and allow our citizens to access to its wild places. We need to preserve unique environments such as Mud Bay. We also need to provide housing for our citizens who work and play in this city and who are NOT rich and absent. We need a better tax system so that our city, county, and state are NOT so dependent upon property taxes. We need an income tax, not environmental degradation!

EMAIL

cdenchfield@yahoo.com

DATE

7/29/2025

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, July 29, 2025 7:39 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Morgan Kay
Attachments: Public Comment - 786.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Morgan Kay
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	Please do not let this project move forward without at least requiring an EIS. This is a very unique environment, and it would be a travesty to develop here without being absolutely certain that it will not have a severe negative impact.
EMAIL	morgan.activism@gmail.com
DATE	7/29/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, July 29, 2025 9:01 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment - Jennifer Mansfield
Attachments: Public Comment - 789.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Jennifer Mansfield
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	Preserving the natural landscape is imperative to sustaining our region. Any redevelopment of any area should not bypass necessary planning steps, not only to preserve the natural ecosystem, but also to avoid overlooked catastrophic elements that construction poses, example: mudslides from uprooted tree growth, preservation of old-growth forestry, etc. Please remain consistent regarding planning and development of all regions, especially underdeveloped landscapes. Thank you.
EMAIL	countrygirlinnw@gmail.com

DATE

7/29/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, July 29, 2025 9:39 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Coreen Schmidt
Attachments: Public Comment - 787.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Coreen Schmidt
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>I am writing to oppose the city's Mitigated Determination of Non-Significance for the Woods at Viewcrest development. While I appreciate the intent of the conditions imposed on the MDNS, the majority of the public's concerns were not addressed. These include:</p> <ul style="list-style-type: none">- The impacts of increased traffic on Viewcrest Road, which narrow and has very poor sight distance, and which has no sidewalks or shoulder. It already feels uncomfortable to walk along that stretch of road, which I do regularly to access the Hundred Acre Woods trailhead, and adding more cars will only make it more dangerous.- The adverse environment impacts of the proposed development of a private driveway

and multiple homesites directly at the top of the ridge. Development along ridgelines has not been considered acceptable best practice many years, as it increases runoff and decreases infiltration, both of which can have significant adverse impacts on forest health and wetlands, as well as water quality in the Mud Bay estuary.

- The potential change to wind patterns due to tree removal at along the ridgetop, which poses a serious and significant risk to properties along Clark Road. Our street still has many large stands of mature fir trees, and the ridgeline buffers those trees from the prevailing winter storms. Changing those wind patterns puts these trees at significant risk of blowdowns, which is a hazard to both life and property.

- Negative impacts to wildlife. The property is part of a relatively intact wildlife corridor from the Chuckanuts, along the Mud Bay estuary, to Clark Point. It is home to coyotes, bobcats, deer, owls, bald eagles, herons, hawks, and falcons, to name only a few species that I have seen coming and going.

I am not opposed to development, and I support increasing density to provide a wider range of housing options in the City of Bellingham, but this proposed development will do nothing to improve affordability or increase quality of life while also imposing significant environmental impacts. Thank you for your consideration, and I urge you to listen to concerns voiced by the overwhelming public opposition to this proposed development.

EMAIL

coreenschmidt@gmail.com

DATE

7/29/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, July 30, 2025 10:06 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -James Hansen
Attachments: Public Comment - 790.pdf



City of Bellingham

Public Comment

Entry Details

NAME	James Hansen
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>What kind of city does Bellingham wish to be: one governed by the people for the people, or one governed by wealthy elite real estate developers for wealthy elite real estate developers?</p> <p>All building projects should be required to include an evidence-based environmental impact statement. To not require one for this project is to support the excessively wealthy over the interests of real locals, animals, and the natural environment. Building luxury homes in natural, undeveloped green spaces is an insult to the land and to the people of Bellingham. We don't need more luxury homes in undeveloped areas; we need affordable</p>

homes in all the empty and badly developed lots across town. We need mature woodlands to shield the town from gale-force winds during storms.

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.

EMAIL

jamesdanielhansen@gmail.com

DATE

7/30/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Sunday, August 3, 2025 11:56 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Lori V Rubens
Attachments: Public Comment - 791.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Lori V Rubens
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>The City's Mitigated Declaration of Non-Significance for the Woods at Viewcrest proposed development is fundamentally flawed and must be appealed.</p> <p>The City-owned tidelands, wetlands, and estuary which lie below the cliffs of the proposed development are not part of Chuckanut Bay, per se, as per claimed by the Developer, and accepted by the City. On the contrary, this area, properly referred to as Mud Bay, is a regulated estuarine wetland, and has been designated as such by the US Fish and Wildlife Service and the State Department of Ecology. The Chuckanut Creek estuary, to name one example within Mud Bay, has been documented by a City-funded study to have a</p>

high level of function for salmonid species, shellfish, winter water fowl, bald eagles, Great Blue Herons, and general wildlife. There has been documented spawning of salmon, including Coho, and observations of endangered Chinook salmon within this estuary.

The EPA protects endangered Chinook salmon. The City protects Great Blue Herons. The City is also required by municipal law to protect the public from deleterious health effects of polluted stormwater dumped into a City-owned park, including the COB Chuckanut Bay Shorelands Park.

An independent EIS is thus necessary to assess the potential environmental, ecological, and public health impact on this regulated estuarine wetland.

EMAIL

LVANRUBENS@COMCAST.NET

DATE

8/3/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, August 6, 2025 2:49 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Dean Longwell, Retired Architect
Attachments: Public Comment - 792.pdf; Non-Compliance with BMC_8_04_100 Issue.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Dean Longwell, Retired Architect
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>To: Kathy Bell Senior Planner Steve Sundin Senior Planner Planning and Community Development Department</p> <p>Re: MDNS issued for the Woods at Viewcrest has a fundamental error.</p> <p>The MDNS for the Woods at Viewcrest has a fundamental error within the SEPA Review Report. This error is centered on a non-compliance with a protective BMC regulation that protects all city parks.</p> <p>BMC 8.04.100 "A" & "D" prohibits the disposal</p>

of all waste materials including litter that are a nuisance to the public or endangers the health, safety or comfort of the public inside every Bellingham City Park.

It also appears the City's SEPA Review Report Team may NOT have been aware that the Chuckanut Bay Shoreline Trail, the Chuckanut Bay saltwater tidelands and the navigable waters within the northern regions of Chuckanut Bay are subject to BMC 8.04.100 "D".

This BMC prohibits the disposal of "ALL WASTE MATERIALS" with no exceptions for partially treated or filtered stormwater containing harmful chemicals, bacteria or viruses within a city park. This BMC is NOT subject to SEPA Review and is NOT subject to the current human health regulatory gap within the State of Washington's DOE Stormwater Management Manual for Western Washington.

For further details, please see the PDF file I uploaded to the City's "Woods at Viewcrest" comment page this afternoon.

Uploaded file name: "Non-compliance with BMC_8_04_100 Issue.pdf"

Yours truly,

Dean Longwell (Retired Architect)
621 Linden Road
Bellingham, WA 98225

FILES

Non-Compliance with BMC_8_04_100 Issue.pdf

EMAIL

DCLONGWELL@COMCAST.NET

DATE

8/6/2025

**Request for City or Park Department Enforcement of
BMC 8.04.100 “A” & “D”
Re: The Woods at Viewcrest Development Stormwater Proposal**

To
Kathy Bell Senior Planner
Steve Sundin Senior Planner
Planning and Community Development Department

cc
Nicole Oliver, Director of Parks and Recreation for the City of Bellingham
Re: Non-compliance with a Bellingham Parks Department protective BMC regulatory requirement

As the Building Officials charged with safeguarding, the public’s health, safety and general welfare, the City’s SEPA Report Review Team has made a fundamental error when the City knows the State of Washington’s DOE has a known regulatory gap.

It also appears the City’s SEPA Review Report Team may NOT be aware of the City Codes which protects all city parks from harm. BMC 8.04.100 “A” & “D” supersede DOE stormwater disposal guidelines and City stormwater disposal protocols when the disposal of urban stormwater inside a city park contains harmful chemicals, bacteria or viruses. BMC 8.04.100 “D” has no exceptions.

BMC 8.04.100 “A” & “D” prohibits the disposal of all waste materials including litter that are a nuisance to the public or endangers the health, safety or comfort of the public inside every Bellingham City Park.

It appears the City’s SEPA Review Report Team may NOT be aware that the Chuckanut Bay Shoreline Trail, the Chuckanut Bay saltwater tidelands and all the navigable waters within the northern regions of Chuckanut Bay are subject to BMC 8.04.100 “A” & “D”.

BMC 8.04.100 “A” & “D” prohibits the disposal of “ALL WASTE MATERIALS” with no exceptions for the disposal of untreated stormwater or partially treated stormwater on any waters or saltwater tidelands that are part of, or located inside a city park.

Justification for enforcement of BMC 8.04.100 “A” & “D” when the State of Washington DOE has a protection of human health regulatory gap and a protection of the environment regulatory gap, continued:

The following City SEPA Review Report Team’s statement is an acknowledgement of a known DOE regulatory gap for a known state wide environmental risk and a known state wide human health risk.

The PSWR and the construction site and stormwater pollution prevention plan or, “SSWPPP” are not required to meet or address emergent pollutants of concern like 6PPD-q (tire wear dust compound). Ecology is still studying and analyzing 6PPD-q and has not approved any stormwater water quality treatment BMPs for effectiveness of removing 6PPD-q. Only Ecology approved BMPs are allowed for use and Ecology has not approved a stormwater treatment BMP for 6PPD-q.

Excerpt from page 37 of SEPA Report for The Woods at Viewcrest (SEP2020-0013)

Request for City or Park Department Enforcement of BMC 8.04.100 “A” & “D” Re: The Woods at Viewcrest Development Stormwater Proposal

Justification for enforcement of BMC 8.04.100 “A” & “D” when the State of Washington DOE has a protection of human health regulatory gap and a protection of the environment regulatory gap, continued:

It appears that the City’s SEPA Review Report Team may NOT have been aware that the University of Washington, in 2019 and 2020 completed an extensive and systematic review of stormwater water samples which were collected from DOE “approved” stormwater outflows.

The reviewed outflows were designed, installed and functioning per Washington State Department of Ecology’s Stormwater Management Manual guidelines and represented a variety of outflows including six well designed and installed stormwater outflows containing enhanced pollution filtration materials and/or treatment systems that exceeded the requirements of the Department of Ecology’s Stormwater Management Manual for Western Washington.

As a result of the U of W’s research, the Legislature passed Senate Bill SSB 5931 which acknowledged that 6PPD-q is lethal to Coho salmon, a state wide environmental risk, and a state wide human health risk.

The EPA has collected and reviewed research from around the world and has confirmed a worrisome finding of 6PPD-q in the blood streams of adults and children with the highest concentrations of 6PPD-q found in the blood streams of pregnant females. Additional human health and environmental studies have shown 6PPD-q within the urine streams of women and has expanded the list of fish at risk of harm or death from very small amounts of 6PPD-q in stormwater. In terms of food chain, 6PPD-q and other pollutants have been shown to stunt the marine environment’s food chain by harming micro-organism similar to those found in Chuckanut Bay’s pocket estuary.

In 2024 the EPA issued a world wide public service announcement calling for more study of 6PPD-q and received funding from congress for further study, all because the Puyallup Tribe used the findings of the University of Washington to notify the EPA in 2023 of the persistence and mobility of a little known stormwater pollution molecule which cannot be captured or neutralized by any of the State of Washington’s “approved” stormwater pollution control methods.

To clarify the SEPA Review Report’s Error; the following email from the Bellingham’s Public Works Department is being provided for your review.

Request for City or Park Department Enforcement of BMC 8.04.100 “A” & “D”

Re: The Woods at Viewcrest Development Stormwater Proposal

Justification for enforcement of BMC 8.04.100 “A” & “D” when the State of Washington DOE has a protection of human health regulatory gap and a protection of the environment regulatory gap, continued:

Hi Dean,

Thanks for reaching out. As part of my work as a public servant on behalf of our community, I am the co-chair of the Washington State 6ppd-q Subgroup (6ppd-q is the chemical responsible for Coho pre-spawn mortality, which we now call Urban Runoff Mortality Syndrome (URMS)). I could talk all day about the chemical and how it gets into streams, but I'm much less of an expert on the stream themselves. My job is to manage stormwater and to prevent pollution from known sources as much as possible using available technologies and scientific knowledge from ongoing and emerging research. But, that said, here's what I can say...

The phenomenon of URMS, which is evidenced by the presence of dead Coho and steelhead in streams prior to spawning, was discovered in Bellingham at the BTC Fish Hatchery at Maritime Heritage Park in the late 1990's/early 2000's. At the same time, these events were occurring in other urbanized streams across the Puget Sound region, but the events that occurred at BTC's hatchery were the first to connect the dots between stormwater runoff (especially the "first flush" fall rainstorm) and the susceptibility of Coho to pre-spawn mortality. So, it is safe to say that pre-spawn mortality of Coho has occurred in Bellingham.

Outside of hatcheries, however, there is no standardized monitoring of the fish populations as it relates to the presence of URMS in our localized streams. It should be expected that this phenomenon continues to occur and, from what we know from other watersheds, would affect the Coho and steelhead in our urbanized streams. Anecdotally, there may be reports of URMS that has been documented by the Department of Fish and Wildlife or the Department of Ecology, but it is not tracked by the City of Bellingham in any way that I'm aware of. Additionally, testing for 6ppd-q is not a standard practice both because 1) it was not a known chemical until it was discovered by University of Washington and Washington State University researchers in 2019/2020 and 2) there was not a standard procedure for detecting the chemical in water samples until 2024 (and only one lab accredited to run this process until 2025).

In short, it is reasonable to assume (and indeed predictive models have shown it is likely) that Coho and steelhead in Whatcom County waterways are affected by 6ppd-q, but the source and concentration (and the number of occurrences) is not readily available in the data I have access to.

Let me know if you would like me to connect you with other experts who may be able to shed more light on the specifics of how salmon pre-spawn mortality is tracked and recorded. Or, please send along additional questions about 6ppd-q if you are interested and I can send you the primary literature on the topic. While this is an emerging issue, it has a long backstory and lots of research is currently underway.

Thanks again for reaching out.

Eli Mackiewicz (he/his)

Natural Resources Program Technician III
City of Bellingham Public Works Department

Emailed received on May 12, 2025

Request for City or Park Department Enforcement of BMC 8.04.100 “A” & “D”

Re: The Woods at Viewcrest Development Stormwater Proposal

Justification for enforcement of BMC 8.04.100 “A” & “D” when the State of Washington DOE has a protection of human health regulatory gap and a protection of the environment regulatory gap, continued:

The Permit Applicant’s Stormwater Proposal has a fundamental error.

5.2 FLOW CONTROL Stormwater runoff from TDA 2 directly discharges into Chuckanut Bay, which is considered a flow control exempt saltwater body. Therefore, this TDA is exempt from flow control requirements per BMC 15.42. TDA 3 will not contain any proposed hard surfaces, therefore this TDA is exempt from flow control requirements. Site improvements associated with TDA 1 will result in more than 10,000 SF of hard surfaces triggering flow-control requirements. These requirements will be met through the use of a subsurface detention vault including a flowrate restrictor orifice structure. Since the Viewcrest Road stormwater system conveys stormwater directly to Chuckanut Bay, it is possible that the stormwater detention vault could be eliminated if the downstream storm sewer systems are proven to be adequately sized to convey the flows. This analysis may be conducted in the future as the development plans become more detailed.

Excerpt from pg 6 of the Applicant’s Stormwater Management Report

The permit Applicant has NOT addressed Bellingham Municipal Code Sections BMC 8.04.100 “A” & “D” which prohibits the disposal of all waste materials including litter that is a nuisance to the public, or endangers the health, safety or comfort of the public inside a Bellingham City Park.

Per City of Bellingham Finance Department Records the City of Bellingham in “good faith” purchased the northern portions of Chuckanut Bay in 1985 with the rights of navigation, together with the incidental rights of fishing, boating, swimming, water-skiing and other recreational purposes generally regarded as corollary to the right of navigation and use of public waters over any portion of said land lying beneath navigable waters. (See, City’s Ticor Title Insurance Policy #D-89601, Exhibit “B”).

City records do NOT state this body of water or the lands beneath this body of water were purchased for the disposal of stormwater containing harmful chemicals, bacteria or viruses which may endanger the health, safety or comfort of the public.

The Chuckanut Bay Shoreline Trail is part of a city park and is thus subject to BMC 8.04.100 “A” & “D”.

The Chuckanut Bay’s northern most saltwater tidelands are part of a city park which is subject to BMC 8.04.100 “A” & “D”.

At all tide level, the navigable waters above the tidelands at the northern most regions of Chuckanut Bay are also protected by BMC 8.04.100 “A” & “D” because they are an amenity or part of Chuckanut Bay City Park.

Request for City or Park Department Enforcement of BMC 8.04.100 “A” & “D”

Re: The Woods at Viewcrest Development Stormwater Proposal

The Permit Applicant has a non-compliance problem with Bellingham Municipal Code Sections BMC 8.04.100 “A” & “D” which are NOT subject to SEPA review or Department of Ecology stormwater guidelines:

All Cities and permit applicants are required by state law to follow all federal, state and local laws in effect at the time of permit application. In this instant case;

The Applicant has missed BMC 8.04.100 “D” which prohibits the disposal of “ALL WASTE MATERIALS” including litter inside a city park which endangers the health, safety or comfort of the public inside a city park. This BMC prohibits the disposal of “ALL WASTE MATERIALS” with no exceptions for the disposal of untreated stormwater, or partially treated stormwater on any tidelands that are part of or located inside a city park.

The consequences of non-compliance with of BMC 8.04.100 “A” & “D”

Whatcom Public Health has posted a warning sign at the entry of Mud Bay City Park due to **harmful stormwater runoff chemicals** from the direct neighbors of this city tideland park.

In moving forward, these neighbors will continue to harm this tideland park until the City takes action which includes the stopping of a City practice of lax or non-enforcement of BMC 8.04.100 “D”.

This enforcement is needed so Chuckanut Bay City Park will not be destroyed by an accumulation of inadvertent chemicals and sediments which would eventually destroy the usefulness of Mud Bay’s tidelands as a city tideland park.



Whatcom County Public Health Signage posted at the entry of Mud Bay City Park due to stormwater pollution

The consequences of non-compliance with of BMC 8.04.100 “A” & “D”

Humans discharge tens of thousands chemicals and other related transformative products to water, most of which remain unidentified and lack rigorous toxicity information. Efforts to identify and mitigate high-risk chemicals toxicants are typically reactionary, occur long after their use becomes habitual, and are frequently stymied by mixture complexity. Societal management of inadvertent, yet wide spread chemical pollution is therefore costly, challenging, and often ineffectual.

Excerpt from 6PPD-q Science Report which was posted on the EPA’s website

Request for City or Park Department Enforcement of BMC 8.04.100 “A” & “D”

Re: The Woods at Viewcrest Development Stormwater Proposal

Justification for enforcement of BMC 8.04.100 “A” & “D” when the State of Washington DOE has a protection of human health regulatory gap and a protection of the environment regulatory gap, continued:



BMC 8.04.100 “A” & “D” prohibit the disposal of ALL WASTE MATERIALS including litter that is a nuisance to the public or endangers the health, safety or comfort of the public inside Chuckanut Bay City Park. BMC 8.04.100 does NOT make an exception for untreated or partially treated stormwater runoff.

Per City of Bellingham Finance Department Records the City of Bellingham in “good faith” purchased the northern portions of Chuckanut Bay in 1985 with the rights of navigation, together with the incidental rights of fishing, boating, swimming, water-skiing and other recreational purposes generally regarded as corollary to the right of navigation and use of public waters over any portion of said land lying beneath navigable waters. (See, City’s Ticor Title Insurance doc, Exhibit “B”).

The City Finance Office records do NOT state this bay was purchased for the purpose of disposal of harmful stormwater runoff chemicals, bacteria or viruses that may endanger the health, safety or comfort of the public.

**Request for City or Park Department Enforcement of
BMC 8.04.100 “A” & “D”
Re: The Woods at Viewcrest Development Stormwater Proposal**



Mud Bay’s size, shape, low internal water velocities and restricted outflow functions as a poorly designed pollution collection and settlement pond.

The railway causeway has transforms Mud Bay into a functioning Settlement Pond:
The function of a sediment containment system is to slow the velocity of runoff to allow sedimentation of waterborne particles within a containment system. When designed correctly, a containment system will contain and concentrate pollution within a defined area.

In this instant case; the Applicant has NOT considered the health and safety risks of slow moving and uncontrolled movement of high-risk stormwater pollutants free drifting within Mud Bay and then accumulating on:

1. Tidelands owned by adjacent tideland property owners
2. Areas in direct contact with unknowing children and their unknowing parents inside a city park
3. The eventual accumulation of high-risk urban runoff chemicals, bacteria and viruses on soil within a city park.
4. The eventual accumulation of high-risk urban runoff chemicals, bacteria and viruses on ell grass, clams, oysters and other marine life within a city park.

Request for City or Park Department Enforcement of BMC 8.04.100 “A” & “D”

Re: The Woods at Viewcrest Development Stormwater Proposal

Justification for enforcement of BMC 8.04.100 “A” & “D” when the State of Washington DOE has a protection of human health regulatory gap and a protection of the environment regulatory gap, continued:

The Permit Applicant has NOT considered any of the following EPA stormwater concerns which would be prohibited in Chuckanut Bay City Park by City Code Sections BMC 8.04.100 “A” & “D”:

As the Building Officials charged with safeguarding, the public’s health, safety and general welfare, the City’s SEPA Report Review Team may NOT have been aware of the EPA’s stormwater concerns noted below. In this instant case, all of the listed EPA’s stormwater disposal concerns would be fully prohibited in Chuckanut Bay City Park by BMC 8.04.100 “A” & “D”.



Stormwater Pollutants of Emerging Concern

Stormwater discharges contain pollutants from a variety of sources. These pollutants may pose newly identified or reemerging risks to human health, aquatic life, or the environment. These substances, sometimes referred to as emerging contaminants, can include many different types of natural or manufactured chemicals and substances.

Stormwater dischargers may:

- Manufacture substances that are considered emerging contaminants;
- Use products or materials that contain emerging contaminants or substances that break down to become emerging contaminants; or
- Manage stormwater from areas where products or materials containing emerging contaminants or substances that break down into emerging contaminants are used or stored.

When these materials come into contact with stormwater from rainfall or snowmelt, they can dissolve into the stormwater or stick to sediments in the stormwater. Stormwater can then transport emerging contaminants and discharge them into nearby waterways. Emerging contaminants may be present in stormwater discharges and should be considered when designing stormwater control measures and management strategies. Some examples include:

- **Per- and Polyfluoroalkyl Substances (PFAS):** PFAS are a group of manufactured chemicals that are used for their properties to resist heat, oil, stains, grease, and water. PFAS are used in a variety of products and processes, including clothing, furniture, metal finishing, electroplating, electronic components, adhesives, food packaging, heat-resistant non-stick cooking surfaces, molded plastic, and the insulation of electrical wire.
 - Recommendations on Addressing PFAS in NPDES Permits <<https://epa.gov/npdes/industrial-wastewater/pfas>>
 - EPA’s PFAS Website <<https://epa.gov/pfas>>
- **Polycyclic Aromatic Hydrocarbons (PAHs):** PAHs may have either natural or man-made sources. Natural sources include wildfires, volcanic eruptions, and degradation of materials within sediments and fossil fuels. Man-made sources include the incomplete burning of organic materials like coal, oil, gas, wood, and garbage, vehicle exhaust, asphalt, coal-tar based pavement sealcoat, and creosote.
 - Fact Sheet on PAHs from Coal-Tar Sealcoat and Related Stormwater Pollution <https://epa.gov/sites/default/files/2018-02/documents/pah_coal-tar_sealcoat-swpoll.pdf>
- **Microplastics:** Microplastics are plastic particles that are generally less than 5 mm in size. Examples of microplastics include pre-production plastic pellets known as “nurdles” and microbeads, both of which are used in some personal care products. Microplastics may also come from the breakdown of larger plastics.
 - Microplastics Reports and Case Studies <<https://epa.gov/trash-free-waters/science-case-studies>>
 - Microplastics Research <<https://epa.gov/water-research/microplastics-research>>
- **6PPD and 6PPD-quinone:** 6PPD is an additive to rubber components, most notably in all types of tires, but can be in belts, hoses, cables, and automotive mounts. 6PPD is added to prevent the rubber from breaking down due to reactions with ozone and other reactive oxygen species in the air. When 6PPD reacts with ozone (O₃), it forms into 6PPD-quinone.
 - EPA’s 6PPD-quinone Website <<https://epa.gov/chemical-research/6ppd-quinone>>
 - EPA’s Ozone Website <<https://epa.gov/ground-level-ozone-pollution/ground-level-ozone-basics>>
- **Pharmaceuticals and Personal Care Products (PPCPs):** PPCPs are increasingly being detected at low levels in surface water and include over-the-counter medications, fragrances, sunscreen, detergents, preservatives, and insect repellents.
 - EPA’s PPCPs Website <<https://epa.gov/wqc/contaminants-emerging-concern-including-pharmaceuticals-and-personal-care-products>>

Last updated on August 16, 2024

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, August 6, 2025 4:49 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Christy McKinney
Attachments: Public Comment - 793.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Christy McKinney
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	How is an assessment not needed? Why not understand the impacts of a massive increase in homes in this area? Not doing this makes no sense.
EMAIL	CHRISTYMCK@GMAIL.COM
DATE	8/6/2025

Heather M Aven

From: Rud Browne <Rud@rudbrowne.com>
Sent: Thursday, August 7, 2025 4:20 PM
To: HE - Shared Department
Cc: Kathy M Bell; Steven C Sundin; Rogan Jones; ali; Greg Gudbranson
Subject: RESPONSE to - MDNS The Woods at Viewcrest, 352 Viewcrest Road
Attachments: Browne-Gudbranson objection to proposed Trail 2025-08-07 Sig.pdf; Browne-Gudbranson objection to proposed Trail 2023-05-31.pdf

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

Dear Examiner Rice

Please find attached our objection to the MDNS due to its lack of response to the same safety concerns we raised 2 years ago regarding the proposed trail entrance to Sea Pines Rd. While we now believe it is possible for both the trail and the development to coexist, this can only be achieved by a redesign of the trail location and the addition of appropriate safety barriers.

Thank you for considering our comments

Be well.

Rud

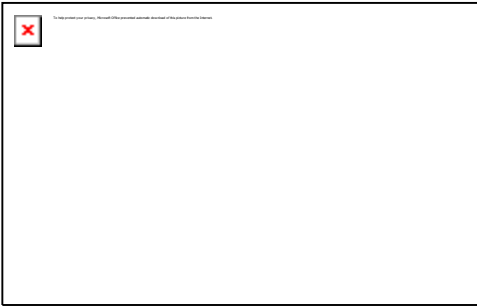
Rud Browne
360-612-0000 <- NEW NUMBER

From: Kathy M Bell <kbell@cob.org>
Sent: Friday, July 25, 2025 1:36 PM
To: Kathy M Bell <kbell@cob.org>; Steven C Sundin <ssundin@cob.org>
Subject: NOTICE - MDNS The Woods at Viewcrest, 352 Viewcrest Road

Good afternoon.

You are receiving this email because you have provided public comment on The Woods at Viewcrest project. Today, July 25, 2025, the responsible SEPA official issued a Mitigated Determination of Nonsignificance (MDNS) for this proposal.

The MDNS is attached and available online at [Current Planning Notices](#). All supporting documents to the MDNS are available online at [The Woods at Viewcrest - City of Bellingham](#)



The Woods at Viewcrest - City of Bellingham

Project Status Consolidated Permit Process and SEPA Review On April 4, 2025, the City accepted the applicant's March 18, 2025, request to consolidate review of the Type I, II and III land use applications associated with the proposal pursuant to BMC 21.10.060. This means that the City's Hearing Examiner will issue decisions on all of the land use permit applications after holding a public ...

cob.org

?

Thank you for your interest in this 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

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

August 7, 2025

Sharon A. Rice
Office of the Hearing Examiner

City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Via Email: hearing@cob.org

Ms. Kathy Bell
Senior Planner
Planning and Community Development Department

Via Email: kbell@cob.org

Re: MDNS for The Woods at Viewcrest development

Dear Examiner Rice,

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 where the existing shared driveway serving our two houses joins Sea Pines Rd.

On May 31st, 2023, we submitted a detailed letter (copy attached), with exhibits and references to AASHTO Guide for the Development of Bicycle Facilities (2012) the COB relied on for the Bellingham Bicycle Master Plan, demonstrating **why we believe that the Trail as proposed for this project would pose an extreme safety hazard that will ultimately result in serious injury or death of a cyclist or runner.**

Since we submitted our letter, we have received no response from either the City or the developer that addresses our concerns. The most recent plat map still shows the trail intersecting where our driveway is actually located and MDNS for the project makes no mention of our safety concerns, nor does it require the hazards to be mitigated.

The root cause of this problem is the maps provided to your office are not an accurate representation of the location of where our driveway encroaches on Sea Pines Rd. The history as we understand it is as follows:

- i. The Jones family that owns the Woods at Viewcrest sold the land our house was built on in the late 80's to a developer (Syre) who then platted the lots.
- ii. The City approved Syre's plat design (including the location of our driveway)
- iii. The original owner of our house built our driveway in its current location (with city approval) 35+ years ago, about 4 years before we bought it.
- iv. We have not expanded the driveway footprint since we acquired the property

While our driveway encroaches onto Sea Pines where the trail (as drawn) is proposed the problem is solvable and none of the solutions below would prevent the project from being approved.

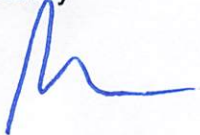
Possible solutions are:

1. Require substantial steel pipe barriers to be installed to prevent bike and pedestrian traffic intersecting our driveway and redirect it to enter Sea Pines parallel to the south edge of our existing driveway
2. Relocate Lot 37 development right elsewhere on the project and relocate the trail entrance where the lot 37 driveway is currently proposed
3. If neither 1 or 2 is practical, the Trail from the Development to Sea Pines Rd should be prohibited.

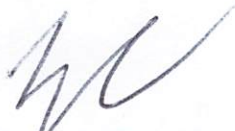
We respectfully request you require:

- a. That the existing driveway entrance onto Sea Pines Rd be surveyed and the maps updated before you make your decision
- b. The location of our existing driveway as-built be displayed on topographic maps along with the proposed Lot 37 driveway and trailhead,
- c. One of the 3 solutions listed above as a condition of approval of the project.

Sincerely



Rud Browne



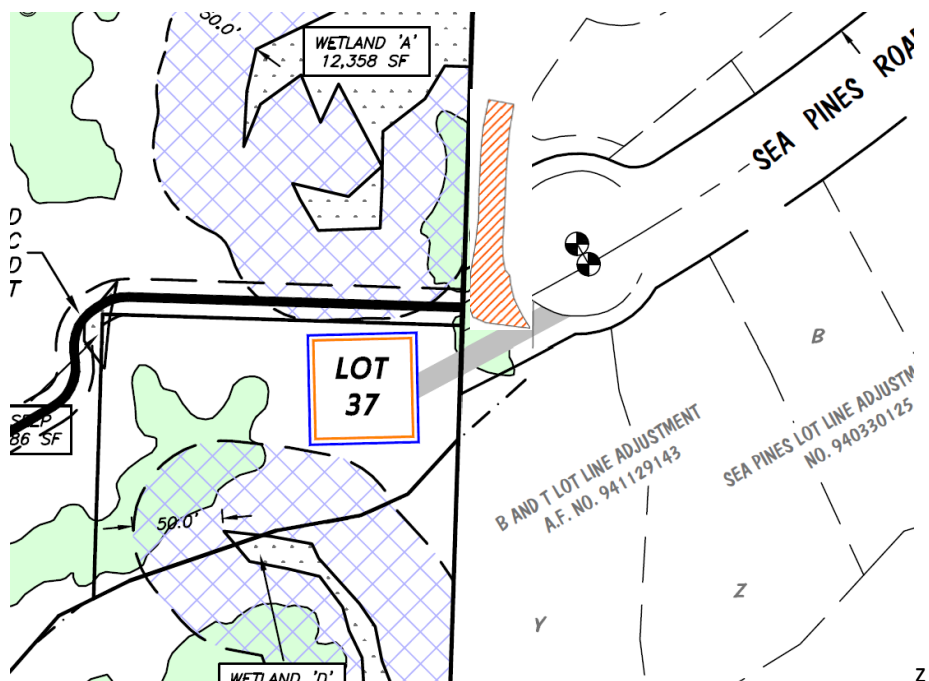
Sheila Kyle-Browne



Greg Gudbranson

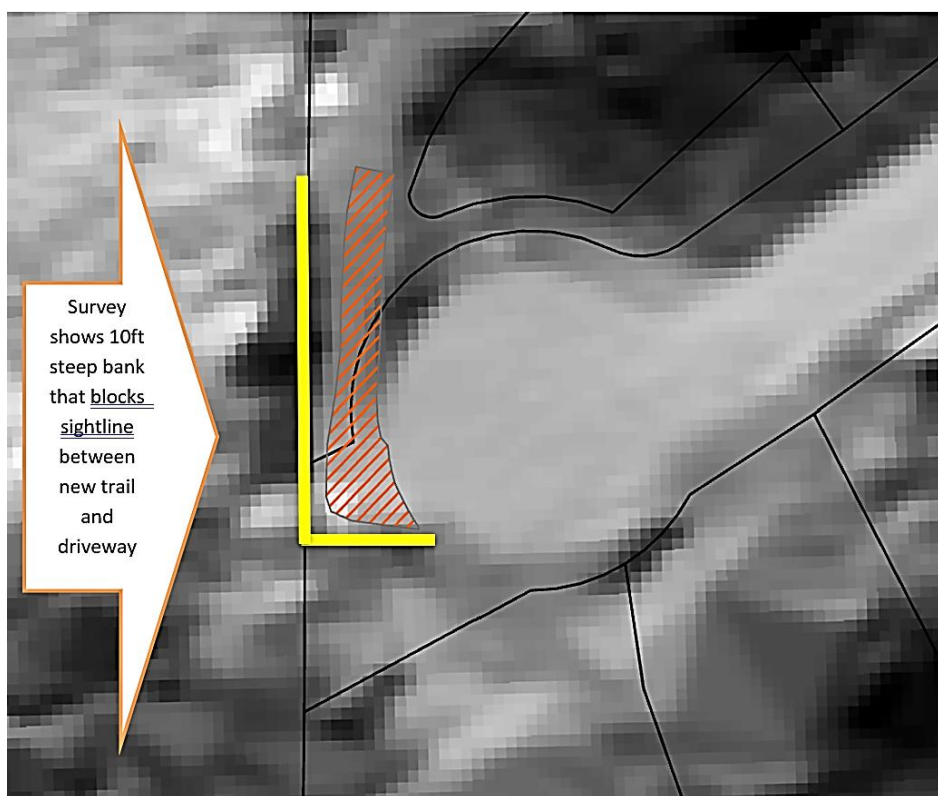
This is the trail entrance to Sea Pines Rd for the Woods at Viewcrest as currently proposed

The RED below is manually located overlay of our driveway.



The RED below is sub-meter GPS (almost survey grade) overlay of our driveway over the State LiDAR overlay – it is VERY accurate depiction of the surface of the driveway entrance to 315 Sea Pines.

Yellow line is possible location of high steel solid pipe guardrail solution to prevent conflict



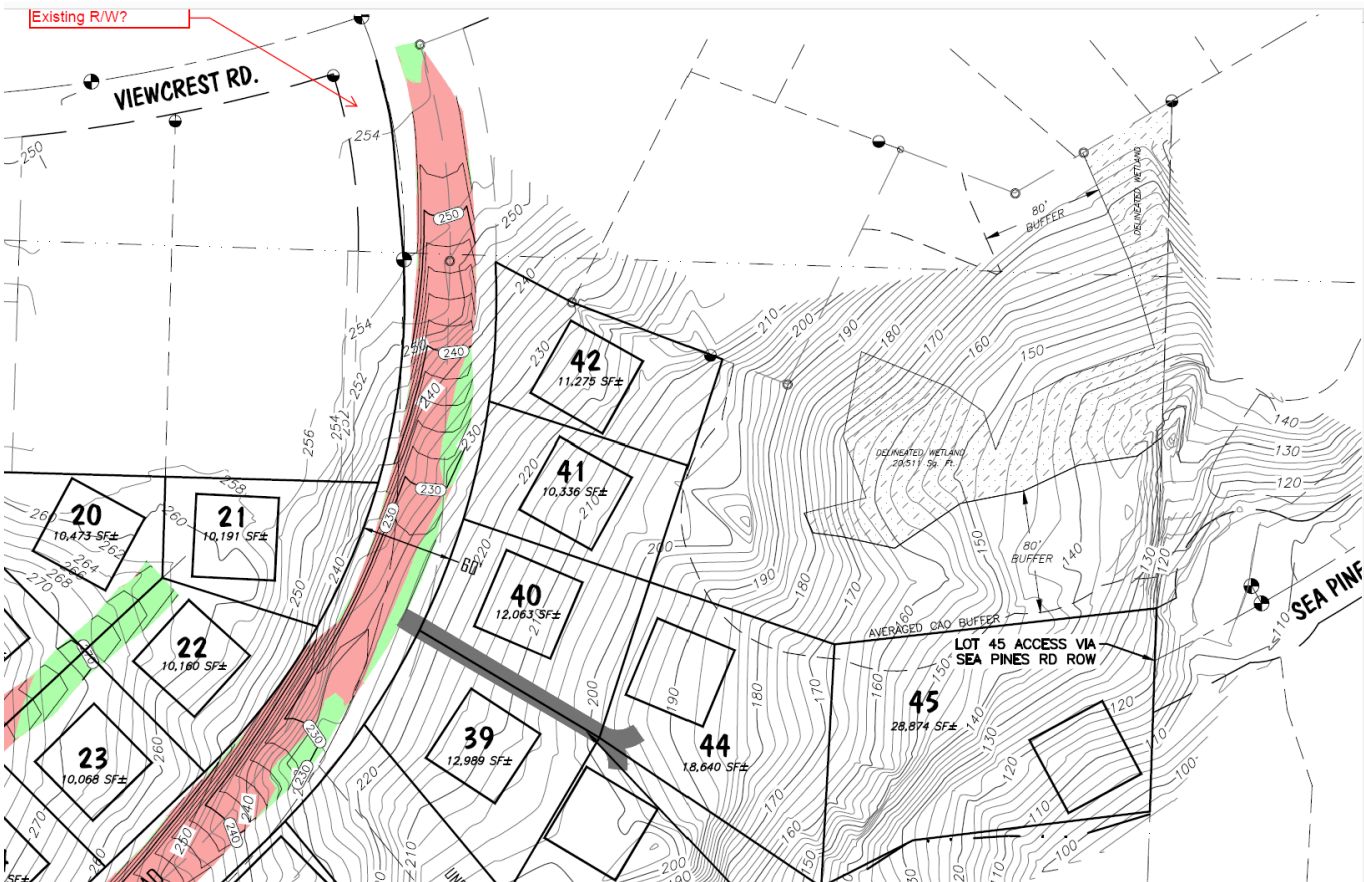
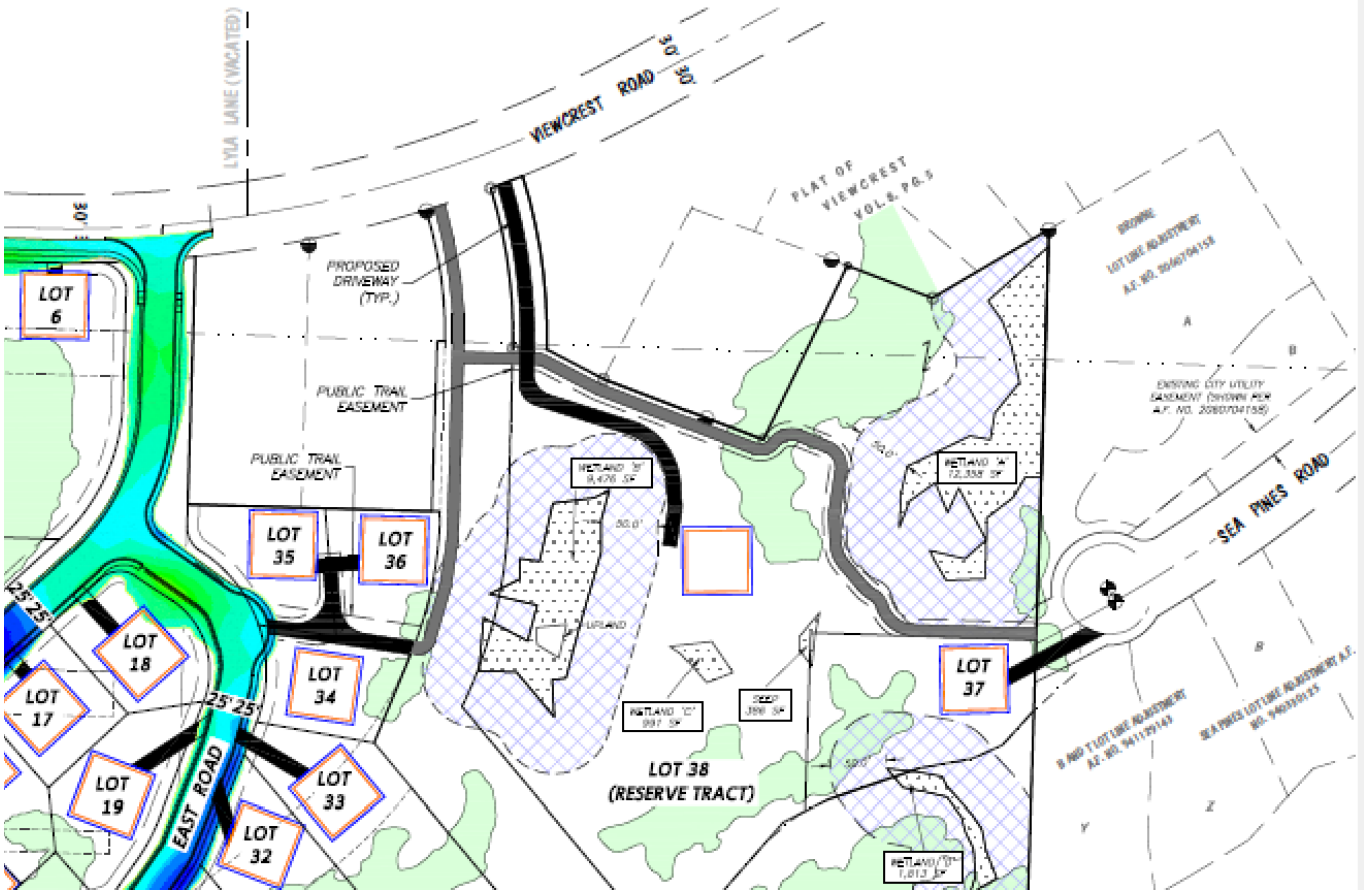
Yellow line is possible location of possible high steel solid pipe guardrail solution to prevent conflict



Yellow line is possible location of possible high steel solid pipe guardrail solution to prevent conflict



EXHIBIT A



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



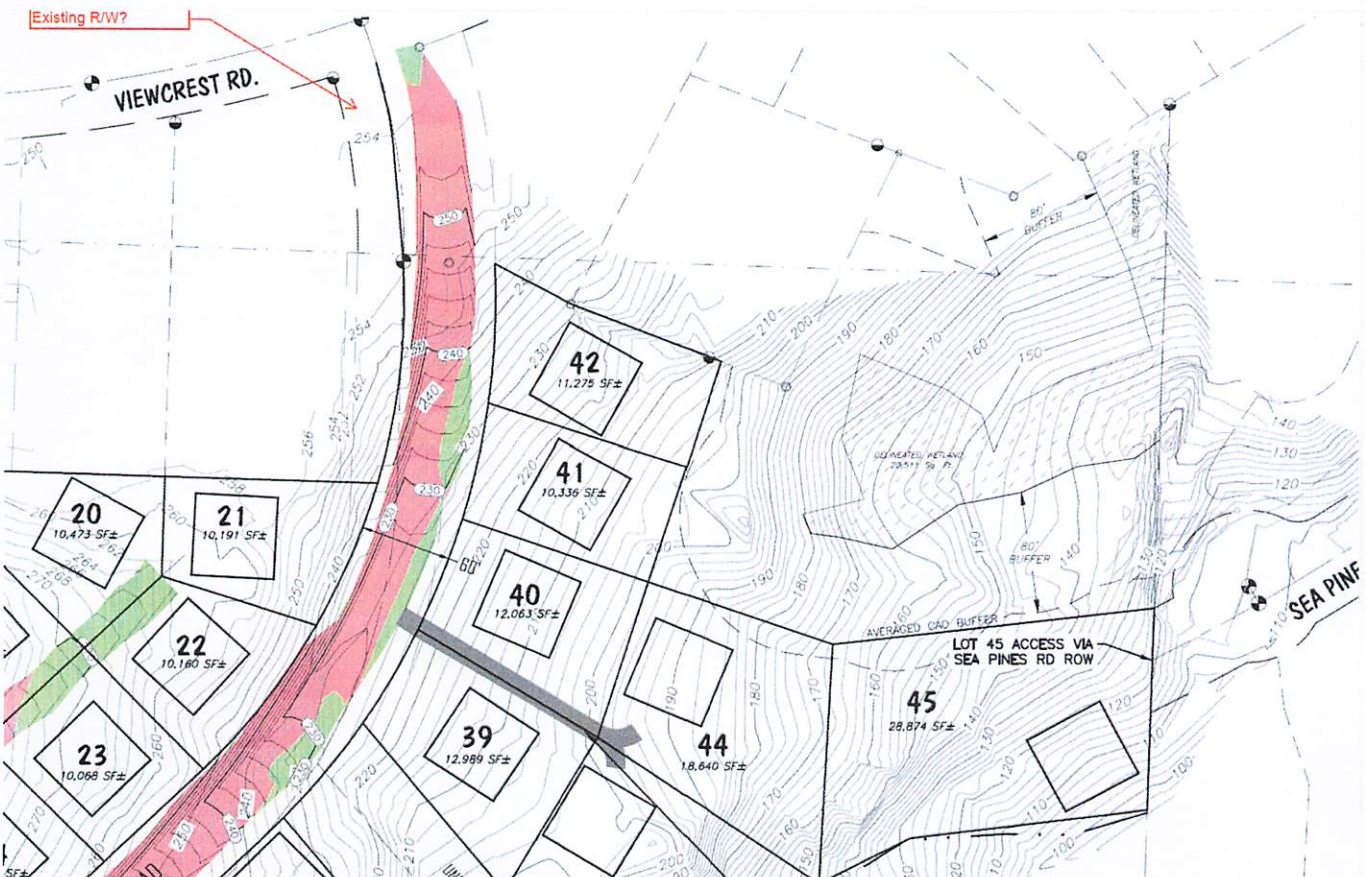
Rud Browne



Sheila Kyle-Browne



Greg Gudbranson



From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Thursday, August 7, 2025 6:37 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Dean Longwell - Retired Architect
Attachments: Public Comment - 794.pdf



City of Bellingham

Public Comment

Entry Details

NAME

Dean Longwell - Retired Architect

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

To:
Kathy Bell Senior Planner
Steve Sundin Senior Planner
Planning and Community Development
Department

Re: MDNS for the Woods at Viewcrest – BMC
enforcement error.

It appears the City's SEPA Review Report
Team has missed a protective BMC
requirement in their review thus I am
requesting a more careful review of the Woods
at Viewcrest Stormwater Plan with respect to
protecting Chuckanut Bay City Park from
inadvertent harm.

The location of the Woods at Viewcrest Stormwater Disposal Outlet cuts the public's access to the western portion of Chuckanut Bay City Park during the wet season. In this instant case, the creation of any mud or impassable mud in Mud Bay is a nuisance which requires an enforcement of BMC 8.04.100 "D".

BMC 8.04.100 "D" prohibits the disposal of all waste materials including litter that are a NUISANCE to the public or endangers the health, safety or comfort of the public inside every Bellingham City Park.

This BMC prohibits the disposal of "ALL WASTE MATERIALS" with no exceptions for stormwater being routed across a shoreline trail. This concern is best illustrated by the Arbutus Place Stormwater Outfall where deep impassable mud exists at the western end of the park in the wet season. In this instant case, a concentration of stormwater disposal water has carved a shallow trench in the tidelands and filled a sizable area with impassable polluted mud.

At the Woods at Viewcrest, the developer has proposed to do the same at a location which would cut Chuckanut Bay City Park into two parts.

One part accessible at all times.

And another part with:

Limited access during the wet season

Yours truly,

Dean Longwell (Retired Architect)
621 Linden Road
Bellingham, WA 98225

EMAIL

DCLONGWELL@COMCAST.NET

DATE

8/7/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Thursday, August 7, 2025 8:41 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Noah Nelson
Attachments: Public Comment - 795.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Noah Nelson
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>As someone who lives directly across the road from the proposed Woods at Viewcrest development, it is incomprehensible that an Environmental Impact Statement will not be required for this project. The proximity to Chuckanut Bay, the corridor it serves to wildlife moving between the bay and upland to the foothills makes the need for an EIS a very basic, even obvious requirement. Please reconsider this decision and do the right thing to ensure an irreplaceable part of the ecosystem is given the care and consideration it deserves. Thank you.</p>
EMAIL	noahnelson@protonmail.com

DATE

8/7/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, August 8, 2025 4:19 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Roberta DeBoard
Attachments: Public Comment - 798.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Roberta DeBoard
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Why would you allow a development project that threatens to disrupt the most beautiful tiny beach in the city...without even requiring an EIS review??</p> <p>I hereby voice my strong opinion that a "Mitigated" Determination of Nonsignificance (DNS) is not sufficient and that a carefully studied and developed, full Environmental Impact Statement should be completed. (We have many excellent resources for this at Huxley/ WWU. Such an EIS Statement should then be carefully considered before any further steps are taken to develop so many homes on a fragile slope above a pristine place of nature!!</p> <p>Remember the 100-acre Woods? If the city</p>

had allowed that development, there would now be 1000+ houses there instead of the beautiful park that so many enjoy every day!! We need to leave something for our children...and future generations!

Respectfully submitted,
Roberta DeBoard
2521 Broad Street, Bellingham, WA

EMAIL

roberta.deboard@gmail.com

DATE

8/8/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, August 8, 2025 4:35 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Justen Graham
Attachments: Public Comment - 800.pdf



City of Bellingham
Public Comment

Entry Details

NAME	Justen Graham
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>This is one of the most special and unique spots left in Whatcom county and it it would be irreparably damaged by a development of this size and scope.</p> <p>Unreplaceable community resources that are at risk;</p> <p>Wildlife habitat for herons, salmon, eagles, and more</p> <p>The integrity of our wetlands, forested cliffs and public shoreline</p> <p>Public safety and community character</p>

The properties and foundations of nearby homes

Mud Bay is likely to be degraded, impacting fish and wildlife survival.

Increased risk that friends and neighbors will be injured in accidents on an unimproved Viewcrest Road and other streets that cannot handle the additional traffic.

After excavating and denuding the development area of the property site, the likelihood is increased that the few trees left standing – as well as trees on neighboring properties - will topple onto homes as a result of windthrow.

Home foundations are more likely to crumble from the effects of blasting and rock breaking.

The frequency and intensity of rock slides is likely to increase.

Increased runoff and erosion from the development is likely to impact properties downhill of the project site and adjacent estuary.

This area needs to be recognized for the unique eco system that it is and preserved and protected.

EMAIL

rocknj15@yahoo.com

DATE

8/6/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, August 8, 2025 4:21 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Tedd L Judd
Attachments: Public Comment - 799.pdf



City of Bellingham

Public Comment

Entry Details

NAME

Tedd L Judd

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

I am writing to request requirement of a full Environmental Impact Statement for the Woods at Viewcrest project, rather than the mitigated determination of non-significance that has been provisionally issued. I support the statements of Support Mud Bay Cliffs (SMBC) and cannot match them in technical detail. I will add but one comment. SMBC notes that when many of the trees are removed the remaining trees will be vulnerable to winds and will be likely to be blown down. This is exactly what happened quite nearby at 693 and 697 Chuckanut Dr N, just north of Old Samish Way. Most trees were removed from the lots to put those houses in. The following winter the tall trees east of the houses all blew

down and across the road because of the removal of the protecting trees. These houses are set back from Mud Bay. The Woods at Viewcrest property is at the top of the cliff and much more exposed to the same winds. It is a near certainty that the remaining trees will blow down in the next few winters, probably landing on houses, roads, vehicles, and power lines.

Please require an EIS, thank you.

Tedd Judd, 2521 Broad St, Bellingham, WA 98225

EMAIL

teddjudd@gmail.com

DATE

8/8/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, August 8, 2025 4:57 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Lisa Kuhn
Attachments: Public Comment - 801.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Lisa Kuhn
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Developing The Woods at Viewcrest would be catastrophic to the Mud Bay environment and wildlife. My husband and I have kayaked at Mud Bay for many years. We can kayak past the unique rock formations and watch the birds in their native habitat.</p> <p>Please keep this space undeveloped so that all people and wildlife can enjoy this open space.</p> <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</p>

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.

EMAIL

lisa@lisakuhn.com

DATE

8/8/2025

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, August 8, 2025 8:44 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Peter Miterko
Attachments: Public Comment - 796.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Peter Miterko
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	I strongly oppose the proposed Mud Bay development. This project disregards the values of climate resilience and responsible land use and threatens vital wetlands and wildlife habitat, including the Post Point great blue heron colony. We should be protecting this natural area, not paving over Mud Bay with luxury single-family homes that do nothing to address Bellingham's housing affordability crisis.
EMAIL	pmiterko@gmail.com
DATE	8/8/2025



MudBayCliffs.org · Info@MudBayCliffs.org

Public Comment / Addendum to Notice of Appeal re: *The Woods at Viewcrest* MDNS issued July 25, 2025

I. Introduction

The Woods at Viewcrest proposal's stormwater management plan (SMP) will cause a significant adverse impact on the environment and public health & safety. In addition, the proposed SMP violates City of Bellingham (COB) regulations regarding the illegal dumping of waste materials in all COB parks, trails and other property under the management of the parks and recreation department.

Because the July 25, 2025 SEPA Mitigated Determination of Non-Significance (MDNS) for *The Woods at Viewcrest* fails to consider this adverse impact and illegal dumping, the MDNS was issued in error. COB must reverse the MDNS, issue a Determination of Significance (DS), and prepare an Environmental Impact Statement (EIS) to analyze this issue - as well as other issues addressed in the August 7, 2025 *Protect Mud Bay Cliffs* (PMBC) Notice of Appeal of the SEPA MDNS and identified by multiple comments submitted by the public.

In order to qualify for an MDNS, the project must not cause a significant adverse impact to the environment - or public health & safety - that cannot be mitigated. Additionally, the project must comply with city, state and federal laws and regulations. *The Woods at Viewcrest* proposal will cause significant adverse impacts to the environment - as well as public health & safety - that cannot be mitigated and does not comply with COB regulations. Accordingly, *The Woods at Viewcrest* proposal does not meet the requirements for an MDNS. The MDNS should not have been issued and must be reversed.

II. Issues

The Woods at Viewcrest stormwater management plan will discharge polluted stormwater¹ onto the shoreline of Mud Bay (aka North Chuckanut Bay), which abuts the project site. Even when treated, the effluent from stormwater discharge remains waste material, which contains a host of pollutants, including toxic contaminants like 6PPD-Quinone. Therefore, the polluted stormwater the project plans to illegally dump onto the Mud Bay shoreline and into the bay qualifies as a “waste material” (“litter”) and constitutes a “public nuisance,” violating BMC 8.04.100.D.

At low tide, Mud Bay empties completely, and the mudflats are virtually devoid of water. Polluted stormwater discharged during low tide will inundate the mudflat and remain in place until the tide returns. When the tide returns, the polluted stormwater will not be diluted and taken out to sea. Instead, the incoming tide will carry the polluted stormwater into the Chuckanut Village Marsh - and the Chuckanut Creek tidal channels.

The end result of this illegal activity is a significant adverse impact to the sensitive ecology of the shoreline, tidelands, salt marsh, and tidal channels, and further significant adverse impacts on the recreational use of these COB-managed properties and the health and safety of the public.

III. Mud Bay is a Sediment Containment System

Exacerbating the issue of illegally dumping polluted stormwater onto the Mud Bay shoreline and into Mud Bay is the fact that Mud Bay is an unintended *Sediment Containment System* (SDS) resulting from the railroad causeway that nearly fully encloses the bay. This causeway allows only limited water exchange through a small trestle and drastically impacts the hydrodynamics of the bay, slowing the flow of water, which leads to sedimentation.

¹ *The Woods at Viewcrest* plans to utilize modular wetland systems to filter stormwater. Contech Engineered Solutions claims that its *Modular Wetlands Linear* system “continues to outperform other treatment methods with superior pollutant removal for TSS, heavy metals, nutrients and hydrocarbons.” However, the *Median Removal Efficiency* of these modular wetlands is only 23% for Nitrogen, 61% for Total Phosphorus, 79% for Motor Oil, and 89% for Total Suspended Solids. Additionally, these modular wetlands are not capable of removing the toxin 6PPD-Quinone. Consequently, stormwater discharged from these modular wetlands retains substantial pollutants, including 6PPD-quinone suspended solids, which is a known toxin for salmon. Additionally, during heavy storms when capacity is exceeded, the system is designed with a bypass weir enabling untreated, unfiltered, polluted stormwater to be discharged directly into Mud Bay. <https://www.conteches.com/media/3emmmop5/modular-wetlands-brochure.pdf>

How the Railroad Causeway Affects Water Flow and Sediment in Mud Bay:

1. Slower Water Flow:

- The causeway blocks or significantly restricts tidal movement.
- The tidal exchange between Mud Bay and the larger Chuckanut Bay is limited, reducing water flow inside Mud Bay.
- This slowdown means that the water velocity is low, allowing suspended particles (silt, clay, and pollutants from stormwater) to settle out of the water column into the bay's bottom.

2. Sediment Accumulation:

- The decrease in current velocity means suspended sediments, which would normally be carried away by the stronger tidal flows, accumulate in the bay.
- Over time, this will create a significant sediment deposit at the bay's bottom.
- In particular, fine-grained sediments (like silt, mud, and pollutants from stormwater) that are typically carried out to sea are instead trapped, gradually filling the bay with sediment.

3. Limited Flushing:

- The small railroad trestle offers only minimal water exchange between Mud Bay and Chuckanut Bay.
- This lack of flushing means that the bay's water doesn't renew itself as quickly as other areas, allowing for higher sediment retention in Mud Bay.

IV. Impact on Public Health & Safety and Recreational Use

The City of Bellingham invested significant public funds to acquire the Mud Bay shoreline, tidelands, mudflats, Category I estuarine wetlands, and salt marsh. These COB-managed, and publicly-owned, lands and water provide essential shoreline access and water-related recreational opportunities for the public.

The illegal dumping of polluted stormwater onto the Mud Bay shoreline and into the bay will create a toxic soup that will cause significant adverse impacts to the environment, public health & safety, and recreational use. It takes little imagination to visualize how years of dumping concentrated pollutants and toxins onto a single location along the shoreline will drastically impair the adjacent areas of the shoreline, tidelands and bay.

This has already been demonstrated within Mud Bay where the Arbutus Place stormwater outfall discharges into the bay. At that precise location, the slimy muck is

so thick that it is virtually impassable. These contaminants have already caused adverse impacts to the shellfish in that area.

If *The Woods at Viewcrest* is allowed to discharge its polluted stormwater onto the Mud Bay shoreline, the entire area adjacent to the dumpsite will become a nuisance and public safety hazard.

V. Relief Requested

PMBC requests that the City of Bellingham and/or the Hearing Examiner reverse the 7/25/25 Mitigated Determination of Non-Significance, issue a Determination of Significance, and require an Environmental Impact Statement be prepared for *The Woods at Viewcrest* project.

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Friday, August 8, 2025 12:01 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -RE Sources
Attachments: Public Comment - 797.pdf; Woods At Viewcrest aka Mud Bay Cliffs Development_08_2025_RE Sources_Comment.pdf



City of Bellingham

Public Comment

Entry Details

NAME	RE Sources
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	Please see attached letter
FILES	Woods At Viewcrest aka Mud Bay Cliffs Development_08_2025_RE Sources_Comment.pdf
EMAIL	kirstenm@re-sources.org
DATE	8/8/2025

To: Steve Sundin, Senior Planner
Kathy Bell, Senior Planner
Planning and Community Development Dept.
City Hall, 210 Lottie St.
Bellingham, WA 98225

Transmitted Online Via: <https://cob.org/gov/public/public-hearing-testimony>

8 Aug 2025

RE: SEPA MDNS decision for The Woods at Viewcrest Development

Dear Mr Sundin and Ms. Bell,

Thank you for the opportunity to comment once again on the proposal to develop the 38-acres on the Mud Bay Cliffs overlooking Chuckanut Bay. After reviewing the updated documents on the City's website and the expanded SEPA review, we still believe that the construction of the 38 properties will have significant environmental impacts.

RE Sources is a non-profit organization located in northwest Washington and founded in 1982. We mobilize people in Northwest Washington to build just and thriving communities and to protect the land, water and climate on which we all depend. RE Sources has thousands of supporters in Whatcom, Skagit, and San Juan counties, and we submit these comments on their behalf.

There has been some effort made by the developers to minimize impacts from the development project but there will still be considerable, long-term environmental and societal damages done.

- The undeveloped, open space that people in the surrounding neighborhoods have come accustomed to and rely on for recreation and tranquility will be destroyed.
- The refugia and habitat corridor that wildlife rely on will be considerably impacted. Blasting and construction noise and chaos for several years will likely spook away the majority of the wildlife. The wildlife analysis found no federally listed species on the property but 28 non-federally recognized species were found and they play significant roles in our ecosystem and still have value.
- Native trees and shrubs will be removed to make way for buildings and roads which will create an ideal pathway for invasive species to take root, further degrading the habitat.
- The documents claim that 80% of the trees will remain in place initially; removing 20% of the canopy and rooting structure can dramatically change the forest climate

and slope stability. Furthermore, there is no guarantee that additional trees won't be removed once people move into their houses, creating more expansive views. This could leave the area much more vulnerable to erosion and wind blown trees.

- The geotechnical reports claim there are risks associated with building on such steep terrain. A landslide could be catastrophic to human lives and property, as well as the water quality in Chuckanut Bay.
- The developers justify the number of properties being built by saying they could legally double that number. The topographic maps tell a different story; the current plan occupies all the more easily buildable flatter areas, leaving only very steep terrain undeveloped. These flatter areas are also the places that wildlife and people use for habitat and recreation, respectively. This means that almost all of the buildable and habitable land will be occupied by buildings.
- Increased impervious surfaces along with toxic building materials, household chemicals, and pets will result in toxic stormwater chemicals being discharged into Chuckanut Bay. The proposed pretreatment of stormwater in modules and detention will help mitigate high flows but it will not filter out stormwater toxics such as 6PPDq, petroleum, sediment, and bacteria. This will further degrade the already impaired Bay.
- Connecting to the City's sewage system should minimize fecal coliform contamination in the short term, but over time sewage pipes can get clogged and damaged resulting in eventual fecal contamination.
- Natural gas may be used to heat the properties which will result in greenhouse gas emissions. Why not limit natural gas for cooking and use electricity for heat? Electric heat pumps will both heat and cool the properties.

This project may have managed to check all the appropriate boxes in the SEPA document and meet the definition of "no net loss" but it is clear to us that this development project will have long lasting impacts. Over time, in reality, there will be a net loss of habitat, a net loss in open space and recreation, a net loss in soil, and a net loss in water quality. Thank you for taking the time to read our letter and listen to the many community concerns about this planned development project. Once this development is done, it can not be undone.

Sincerely,

Kirsten McDade
RE Sources
North Sound Waterkeeper

Heather M Aven

From: Durand Stieger <dstieger@comcast.net>
Sent: Friday, August 8, 2025 12:26 AM
To: Blake G Lyon
Cc: Kathy M Bell; Steven C Sundin
Subject: The Woods at Viewcrest project proposal

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

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

Mr. Blake Lyon
Director, Planning & Community Development Department
City of Bellingham
210 Lottie Street
Bellingham, WA 98225
Via Email

Copy Via Email:
Kathy Bell, Senior Planner
Steven C Sundin

Re: The Woods at Viewcrest project proposal, comment in response to the SEPA MDNS during the 14-day public comment period, which ends on August 8, 2025

Dear Mr. Lyon:

I have concerns for many inadequacies in The Woods at Viewcrest project proposal, now before your Planning and Community Development Department, but the inadequacy I now draw your attention to is regarding the BMC 16.55.460 minimum buffer requirement in landslide hazard areas and the proposal's failure to demonstrate that the code's 50 feet minimum buffer requirement could be reduced for all proposed lots without undue risk of property damage, death, or injury resulting from landslides caused in whole or part by the proposed development.

The proposal's Geotech Report (10/6/22), submitted by Element Solutions, is only a feasibility-level geotechnical evaluation and large-scale geologic hazard assessment, which fails to demonstrate for each proposed lot ample basis for any safe buffer reduction -- and certainly not for a buffer reduction to the proposal's 10 feet. As the Geotech Report itself states (p. 24, Conclusions and Recommendations): "This study was conducted as a feasibility-level evaluation for the plat, and is not intended to present detailed information for individual lot constructions." This Report's same page (ibid.) also includes: "We anticipate conventional design and construction practices will be suitable for this project, assuming a typical level of risk is acceptable." I submit that this high cliff-side project,

in an active geologically hazardous area with a history of landslides, is not the place where "a typical level of risk" should be acceptable

The proposal's Geotech Report also includes (p. 23, Need for Lot-Specific Reviews): "Future studies should be responsible for either confirming the findings and recommendations of this report, including setbacks if applicable, or offering new or revised recommendations based on detailed assessment of a lot." So there you have it, the Report's own acknowledgement that its proposed "setbacks" (buffers) may need "Lot-Specific Reviews."

As a licensed civil engineer (CA, C 15188), my career has been ensuring safe buildings and other structures for the public. In The Woods at Viewcrest project proposal, it now behooves the City of Bellingham to perform its responsibility to ensure (safeguard) that all homesites (lots) that it permits at this cliff-side project are indeed safe for human habitation for many years to come, even after the further cliff-side erosion inevitably caused by this project's development. The residents of Bellingham, now and in the long future, deserve to expect that all City-approved residential lots are indeed safe places for their families to live, and particularly in such a geologically hazardous area as this project.

So I ask you to at least retain the BMC 16.55.460 minimum buffer requirement of 50 feet for this proposed project, until any truly-adequate lot-specific buffer requirements are otherwise prepared by a qualified professional for The Woods at Viewcrest project proposal.

Sincerely,

Durand Stieger
223 E Bakerview Rd, Apt 404
Bellingham, WA 98226

dstieger@comcast.net

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Saturday, August 9, 2025 10:34 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Emily Salcedo
Attachments: Public Comment - 803.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Emily Salcedo
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Hello,</p> <p>I would like to request the mitigation plans, CAR and EIS report for the wetlands, fish and wildlife habitat conservation areas, and geologically hazardous areas on the subject site. I aware I am commenting outside of the public comment period so please let me know if request of these reports requires a formal public records request.</p> <p>Thank you, Emily Salcedo</p>
EMAIL	salcedo.emmily@gmail.com

DATE

8/9/2025

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, August 12, 2025 11:59 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Lori Erbs
Attachments: Public Comment - 807.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Lori Erbs
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>I oppose development of North Chuckanut Bay (The Woods at Viewcrest) - the leadership of Whatcom County and this NW Washington area need to put their foot down and stop enabling continued development of these precious resources. We don't need \$10,000-50,000 more residents in this area! Stop allowing permits for future development and instead create forest reserves and public shares of land trusts - I will certainly contribute to save remaining tracts of nature</p>
EMAIL	lorieji@cs.com

DATE

8/12/2025

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, August 12, 2025 9:30 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Michael J Siptroth
Attachments: Public Comment - 805.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Michael J Siptroth
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	The area under consideration for development is naturally beautiful and rare. The City of Bellingham should seek a buyer of the property so that it can be preserved! The SEPA study results do not appear to be sensitive to this special place for wildlife (including the tree and forest ecosystem) plus negative environmental and cultural significance.
EMAIL	flybill2@wavecable.com
DATE	8/12/2025

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, August 12, 2025 11:13 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Paula M Smith
Attachments: Public Comment - 806.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Paula M Smith
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	I can't imagine this new use of the large area of property is of no impact. Please review.
EMAIL	Paulasdogs2021@outlook.com
DATE	8/12/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Tuesday, August 12, 2025 9:01 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Kendra Wagner
Attachments: Public Comment - 804.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Kendra Wagner
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>The undeveloped, open space that people in the surrounding neighborhoods have come accustomed to and rely on for recreation and tranquility will be destroyed.</p> <p>The refugia and habitat corridor that wildlife rely on will be considerably impacted. Blasting and construction noise and chaos for several years will likely spook away the majority of the wildlife. The wildlife analysis found no federally listed species on the property but 28 non-federally recognized species were found and they play significant roles in our ecosystem and still have value.</p> <p>Native trees and shrubs will be removed to make way for buildings and roads which will create an ideal pathway for invasive species to</p>

take root, further degrading the habitat. The documents claim that 80% of the trees will remain in place initially; removing 20% of the canopy and rooting structure can dramatically change the forest climate and slope stability. Furthermore, there is no guarantee that additional trees won't be removed once people move into their houses, creating more expansive views. This could leave the area much more vulnerable to erosion and wind blown trees.

The geotechnical reports claim there are risks associated with building on such steep terrain. A landslide could be catastrophic to human lives and property, as well as the water quality in Chuckanut Bay.

The developers justify the number of properties being built by saying they could legally double that number. The topographic maps tell a different story; the current plan occupies all the more easily buildable flatter areas, leaving only very steep terrain undeveloped. These flatter areas are also the places that wildlife and people use for habitat and recreation, respectively. This means that almost all of the buildable and habitable land will be occupied by buildings.

Increased impervious surfaces along with toxic building materials, household chemicals, and pets will result in toxic stormwater chemicals being discharged into Chuckanut Bay. The proposed pretreatment of stormwater in modules and detention will help mitigate high flows but it will not filter out stormwater toxics such as 6PPDq, petroleum, sediment, and bacteria. This will further degrade the already impaired Bay.

Connecting to the City's sewage system should minimize fecal coliform contamination in the short term, but over time sewage pipes can get clogged and damaged resulting in eventual fecal contamination.

Natural gas may be used to heat the properties which will result in greenhouse gas emissions. Why not limit natural gas for cooking and use electricity for heat? Electric heat pumps would provide both heating and

cooling for the homes.

This project may have managed to check all the appropriate boxes in the SEPA document and meet the definition of “no net loss” but it is clear to us that this development project will have long lasting impacts. Over time, in reality, there will be a net loss of habitat, a net loss in open space and recreation, a net loss in soil, and a net loss in water quality. Thank you for taking the time to read our letter and listen to the many community concerns about this planned development project. Once this development is done, it can not be undone.

EMAIL

kendrawagner123@gmail.com

DATE

8/12/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 8:05 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Alexis Burton
Attachments: Public Comment - 812.pdf

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City of Bellingham

Public Comment

Entry Details

NAME

Alexis Burton

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

I have walked in the woods above Mud Bay, and I know them to be ecologically delicate. They have a feel to them like the San Juan Islands and we should protect them, not develop them into housing. I know Bellingham is navigating challenges with population pressure and this crisis will not be solved by adding high-income homes to this area. Please protect this space as part of the Mud Bay ecosystem, include it as a park or designated forest area instead of more wealthy housing. We're losing a lot of forest land around the city of Bellingham as it is, and that makes this space all the more precious.

The long term impacts of turning this delicate space into housing has higher risks than the proposals and projections are taking into account. Forested spaces within city limits are part of the draw of this city, allowing modernization to have a touchstone to the nature world. Developing the Mud Bay cliffs denies our community's inherent need for green spaces and removed them from access for more than the human world as well.

EMAIL

alexisrose1018@gmail.com

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 8:00 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Brenda Chevalier
Attachments: Public Comment - 811.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Brenda Chevalier
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	Please please do not destroy this precious habitat hub, wildlife corridor and necessary ecological wetlands along with our beautiful mature trees to build houses for the rich. Please keep our nature intended space as it is. Thank you.
EMAIL	Bren4457@comcast.net
DATE	8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 11:00 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Jeanette Marie Johnson
Attachments: Public Comment - 819.pdf

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City of Bellingham
Public Comment

Entry Details

NAME	Jeanette Marie Johnson
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	No. Just no. Not a sound idea.
EMAIL	jjwildwoman@hotmail.com
DATE	8/13/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, August 13, 2025 7:17 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Marjorie A Leone
Attachments: Public Comment - 810.pdf



City of Bellingham

Public Comment

Entry Details

NAME

Marjorie A Leone

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

I occasionally go for a nighttime paddle in Mud Bay to see the bioluminescence. In doing so, I have observed the Mud Bay area to be wonderfully dark, despite its proximity to, or location within, the City of Bellingham. What a gem. Dark skies are important to animals and humans alike. 38 new homes at The Woods at Viewcrest would significantly reduce the dark, wilderness feeling of this area. Mud Bay is not wild, but it feels to be. Preserve Mud Bay Cliffs!

EMAIL

marj.leone@gmail.com

DATE

8/13/2025

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 8:31 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Piper Mertle
Attachments: Public Comment - 815.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Piper Mertle
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>I am writing to voice my dismay at the continued efforts to push through the proposal to develop luxury homes at "the Woods at Viewcrest".</p> <p>I recently took a Whatcom Museum history cruise along Bellingham Bay, down to Chuckanut Bay and beyond. I was amazed and reminded of the beauty of these shores and the environmental richness they provide to our region.</p> <p>One of the beautiful places we saw on this cruise, was this Woods at Viewcrest area that is proposed to be developed.</p> <p>What a tremendous loss this would be to the</p>

environment and to the wild aesthetic that still exists in our region.

Infilling, that is what we've been told for years, is the answer to our housing problem. These homes would be no answer to a housing problem. These homes would encourage the wealth gap problem and cost all of us, with the deep losses of our unique and beautiful coastline.

Surely a full EIS is next on the to-do list.

Issues such as water, (or do I say lack thereof?), public access, erosion (remember this spring's big landslide?!) etc need to be explored in full.

Respectfully,
Piper Mertle
Bellingham

EMAIL

pipermertle@gmail.com

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 3:35 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Janis Olson
Attachments: Public Comment - 820.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Janis Olson
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	Please require an EIS for this proposed project. The public needs to believe that full transparency and due-diligence was appropriately used in this case.
EMAIL	olsonjanis1@gmail.com
DATE	8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 4:46 PM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Paula Rotondi
Attachments: Public Comment - 821.pdf

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City of Bellingham

Public Comment

Entry Details

NAME

Paula Rotondi

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

Bellingham's bays are already overwhelmed with toxic pollution running into to them from hillside developments. Our bays are often so polluted that people and pets are advised to stay out of the water. Marine life is dying off. The Woods at Viewcrest is simply another make the developer richer scheme that adds to the degradation of our air, land, and water and further diminishes peoples' chance to live decent healthy lives. Local government's primary responsibility is to protect public health and safety. Please do not let some convoluted regulations or threats from private interests deter you from stopping this project.

EMAIL

perotondi@comcast.net

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 8:31 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Michael Sennett
Attachments: Public Comment - 814.pdf

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City of Bellingham

Public Comment

Entry Details

NAME

Michael Sennett

CHOOSE TOPIC

The Woods at Viewcrest

COMMENT OR TESTIMONY

There should be a moratorium on building anything on environmentally sensitive sites such as the Mud Cliffs. The COB has long been supine to developers, how about the COB taking a stand for Nature for a change. The COB has never seen a unbuildable ocean view site that doesn't shout "lets cram more McMansions here so we can reap more property taxes". Slippery slope indeed. And the COB never sees anything but minimum disturbance- they are insulated from any of their kowtows to developers, just like the Port was cushioned from its ABC Recycling decision. "Nothing to hear or see here folks."

The project should be opposed just on the grounds that its chintzy, faux snobbish name is an insult to the citizens of this city.

EMAIL

mdsennett@yahoo.com

DATE

8/13/2025

Heather M Aven

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, August 13, 2025 4:11 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Laura Sheehan
Attachments: Public Comment - 808.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Laura Sheehan
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	I do not support the development of the mud bay cliffs via the woods at view crest. They will not create affordable housing and will destroy what little intact ecosystem along the sea that we have left.
EMAIL	lrsheehan13@hotmail.com
DATE	8/13/2025

From: noreply@cob.org on behalf of City of Bellingham <noreply@cob.org>
Sent: Wednesday, August 13, 2025 7:06 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Laya Shriaberg
Attachments: Public Comment - 809.pdf



City of Bellingham

Public Comment

Entry Details

NAME	Laya Shriaberg
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	I request that you subject the developers of Mud Bay Cliffs to a FULL Environmental Impact Statement (EIS). Our natural ecosystem is EXTREMELY valuable to the people of Bellingham as a place where they can bring their children to know nature in their bodies. Please don't continue to scrape away at the legacy we have for our children and grandchildren: Distant views. Eco-systems of all kinds of animals + animals, beaches, the wide open skies! Please don't fritter away our connection to nature so that 38 rich people can exclusivize the expansive natural view, unroot plants, and contribute to potentially polluting our precious, shared, natural habitat.

EMAIL

laya@spiralsuns.com

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 8:14 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Jackie Sigurdson
Attachments: Public Comment - 813.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Jackie Sigurdson
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Thank you for the opportunity to comment on this.</p> <p>I follow the work of RE Sources and stand by their concerns on this project: The undeveloped, open space that people in the surrounding neighborhoods have come accustomed to and rely on for recreation and tranquility will be destroyed. - The refugia and habitat corridor that wildlife rely on will be considerably impacted. Blasting and construction noise and chaos for several years will likely spook away the majority of the wildlife.</p>

- The wildlife analysis found no federally listed species on the property but 28 non-federally recognized species were found and they play significant roles in our ecosystem and still have value.

- Native trees and shrubs will be removed to make way for buildings and roads which will create an ideal pathway for invasive species to take root, further degrading the habitat.

- The documents claim that 80% of the trees will remain in place initially; removing 20% of the canopy and rooting structure can dramatically change the forest climate and slope stability.

- Furthermore, there is no guarantee that additional trees won't be removed once people move into their houses, creating more expansive views. This could leave the area much more vulnerable to erosion and wind blown trees.

- The geotechnical reports claim there are risks associated with building on such steep terrain. A landslide could be catastrophic to human lives and property, as well as the water quality in Chuckanut Bay.

- The developers justify the number of properties being built by saying they could legally double that number. The topographic maps tell a different story; the current plan occupies all the more easily buildable flatter areas, leaving only very steep terrain undeveloped. These flatter areas are also the places that wildlife and people use for habitat and recreation, respectively. This means that almost all of the buildable and habitable land will be occupied by buildings.

Increased impervious surfaces along with toxic building materials, household chemicals, and pets will result in toxic stormwater chemicals being discharged into Chuckanut Bay. The proposed pretreatment of stormwater in modules and detention will help mitigate high flows but it will not filter out stormwater toxics such as 6PPDq, petroleum, sediment, and bacteria. This will further degrade the already impaired Bay.

- Connecting to the City's sewage system

should minimize fecal coliform contamination in the short term, but over time sewage pipes can get clogged and damaged resulting in eventual fecal contamination.

- Natural gas may be used to heat the properties which will result in greenhouse gas emissions. Why not limit natural gas for cooking and use electricity for heat? Electric heat pumps would provide both heating and cooling for the homes.

Over time, in reality, there will be a net loss of habitat, a net loss in open space and recreation, a net loss in soil, and a net loss in water quality.

EMAIL

jsigurdson19@gmail.com

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 9:02 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Sarah Stanley
Attachments: Public Comment - 816.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Sarah Stanley
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Hello, I am writing to add my voice to those expressing concerns about the potential environmental impacts of this development. I share the concerns already expressed on behalf of numerous community members by Kirsten McDade, RE Sources North Sound Waterkeeper. I agree with RE Sources that, in spite of the SEPA MDNS decision, the development will result in a net loss of habitat, a net loss in open space and recreation, a net loss in soil, and a net loss in water quality. Thank you for receiving my comment.</p>
EMAIL	sarahestanley@gmail.com

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 9:28 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Barbara Sumerwell
Attachments: Public Comment - 818.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Barbara Sumerwell
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>It is appalling that the City of Bellingham would allow this beautiful and ecologically important ecosystem be developed for the sake of 38 wealthy homeowners getting their personal slice of paradise and a developer making a fat profit, let alone doing so without a complete EIS. I have lived in the Lake Whatcom watershed for over a decade, and I am well aware of the impacts of luxury homes crammed along a body of water, as is the City of Bellingham. Toxic runoff, bacteria, erosion, invasive species, traffic, wildlife killed while trying to access the shore, loss of access for others in the community, etc. How can you</p>

believe what a developer tells you? And even if they actually perform measures to protect the water quality as they claim they will, Mud Bay Cliffs will still be a lost resource. Please stop being disingenuous about the impacts and stop this development from proceeding.

EMAIL

bdsunerwell@gmail.com

DATE

8/13/2025

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Wednesday, August 13, 2025 9:06 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Aneka Sweeney
Attachments: Public Comment - 817.pdf

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City of Bellingham
Public Comment

Entry Details

NAME	Aneka Sweeney
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Protect Mud Bay Cliffs!!!!</p> <p>Mud Bay is a place my family enjoys often, whether paddle boarding, beachcombing, or crabbing. The forested area to the north plays a key role in managing stormwater and preventing erosion on the bluff. Building 38 properties here will cause significant environmental harm. Although the developers have tried to reduce the project’s impact, there will still be lasting environmental and community damage. The open, undeveloped space that nearby residents value for recreation and peace will be lost.</p>

The geotechnical reports say building on steep slopes is risky. A landslide could harm people, destroy property, and damage water quality in Chuckanut Bay. More paved surfaces, along with toxic building materials, household chemicals, and pet waste, will create polluted stormwater that will flow into Chuckanut Bay. The planned stormwater system will slow down water flows but will not remove harmful chemicals like 6PPDq, petroleum, sediment, and bacteria. These pollutants will make the Bay's already poor water quality worse.

EMAIL

aneka.sweeney@gmail.com

DATE

8/13/2025

Heather M Aven

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Thursday, August 14, 2025 5:14 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Rebecca Canright
Attachments: Public Comment - 822.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Rebecca Canright
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>Greetings! As a young person, I respectfully and strongly oppose this development. It's critical that we protect our beautiful natural scenery for future generations. Let's safeguard our wildlife and lands. Please oppose this development.</p> <p>Thank you for your time and consideration! Have a great day, Rebecca</p>
EMAIL	rebeccagroovypeace@gmail.com
DATE	8/14/2025

From: notifications@cognitoforms.com on behalf of City of Bellingham
<notifications@cognitoforms.com>
Sent: Thursday, August 14, 2025 10:48 AM
To: G.Proj.Wood at Viewcrest
Subject: Public Comment -Dena Jensen
Attachments: Public Comment - 823.pdf

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City of Bellingham

Public Comment

Entry Details

NAME	Dena Jensen
CHOOSE TOPIC	The Woods at Viewcrest
COMMENT OR TESTIMONY	<p>I support the comment from RE Sources for Sustainable Communities sent to you on August 8, 2025 regarding The Woods at Viewcrest. This valuable organization has been helping community members direct focus and avert dangers to our essential environment that other interests often displace and lose amongst long lists of priorities. I call on you to work hard to ensure the recommendations they conveyed are adopted and carried out and that you also continue to scrutinize this project for ways to prevent tragic damage to our lands, air, waters, and life forms. Living within the blast zone of the BP Cherry Point oil-by-rail facility, and living through derailments and explosions related to</p>

it, I know how important it is to stop long-term and short-term threats to safety, health, and well being from the very start. Once projects are under way, it has proven much harder to propel the action needed to address those threats before tragedy strikes.

Below is the comment sent from RE Sources:

To: Steve Sundin, Senior Planner
Kathy Bell, Senior Planner
Planning and Community Development Dept.
City Hall, 210 Lottie St.
Bellingham, WA 98225

Transmitted Online Via:
<https://cob.org/gov/public/public-hearing-testimony>

8 Aug 2025

RE: SEPA MDNS decision for The Woods at Viewcrest Development

Dear Mr Sundin and Ms. Bell,

Thank you for the opportunity to comment once again on the proposal to develop the 38-acres on the Mud Bay Cliffs overlooking Chuckanut Bay. After reviewing the updated documents on the City's website and the expanded SEPA review, we still believe that the construction of the 38 properties will have significant environmental impacts.

RE Sources is a non-profit organization located in northwest Washington and founded in 1982. We mobilize people in Northwest Washington to build just and thriving communities and to protect the land, water and climate on which we all depend. RE Sources has thousands of supporters in Whatcom, Skagit, and San Juan counties, and we submit these comments on their behalf.

There has been some effort made by the developers to minimize impacts from the

development project but there will still be considerable, long-term environmental and societal damages done.

The undeveloped, open space that people in the surrounding neighborhoods have come accustomed to and rely on for recreation and tranquility will be destroyed.

The refugia and habitat corridor that wildlife rely on will be considerably impacted. Blasting and construction noise and chaos for several years will likely spook away the majority of the wildlife. The wildlife analysis found no federally listed species on the property but 28 non-federally recognized species were found and they play significant roles in our ecosystem and still have value.

Native trees and shrubs will be removed to make way for buildings and roads which will create an ideal pathway for invasive species to take root, further degrading the habitat.

The documents claim that 80% of the trees will remain in place initially; removing 20% of the canopy and rooting structure can dramatically change the forest climate and slope stability. Furthermore, there is no guarantee that additional trees won't be removed once people move into their houses, creating more expansive views. This could leave the area much more vulnerable to erosion and wind blown trees.

The geotechnical reports claim there are risks associated with building on such steep terrain. A landslide could be catastrophic to human lives and property, as well as the water quality in Chuckanut Bay.

The developers justify the number of properties being built by saying they could legally double that number. The topographic maps tell a different story; the current plan occupies all the more easily buildable flatter areas, leaving only very steep terrain undeveloped. These flatter areas are also the places that wildlife and people use for habitat and recreation, respectively. This means that almost all of the buildable and habitable land will be occupied by buildings.

Increased impervious surfaces along with toxic building materials, household chemicals, and pets will result in toxic stormwater chemicals being discharged into Chuckanut Bay. The proposed pretreatment of stormwater in modules and detention will help mitigate high flows but it will not filter out stormwater toxics such as 6PPDq, petroleum, sediment, and bacteria. This will further degrade the already impaired Bay.

Connecting to the City's sewage system should minimize fecal coliform contamination in the short term, but over time sewage pipes can get clogged and damaged resulting in eventual fecal contamination.

Natural gas may be used to heat the properties which will result in greenhouse gas emissions. Why not limit natural gas for cooking and use electricity for heat? Electric heat pumps would provide both heating and cooling for the homes.

This project may have managed to check all the appropriate boxes in the SEPA document and meet the definition of "no net loss" but it is clear to us that this development project will have long lasting impacts. Over time, in reality, there will be a net loss of habitat, a net loss in open space and recreation, a net loss in soil, and a net loss in water quality. Thank you for taking the time to read our letter and listen to the many community concerns about this planned development project. Once this development is done, it can not be undone.

Sincerely,

Kirsten McDade
RE Sources, North Sound Waterkeeper

EMAIL

dbobena@yahoo.com

DATE

8/14/2025