

TO: Kathy Bell, Senior Planner, City of Bellingham  
Steve Sundin, Senior Environmental Planner, City of Bellingham  
Kurt Nabbefeld, SEPA Responsible Official, City of Bellingham  
FROM: Janet Migaki, Bellingham Resident  
DATE: March 12, 2022  
RE: The Woods at Viewcrest, Project # SUB2022-0011

Dear Kathy, Steve, and Kurt,

This message is in regards to: The Woods at Viewcrest, the new housing development being proposed for 37 acres along the N. Chuckanut cliffs. The proposed development is to be built on undisturbed forested land that *daily* experiences severe geologic, hydrologic, and meteorological conditions.

Before approving any sort of development in this environmentally sensitive area, please better understand the negative impacts the development will have on the precarious cliff terrain, the sensitive adjacent wetland complex, and the runoff flowing down gradient into the valuable, yet deteriorating Chuckanut pocket estuary.

- ***An extensive hydrogeologic study needs to be done.***
- ***An EIS needs to be done.***
- ***A more extensive and complete Geotechnical Investigation & Geohazard Report needs to be done.***

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## **[Some] Reasons why the development plans for The Woods at Viewcrest should NOT be approved**

### **I. No hydrogeologic study has been done** - a groundwater and surface water hydrologist must be hired to conduct an extensive hydrologic analysis for the entire proposed site development at The Woods at Viewcrest.

The Geotechnical Investigation & Geohazard Report Conclusions Section 5.8.4 states that “**A hydrogeologic study has not been conducted at this site.....** *Generally speaking, we recommend that all stormwater from new impervious surfaces be captured and managed.*”

The general hydrologic characteristics of the proposed project site dictate the amount of runoff that will occur and where stormwater facilities can be placed.

Expert hydrologic research, observations, data collection, and understanding of site and neighboring hydrology must be employed before designing a stormwater management plan for the proposed site.

The planning and determination of stormwater conveyance pipes, drainage patterns, modular wetland treatment systems, catch basin, etc. needs to be assessed using expert hydrologic data and understanding. A hydrologist/hydrogeologist must be hired and given at least a year to collect, analyze, design and report on BMPs most fitting for the development at The Woods at Viewcrest.

**II. An EIS needs to be conducted** - The proposed development project is likely to have probable adverse environmental impacts. Negative environmental impacts will be both significant (example: further deterioration of one of the area's last pocket estuaries) and cumulatively significant (example: runoff erosion, with unstable hillsides, exposed to tremendous wind shears will amplify landform movements in an already landslide prone area).

**A. Case in point #1:**

From Exhibit F, the Preliminary Storm Water Report- "Storm water treatment requirements for the developed project shall be accomplished with the use of a modular wetland device."

The proposed 4' x 8' and 8' x 8' modular wetland treatment systems are sized small, **based on what data**? If these systems are 'sized' with dimensions too small for incoming runoff, which they appear to be, they default to an "Internal Bypass Weir" - **the stormwater runoff will bypass the treatment system device altogether and drain without treatment or control.**

Model #	Dimensions	WetlandMEDIA Surface Area (sq.ft.)	Treatment Flow Rate (cfs)
MWS-L-4-4	4'x4'	23	0.052
MWS-L-4-6	4'x6'	32	0.073
MWS-L-4-8	4'x8'	50	0.115
MWS-L-8-8	8'x8'	100	0.230
MWS-L-8-12	8'x12'	151	0.346
MWS-L-8-16	8'x16'	201	0.462
MWS-L-8-20	8'x20'	252	0.577
MWS-L-8-24	8'x24'	302	0.693

Source: page 8 @ [https://biocleanenvironmental.com/wp-content/uploads/2022/03/Bio-Clean\\_Product-Catalog\\_2022\\_Volume-1.3\\_3-23-22\\_web.pdf](https://biocleanenvironmental.com/wp-content/uploads/2022/03/Bio-Clean_Product-Catalog_2022_Volume-1.3_3-23-22_web.pdf)

**B. Case in point #2:**

According to #6 of the State's GULD:



December 2015

GENERAL USE LEVEL DESIGNATION FOR BASIC, ENHANCED, AND  
PHOSPHORUS TREATMENT

For the

MWS-Linear Modular Wetland

6. **Discharges from** the MWS - Linear Modular Wetland Stormwater Treatment System units shall not cause or contribute to water quality standards violations in receiving waters.

The commonly used Modular Wetlands Linear system has been tested on numerous sites across the country for its efficacy on removing pollutants. AT BEST, there is mixed results for how effective the treatment system is at removing pollutants:



**Nitrogen and phosphorus are directly linked to low dissolved oxygen levels in receiving waters, and these are primary pollutant problems associated with Chuckanut Creek and the Chuckanut Bay estuary.**

Source: <https://apps.ecology.wa.gov/paris/DownloadDocument.aspx?Id=379897>

### C. Case in point #3:

The SEPA Environmental Checklist Water Runoff question #3 asks: Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? The Woods as Viewcrest proposal answered as ‘NO’, but the answer should be YES!

According to the Geotechnical Investigation & Geohazard Report, when comparing the “Pre-development Watershed Map” to the “Post-developed Watershed Map”, the POST DEVELOPMENT Watershed Map shows significantly more “TOTAL AREA” for TDA 2 which will be DRAINING INTO THE BAY, and there is significantly less “TOTAL AREA” for the TDA 1 and TDA 3 areas.

*It appears that the Post-development Watershed Map shows a 22% increase in area draining into the Bay compared to what the Pre-development Watershed Map shows.*

#### D. Case in point #4:

There is no mention in Application documents for WHO will be responsible for the *continual* significant costs and upkeep required for maintaining the proposed stormwater management plan. Examples of three descriptions of what communities have dealt with in terms of upkeep for one Modular Wetlands Systems unit used for runoff capture and treatment:

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#### Example #1: Modular Wetland System Maintenance Guidelines

##### **Maintenance Summary**

- Remove Trash from Screening Device – average maintenance interval is 6 to 12 months.
  - (5 minute average service time).
- Remove Sediment from Separation Chamber – average maintenance interval is 12 to 24 months.
  - (10 minute average service time).
- Replace Cartridge Filter Media – average maintenance interval 12 to 24 months.
  - (10-15 minute per cartridge average service time).
- Replace Drain Down Filter Media – average maintenance interval is 12 to 24 months.
  - (5 minute average service time).
- Trim Vegetation – average maintenance interval is 6 to 12 months.
  - (Service time varies).

source: After page 9 @ <https://cms2files.revize.com/berwick/Planning%20Docs/Modular%20Wetland%20BMP.pdf>

#### Example #2: Routine MWS Maintenance Schedule

Table B-2. Routine MWS maintenance schedule.

Month Task	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.
Clean Catch Basin Filter	X	X	X	X	X	X	X	X	X	X	X	X
Boom Filter Replacement			X								X	
Dewater and Vacuum Separation Chamber			X				X				X	
Replace Biomedial Filters			X				X				X	
Drain-down Filter Media Block	X						X					
Trim Wetland Vegetation			X									
Remove and replace wetland plants and media (10-year interval)												

source: page B-18 @ [https://www.wbdg.org/FFC/ARMYCOE/PWTB/pwtb\\_200\\_1\\_149.pdf](https://www.wbdg.org/FFC/ARMYCOE/PWTB/pwtb_200_1_149.pdf)

### Example #3

Table B-3. Yearly maintenance cost per unit.

Item	Unit	Qty	Cost*	Total
Monthly Basket Cleanout	Hour	12	\$23.33	\$279.96
Vault Cleanout	Hour	4	\$46.66	\$186.64
Hydrocarbon Booms	Each	1	\$37.98	\$37.98
BioMediaGREEN™ Filter Replacement	Each	4	\$158.88	\$635.52
Native Plant Cutback	Hour	1	\$23.33	\$23.33
<b>Total Cost</b>				<b>\$1,163.43</b>
<b>*Labor based on WG-8; Cost per MWS</b>				

#### Lessons learned

This demonstration and evaluation of off-the-shelf MWS technology showed that the MWS was successful at reducing pollutants of concern from a difficult-to-manage area. Treatment efficacy for this technology ranged from a low of 20% to a high of 99% reduction rates. The chosen location stress-tested this system beyond normal conditions and provided many lessons learned:

1. Hydrological assessment is necessary to determine stormwater runoff peak volumes for proper sizing of the MWS.
2. Site selection for MWS installation proved critical throughout the testing process.
3. Before installing the wetland system, determining potential issues with debris, trash, and other contaminants will be critical to obtain optimal results.
4. Dense vegetation coverage or placement of large stones may be required to hinder vermin such as raccoons and feral cats from using the wetland chamber as a litter box.
5. Maintenance frequency of the MWS is highly dependent on levels of POL and TSS. Subsequently, the maintenance costs can be high.
6. Finally, it is necessary to establish responsibility of MWS maintenance throughout all stages of construction and use, before, during, and after implementation.

Source: page B-23 @ [https://www.wbdg.org/FFC/ARMYCOE/PWTB/pwtb\\_200\\_1\\_149.pdf](https://www.wbdg.org/FFC/ARMYCOE/PWTB/pwtb_200_1_149.pdf)

### III. A more extensive Geotechnical Investigation & Geohazard Report is required -

The extremely complex and challenging terrain encompassing the proposed development area and neighboring sensitive pocket estuary requires state-of-the-art evaluative tools and assessment to be complete and helpful. The current Geotechnical Investigation & Geohazard Report (GIGR) unfortunately reflects poor due diligence, makes incomplete recommendations, and basically passes off responsibility and accountability for the safe development of the 37 acres to individual plot owners and their individual consciences.

The Woods at Viewcrest needs a more thorough GIGR report to assess and evaluate geotechnical and geohazard parameters for:

- the development area with infrastructure facilities as an integrated unit, and
- the individual plots within the development, and
- the areas nearby affecting/affected by the development area.

The known, incredibly strong S/SE wind forces channeling energy up into the Mud Bay cliffs area will also need to be evaluated.

The following are examples of the inadequacies with the current GIGR report. Material found within quotation marks represent information taken directly from the GIGR report:

1. “The site contains various slope features within the development area that are correctly classified as potential LHAs. . . . . select slopes among the middle western and central regions of the site display topography meeting the definition of a critical area slope.” . . . . . Yet to address these challenges and protect the safety of the entire integrated site, the report states: “Detailed lot-specific review and exploration for final design recommendations for structures **is outside the scope of this study** . . . . A lot-by-lot review of existing geohazard features can be completed as needed for the plat approval process under an additional scope of work, if required.”
2. “ . . . . areas within the development zone exceeding the 30% (erosion hazard) and 40% (potential landslide hazard) thresholds per code do not require avoidance or setback criteria. . . . **homes should be carefully sited and designed** where steep grades are present to ensure long-term stability of slopes and structures.”

Geologic hazards along the entire proposed development site present significant potential for loss and destruction to development property, infrastructure, and the surrounding ecologically sensitive Mud Bay. Negatively impacting geologic, hydrologic, and meteorological issues and hazards (such as stormwater capture and management, landslides, gale winds, and earth movements) are not individual plot-specific problems. The development plan should not be approved because the known SIGNIFICANT problems with the development will be passed along to individual plot owners rather than dealt with by the developer.

To go ahead and approve a housing development for a terrain fraught with meteorological, geological, and hydrological peril is unconscionable. The developer must do more to safeguard a smart and safe development plan before bringing in unknowing and unsuspecting property owners.

Before approving any sort of development in this environmentally sensitive area, please better understand the negative impacts the development will have on the precarious cliff terrain, the sensitive adjacent wetland complex, and the runoff flowing down gradient into the valuable yet deteriorating Chuckanut pocket estuary.

- ***An extensive hydrogeologic study needs to be done.***
- ***An EIS needs to be done.***
- ***A more extensive and complete Geotechnical Investigation & Geohazard Report needs to be done.***

Respectfully submitted,  
Janet Migaki, Bellingham Resident

**Aven, Heather M.**

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**From:** Barbara Murtaugh <Babs226@msn.com>  
**Sent:** Saturday, March 12, 2022 11:46 AM  
**To:** Bell, Kathy M.; Sundin, Steven C.; CC - Shared Department (ccmail@cob.org); MY - mayorsoffice@cob.org  
**Subject:** Jones Subdivision

I am writing to express my extreme distress about the development proposed for the cliffs above Chuckanut (Mud) Bay (Jones Subdivision), which strikes me as yet another get-rich opportunity for people who don't give a damn about our environment.

I'm worried about the effect of this development on the flora, fauna, and ecosystem of Mud Bay, where I take my dog regularly to enjoy its tranquility, and also on traffic in the area. Mud Bay will be ruined, and the quality of life in Fairhaven will deteriorate in the face of yet another development.

As a resident of Iris Lane, I was immensely relieved when the City bought the 100-Acre Wood. But here we go again.

I am heartbroken about what would happen to Mud Bay.

Barbara Murtaugh  
1432 Iris Lane  
Bellingham, WA 98229

## Aven, Heather M.

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**From:** Larry Horowitz <dakini1@comcast.net>  
**Sent:** Wednesday, March 23, 2022 12:38 PM  
**To:** Bell, Kathy M.  
**Cc:** Sundin, Steven C.  
**Subject:** Jones Plat/Subdivision  
**Attachments:** Shellfish Safety Map Mud Bay vs Chuckanut Bay.JPG; Mud Bay vs Chuckanut Bay.JPG

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Kathy and Steve,

I think it might be best to submit time-sensitive questions and comments as they arise. There are currently four.

1) A primary concern we have is the timing of the SEPA determination. As you know, our group believes strongly that the potential significant adverse environmental impacts of this proposal require an environmental impact statement. Time and time again, the bias of the applicant-produced technical reports is revealed throughout these reports. Truly independent technical reports would almost certainly arrive at different conclusions and be more transparent.

Beyond the bias, the sheer volume of pages (nearly 800) requires a substantial investment of time and likely the hiring of experts to critically review these reports as well as an attorney to make our case.

Our fear is that we will not have sufficient time for a thorough review before the SEPA Determination is made. Our understanding is the SEPA Determination can be made as soon as the minimum comment period expires. The minimum comment period for the Shoreline Permit application is 30 days while the other applications have a 14-day comment period.

With this in mind, can you provide an estimate as to when the SEPA Determination will be made relative to the date of the Notice of Application?

2) The experts in our group who have reviewed the Stormwater Management Report have found glaring weaknesses. Importantly, the applicant claims that stormwater runoff from TDA 2 is exempt from flow control requirements because Chuckanut Bay is considered a flow control exempt saltwater body. In reality, Mud Bay is distinct from Chuckanut Bay in many respects. Certainly, Mud Bay cannot be considered a free-flowing oceanic system. As evidenced by the WA State Dept of Health Shellfish Safety Map (attached), Mud Bay is not only separately named from Chuckanut Bay, but it exhibits completely unique characteristics. Note that the City's own CityIQ map (also attached) names Mud Bay separately from Chuckanut Bay.

This is an important issue we plan to raise with more detail in our comment letters, but we wanted to apprise the City of this issue as you are reviewing the application materials for completeness.

3) The geotech/geohazard report test pits were all done during the dry season. The application should not be considered complete until a review is done during the wet season.

4) The transportation analysis was completed during the covid pandemic when a large percentage of the workforce worked from home, and many schools were closed to in-person teaching. The report is invalid on its face.



There are many other issues we have discovered and will continue to discover as we plow through these 800 pages. But we thought it was important to alert you to these now.

As always, thanks for the open lines of communication. I look forward to your response to item 1.

Best,  
Larry Horowitz  
360.746.7154

On 3/23/2022 12:17 PM, Bell, Kathy M. wrote:

> Hi Larry.  
>  
> You can submit comments to both Steve and me.  
>  
> Kathy Bell, Senior Planner  
> City of Bellingham  
> Planning and Community Development  
> Tel: (360) 778-8347  
> Website:  
> <https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.cob.org%2F&data=04%7C01%7Ckbell%40cob.org%7C6ff0092ef4354ea8c79708da0d04b2e2%7Cd438603ec0cb4a1286e40001e1d225b9%7C0%7C0%7C637836611239921834%7CUnknown%7CTWFpbGZsb3d8eyJWljoImCM4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C2000&sdata=LM2E2pbVzmvSlsehFDB7OZNHoLoBc4c8G66Dbcw%2Bwrs%3D&reserved=0>  
>  
> My incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56.  
>  
> -----Original Message-----  
> From: Larry Horowitz <dakini1@comcast.net>  
> Sent: Wednesday, March 23, 2022 12:11 PM  
> To: Bell, Kathy M. <kbell@cob.org>  
> Subject: Jones Plat/Subdivision  
>  
> Hi Kathy,  
>  
> Our group has been working our way through the nearly 800 pages of the Jones Plat/Subdivision application materials. As you might imagine, we have many questions and concerns, most of which we'll include in our comment letters.  
>  
> There are several, however, that cannot wait for our comment letters to be submitted and involve city processes and/or substantial issues that may impact the application review.  
>  
> I'm writing to see who I should contact with these questions and concerns. Should I continue to contact you? Or do I need to contact Kurt or Steve?  
>  
> Thanks for your assistance.  
>  
> Best,  
> Larry Horowitz  
> 360.746.7154  
>

> --

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> [il6lk1haWwiLCJXVCi6Mn0%3D%7C2000&sd=IRsPciT1I1RhMXM3Lzwb9aQS69V](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avg.com%2F&data=04%7C01%7Ckbell%40cob.org%7C6ff0092ef4354ea8c79708da0d04b2e2%7Cd438603ec0cb4a1286e40001e1d225b9%7C0%7C0%7C637836611239921834%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C2000&sd=IRsPciT1I1RhMXM3Lzwb9aQS69VzDwJuoxm2JUq1Xj4%3D&reserved=0)

> [zDwJuoxm2JUq1Xj4%3D&reserved=0](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.avg.com%2F&data=04%7C01%7Ckbell%40cob.org%7C6ff0092ef4354ea8c79708da0d04b2e2%7Cd438603ec0cb4a1286e40001e1d225b9%7C0%7C0%7C637836611239921834%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C2000&sd=IRsPciT1I1RhMXM3Lzwb9aQS69VzDwJuoxm2JUq1Xj4%3D&reserved=0)

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Legend

Links

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Last Update: Wed, 23 Mar  
2022 03:00:49 PDT

Washington shellfish  
resources are managed by  
both the DOH (safety &  
water quality) and WDFW  
(harvest regulations).

## Beach Status

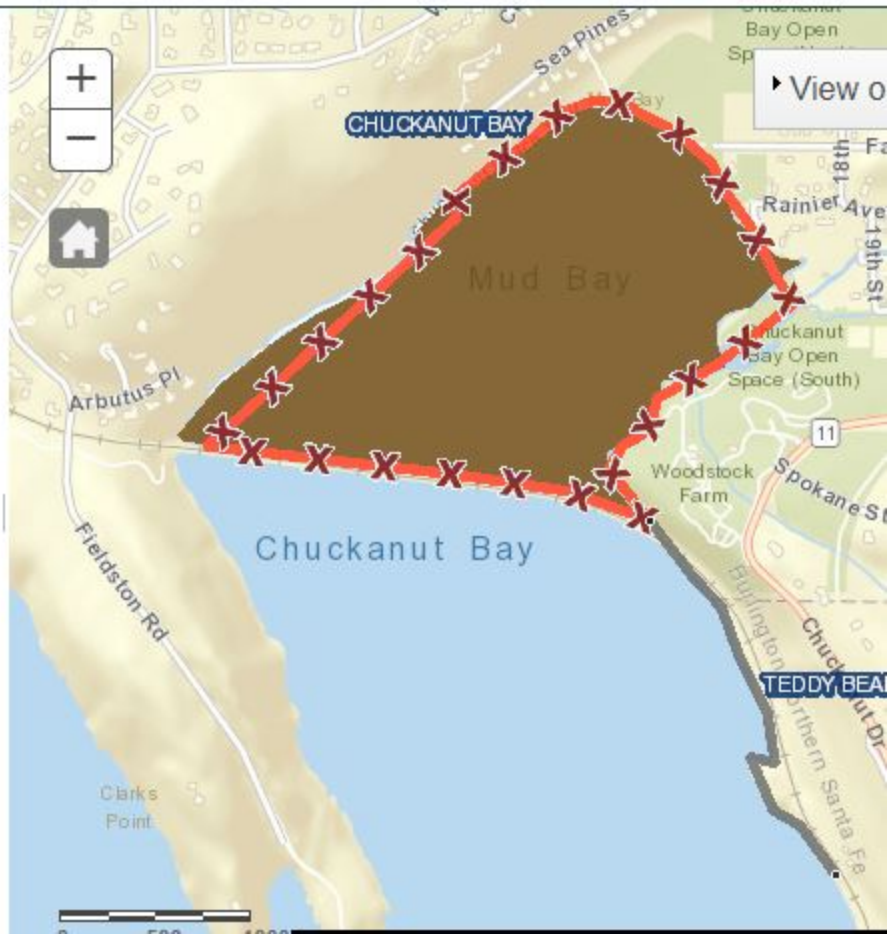
All areas are closed for the  
recreational (sport) harvest  
of scallops due to biotoxins.


### Public Shellfish

Beaches (click beaches for  
info.)



Closed (click beach for





A map showing two bodies of water, Mud Bay and Chuckanut Bay, separated by a dashed line. Mud Bay is a smaller, more irregularly shaped bay to the north, while Chuckanut Bay is a larger, more elongated bay to the south. The land surrounding the bays is colored in shades of green and yellow, with a network of roads and rivers depicted. A prominent road runs along the western shore of both bays, and another road runs along the eastern shore of Mud Bay. A river flows into the eastern side of Mud Bay. The dashed line between the two bays is a thick, black, dashed line that follows the coastline of Chuckanut Bay.

*Mud Bay*

*Chuckanut  
Bay*

## Aven, Heather M.

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**From:** Elizabeth Paley <ezpaley@gmail.com>  
**Sent:** Tuesday, March 29, 2022 1:08 AM  
**Cc:** Elizabeth Paley  
**Subject:** About the situation with the Jones subdivision on Viewcrest Rd & SEPA documents

Hello, Kathy and Steve,

Just to review, this is not my first letter to the city about this development, I own property that hits Viewcrest Rd. nearly straight across from the application's entry road. Our house, itself, is set back quite a ways, but all utilities come up through that dog-leg, & we have a Viewcrest Rd. address. So, I would say we are one of the closest homes to the proposed subdivision.

I have been trying to understand a lot of what was filed along with the application but am not finding the information completely understandable. Sorry. I do have some comments about what I have seen, so far, though. In some cases, I have found errors in documents where two separate entry roads are referred to in the application. There are other places, too, where the initial proposal didn't get edited before application submission. This becomes a source of concern, in case application acceptance now might reflect acceptance of a map with two entry roads that should no longer exist (or other outdated info.) One map shows the newly designed single entry to be almost across from vacated Lyla Ln (our property) when there is definitely a house right across from the Lyla Ln vacation, for example.

As I discussed with you, Kathy, one of my biggest concerns is the traffic impact of having all residents enter from this one block, and although the East Rd is no longer straight across from our entry road here in the CrestView plat, it is only a house or two away. And still, every new resident will impact our property and this tiny stretch of Viewcrest near the single entry road.

I have also examined the full length of Viewcrest, and as we have mentioned in past pedestrian safety meetings with the city, this street is already very unsafe. While providing a main access to and from Chuckanut for street residents and those of all of Edgemoor south of here, the road isn't built for two cars (or particularly trucks or worse, large construction vehicles) to pass side-by-side.. With just two cars passing, we often have to drive off the side of the paved road in the mud to allow another to go the opposite direction. You can see the many muddy ruts along the edges of Viewcrest.

I will go into greater detail when I respond to the application once it's been accepted, but hopefully, by then, I'll be referring to a much more comprehensive study of the various true existing traffic issues (a study that might include all the other impacts beyond the intersection at Chuckanut, & be closer to accurate in numbers now, though still probably low, as the pandemic draws to a close vs. when the application's SEPA traffic study was done in Aug '20 during the deep pandemic). At that point, our neighborhood's safety for both pedestrians and drivers would be far more assured.

After November's record rains, and with much of our yard filling up (photos to document that, if needed) from stormwater runoff (and only draining slowly over time in the saturated soil), I am now far more concerned about the potential of existing homes flooding after the mature trees and other helpful vegetation is replaced with impervious surfaces such as roads, infrastructure, driveways, roofs, etc. I have great respect for the power of water to destroy. For that reason, I have walked with a hoe in hand annually during the fall (and throughout the extended season of fir needles and maple leaves blocking street drains). My goal is to remove obstructions and keep the water from damaging anything downhill. I trained our children to do this with me, and we found that many of the drains were in spots where the grates were higher than the flowing water (worthless). Some have been remedied over the years.

Incredible amounts of water regularly pour downhill on Viewcrest Rd. (going west from approximately where the entry road to the subdivision will be to Fieldston and beyond)...sometimes like a river. This situation exists before the Jones' property's natural absorption system along and above Viewcrest has even been disturbed. The idea of just tying their newly-built road drains & system from above, on the north side of the development at least, into "existing conveyance along Viewcrest" is not at all well thought out. A study including water flow patterns and measurements of the water's depth in test holes needs to be done during cumulative intense rains & after the soil has become saturated (which is often the case for months, and was certainly so from Nov. '21 to late Dec, and longer...including snow.) The

wetland that exists along the east side of our CrestView Plat filled completely with water at one point, and was close to inundating the house to the east of it on Viewcrest before it very slowly percolated down. That took a period of at least 6 weeks. For longer than that, it remained above its normal level. So the measurements of water depth in test pits or other data gathered during summer of '20 or during the longest dry spell and hottest days ever recorded in Bellingham (summer of '21) in the document supporting their decision in section 3c (water) on the SEPA checklist are not indicative of what will happen in winter. This subject needs much more comprehensive testing during the correct season in order to reveal the true situation and whether there are safety issues with the area's stormwaters' extensive runoff.

I could be more specific and cover more topics from the checklist, but suffice it to say that the documents that were included were often less-than-adequate and/or biased. (As in the case of justifying their much smaller lot sizes within the development... saying they were equal to adjacent ones. The actual adjacent homes along Viewcrest by the entry road and within the plat directly across Viewcrest (ours) have some of the largest lots of any in the area but were handily not included.)

My request at this point in time, then, is that the city ask AVT and the Jones family to document more appropriately before the application is accepted. Too many safety issues, in particular, would be left only partially explored if this application were to be accepted, as is. Thorough and unbiased studies are all I am requesting.

Thank you for your time and your concern for our neighborhood. Please let me know you have read this,

Elizabeth Paley

357 Viewcrest Rd

**Aven, Heather M.**

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**From:** Lyon, Blake G.  
**Sent:** Tuesday, April 19, 2022 3:16 PM  
**To:** Bell, Kathy M.  
**Subject:** FW: Jones Edgemoor Subdivision

Kathy,

Here is some additional correspondence for your review and the project file.

Blake Lyon  
Director of Planning & Community Development City of Bellingham  
210 Lottie Street  
Bellingham, WA 98225  
Office: 360-778-8308  
Email: bglyon@cob.org

Please note that email messages are subject to public disclosure requirements per RCW 42.56.

-----Original Message-----

From: MY - mayorsoffice@cob.org <mayorsoffice@cob.org>  
Sent: Tuesday, April 19, 2022 12:13 PM  
To: cheryl platt <fromcher@gmail.com>  
Subject: RE: Jones Edgemoor Subdivision

Dear Cheryl,

On behalf of Mayor Fleetwood, thank you for taking the time to email and share your thoughts about a potential development near your neighborhood. Your concerns have been shared with Mayor and his team as well as the Planning Department.

Best,

Brooksana Raney  
Executive Assistant to the Mayor  
mayorsoffice@cob.org  
360-778-8100

Incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56

-----Original Message-----

From: cheryl platt <fromcher@gmail.com>  
Sent: Tuesday, April 12, 2022 2:18 PM  
To: MY - mayorsoffice@cob.org <mayorsoffice@cob.org>  
Subject: Jones Edgemoor Subdivision

Dear Mayor Fleetwood and City Council:

I want to express my concerns regarding the 38-lot development off Viewcrest in Edgemoor.

This is uniquely sensitive terrain and should really be preserved as watershed and habitat. I hope this most logical option is being considered.

Also, any disruption of the grade will effect the natural drainage throughout the area, below and beyond. There already exists substantial seasonal flooding in the Viewcrest area on both sides of the road.

Cheryl Platt  
514 Cypress Rd

Sent from my iPad



**Aven, Heather M.**

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**From:** Lyon, Blake G.  
**Sent:** Tuesday, April 19, 2022 12:15 PM  
**To:** Bell, Kathy M.  
**Subject:** FW: Concerned about proposed "The Woods at Viewcrest" developemnt

Kathy,

Please see the email below for your consideration and for the project file.

*Blake Lyon*

Director of Planning & Community Development  
City of Bellingham  
210 Lottie Street  
Bellingham, WA 98225  
Office: 360-778-8308  
Email: [bglyon@cob.org](mailto:bglyon@cob.org)

Please note that email messages are subject to public disclosure requirements per RCW 42.56.

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**From:** MY - mayorsoffice@cob.org <mayorsoffice@cob.org>  
**Sent:** Tuesday, April 19, 2022 12:11 PM  
**To:** Rebecca Bunn <rebecca.bunn@gmail.com>  
**Subject:** RE: Concerned about proposed "The Woods at Viewcrest" developemnt

Dear Rebecca,

On behalf of Mayor Fleetwood, thank you for taking the time to email and share your thoughts about a potential development near your neighborhood. Your concerns have been shared with Mayor and his team as well as the Planning Department.

Best,

Brooksana Raney  
Executive Assistant to the Mayor  
[mayorsoffice@cob.org](mailto:mayorsoffice@cob.org)  
360-778-8100

Incoming and outgoing email messages are subject to public disclosure requirements per RCW 42.56

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**From:** Rebecca Bunn <[rebecca.bunn@gmail.com](mailto:rebecca.bunn@gmail.com)>  
**Sent:** Tuesday, April 19, 2022 10:00 AM  
**To:** MY - [mayorsoffice@cob.org](mailto:mayorsoffice@cob.org) <[mayorsoffice@cob.org](mailto:mayorsoffice@cob.org)>  
**Cc:** Andy Bunn <[andy.bunn@gmail.com](mailto:andy.bunn@gmail.com)>  
**Subject:** Concerned about proposed "The Woods at Viewcrest" developemnt

Dear Mayor Fleetwood,

My name is Rebecca Bunn and I have been a resident of Chuckanut Village since 2007. My husband and I have felt blessed to live and raise our three sons next to Chuckanut Creek and the two pocket estuaries that abut our neighborhood. We are also both faculty members in the Department of Environmental Sciences at Western Washington University and understand how difficult it is to restore ecosystems that have been degraded. I am writing now because I am concerned about the 'The Woods at Viewcrest' development proposed for the Jones property and its potential impact on the ecology of North Chuckanut Bay area and the availability of this unique ecosystem for future generations of Bellingham residents.

On your home page you said you were 'animated by the idea of protecting the things we love most about our home.' This special bay provides easy access to a wild place within our city limits and is loved by many city residents. If the Jones development moves forward as proposed, much of the ecosystem function, and the wildness of the place, will be lost.

Although the North Chuckanut Bay area has a history of anthropogenic disturbance, the city has been making progress in reversing some of these effects. For instance, in 2013, the city removed a culvert that slowed water exchange between the estuary and the bay (<https://cob.org/wp-content/uploads/chuckanut-village-marsh-water-quality-improvement-monitoring-report-2013.pdf>). The city has also investigated alterations to the train causeway to improve water exchange under the train trestle (<https://cob.org/wp-content/uploads/4.2-bnsfrw-causeway-potential-modifications.pdf>). If completed, this work could potentially restore tidal energy to the bay and reverse sediment accumulation which is currently degrading eelgrass beds and shellfish habitat ([https://digital.lib.washington.edu/researchworks/bitstream/handle/1773/45012/Benson\\_MESSAGeReport\\_074.pdf;sequence=1](https://digital.lib.washington.edu/researchworks/bitstream/handle/1773/45012/Benson_MESSAGeReport_074.pdf;sequence=1)).

Unfortunately, development of the Jones property will compromise the work being done to restore the function of this ecosystem. For instance, removing the forest in this region will destabilize the slopes, resulting in increased erosion and sediment deposition into the bay. In addition, removing the forest will also reduce habitat for nearshore birds (great blue heron, eagles, kingfishers, etc.). Thinking more long term, losing this forest will degrade the quality of water entering the bay and dramatically reduce the enjoyment of the public that access this public beach.

I voted for you in part because of your strong stance on conserving public places for our community and your promise of working across traditional boundaries. I trust you will bring these values to the table when the development of the Jones property comes across your desk. I understand that you must weigh many factors, and that you can only work within the bounds of our zoning laws, but I implore you to look carefully at this proposal and weigh the benefit to our community if we retain this land in as natural a state as possible, against the financial benefit of individual property owners.

Sincerely,  
Rebecca Bunn  
3625 18th St, Bellingham, WA 98229  
(360) 483-6985  
[rebecca.bunn@gmail.com](mailto:rebecca.bunn@gmail.com)

**Aven, Heather M.**

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**From:** Vanessa Haycock <vanessahaycock45@gmail.com>  
**Sent:** Monday, April 25, 2022 1:52 PM  
**To:** MY - mayorsoffice@cob.org  
**Subject:** NO SUBDIVISION ON MUDBAY CLIFFS

Dear Seth,

Please stop the proposed Jones subdivision on our pristine Mudbay cliff.

Please stop the proposed Jones subdivision on our pristine Mudbay cliff.

Please stop the proposed Jones subdivision on our pristine Mudbay cliff

Please stop the proposed Jones subdivision on our pristine Mudbay cliff.

Please stop the proposed Jones subdivision on our pristine Mudbay cliff.

Please make it YOUR legacy to protect this unique area for generations to come. Make it a park and name it after yourself- I dont care but please please do not let them clear cut this beautiful old land and build houses on it. The environmental concerns could be devastating and the long term loss of this parcel of land will be hideous. Im sure you know all about the increase in traffic in and out of Fairhaven will make our little village seem like Bellevue but do you realise that the houses will be million dollar houses that only rich people who come to Bellingham for the summer will live in - its not affordable housing which is what is needed.

Our future is in your hands. Do the right thing and be proud that you saved this land.

I trust your morals and values will direct you.

*Vanessa Haycock NTS, LMP, CCHT*

*\*Gut Health Formula; Complete guide and protocols to heal your gut naturally*

*\*Schedule Online*

*\*Website*

*\*Latest Article*

*\*Instagram*

**Ph: 360.296.FIVE842**

**Aven, Heather M.**

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**From:** Larry Horowitz <dakini1@comcast.net>  
**Sent:** Monday, April 25, 2022 9:19 AM  
**To:** Bell, Kathy M.  
**Subject:** Jones subdivision: Stormwater Report; Phasing, Request for Information; City Council briefing

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good morning Kathy,

I hope you enjoyed the sunny weekend.

Thanks again for updating me on the Jones applications last week. Our group has a few questions we're hoping you can answer when time allows:

1) **Stormwater Report Sections 5.4 and 5.5:** Has the applicant provided the Planning Department with Sections 5.4 and 5.5 of the Stormwater Report? As you know, Section 6.6 of the report indicates that Section 5.5 details the "treatment method and sizing calculations" for the modular wetland devices. Unfortunately, in [the version of the report we have access to](#), there is no Section 5.5. Nor is there a Section 5.4. And neither are listed in the Table of Contents.

2) **Phasing and average lot size:** Our group is very concerned that the project applicant is applying for a Phasing Plan in which neither Phase 1 nor Phase 2 meets the 20,000 sq ft average lot size requirement for this location.

Phase 1 includes lots 1 through 7, lot 24 and lot 37. These lots average only 19,005 sq ft.

Phase 2 includes lots 8 through 20 and lot 23. These lots average only 15,529 sq ft.

Combining Phases 1 and 2 results in an average lot size of only 16,889 sq ft.

Our group is opposed to permitting any Phasing Plan in which each phase does not meet the 20,000 sf ft average lot size requirement. We believe the applicant should be required to modify its site plan so that each phase meets the requirement. As you know, many developments never complete all phases. If the developer walks away after the second phase, the 16,889 sq ft average lot size is substantially below the legal requirement.

3) **Request for Information & Notice of Application:** We understand that the Planning Department has the option to issue a Request for Information and the Notice of Application concurrently. Because we have not yet seen the missing sections of the Stormwater Report, and because we strongly believe the Phasing Plan violates the intent of the average lot size requirements, our group would not support the Planning Department's decision to take advantage of this option. We believe that option would have us chasing a moving target and require us to submit, revise, and re-submit comment letters. We encourage the Planning Department to issue the Request for Information, receive the requested information, and make the new information available to the public BEFORE issuing a Notice of Application.

4) **City Council briefing:** You had mentioned that the Planning Department informed City Council about this project and advised them to remain independent in the event of an appeal of the Hearing Examiner's decision. When the Planning Department informed City Council about this project, did you do so in writing? If so, would it be possible to receive a copy of what the Planning Department sent to Council? If the information was provided verbally during a Council meeting, can you provide the date of the Council meeting?

As always, thank you for your time in responding to these questions. We greatly appreciate your help in keeping us informed and for your consideration of our concerns.

Best,  
Larry Horowitz  
Landline: 360.746.7154



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**Aven, Heather M.**

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**From:** Chris Ohana <chrisohana@icloud.com>  
**Sent:** Monday, April 25, 2022 3:50 PM  
**To:** MY - mayorsoffice@cob.org  
**Subject:** Mud Bay

Please do not allow developers to take pristine waterfront property and turn it into a subdivision.

Chris Ohana

Sent from my iPad

**Aven, Heather M.**

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**From:** Philip Shantz <philipshantz@gmail.com>  
**Sent:** Monday, April 25, 2022 12:16 PM  
**To:** MY - mayorsoffice@cob.org  
**Subject:** Development above Chuckanut Village

April 25, 2022

Dear Mayor Fleetwood

We are writing today to express our concerns over a proposed development on the hills above the Chuckanut Bay Estuary. The property is owned by the Jones family and the proposal is for a 38-unit subdivision. We feel strongly that the surrounding land and water will not support such a development without significant degradation to the ecosystems.

In 1979 we bought a small cottage in Chuckanut Village and moved our family in the following year. We were "city kids" and it was not lost on us what a great privilege we had procured: being able to live surrounded by woods, water and wildlife.

And with that privilege has come equally great responsibility, not only for our family but also for our neighbors. Many have worked diligently over the years to contest over-development on the fragile lands surrounding this community, and to try to protect the water quality and salmon habitat.

Neither of us is a biologist nor an engineer, and we will let those of our neighbors who are specialists speak to those issues. Nor can we speak knowledgeably to the issues concerning residents on Viewcrest and Fieldston such as ingress, egress, emergency services, infrastructure, etc. But years of wandering and kayaking around this little estuary and observing how quickly damage can occur, informs us that building such a large development above the sandstone cliffs is likely to cause severe environmental damage. The simple forces of wind and water alter the shape and size of the cliff edges every winter as part of a natural course. We fear that the removal of many anchoring trees, the grading of roads and the digging of so many foundations will have an immense and detrimental effect on the fragile cliffs and tidelands below.

Well before you became our mayor, you had a long history of working to protect what is valuable and unique about Bellingham's natural environment. While we do understand that you must act within the law and city planning codes, we also believe that you are in a position to, at a minimum, ask that a draft EIS be the initial requirement before the Jones family can proceed any further. We also ask that you pursue whatever other avenues are available to you to help protect this lovely common resource.

With respect and our thanks,

Philip and Judy Shantz  
1921 Rainier Avenue  
Bellingham



**Aven, Heather M.**

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**From:** Denise Weeks <denise.weeks@comcast.net>  
**Sent:** Monday, April 25, 2022 2:13 PM  
**To:** MY - mayorsoffice@cob.org; CC - Shared Department (ccmail@cob.org)  
**Subject:** Mud Bay Cliffs

Dear Mayor Fleetwood and Council members,

I hope you can see a way to protect Mud Bay and the waters off Chuckanut Bay and beyond from further degradation caused by upstream development. There is so much infill going on in Bellingham—I live near the site of huge apartment buildings going up on Elwood and Samish, and I know that eventually the hillside between Samish and Yew will be developed—so we should leave the outlying areas that support our environment (trees, animals, clean water) alone.

I am an avid paddler and am out on the bay a few times a week. I very much appreciate what we have in Whatcom County and Bellingham and do not see a value in destroying this hillside for a limited number of wealthy homeowners.

Thank you,  
Denise Weeks

**Aven, Heather M.**

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**From:** Serena Tyran <sgtyran@gmail.com>  
**Sent:** Tuesday, April 26, 2022 8:41 AM  
**To:** MY - mayorsoffice@cob.org; CC - Shared Department (ccmail@cob.org)  
**Subject:** Chuckanut Bay Development

Dear Mayor Fleetwood,

I've been having nightmares about the development of Chuckanut bay for years. Not figuratively, but literally. When I was 8: an overpass over the railroad causeway. When I was 10: the trees on the hillside felled. When I was 12: Houses in the place of forest, and me, blindsided, sobbing on the road. Now, at 19, the dream has become lucid. How many years until I come home from college, and in the place of my only home are whitewashed plaster walls and the beady eyes of windows? How long until I'm sobbing on the road, awake enough to feel its texture beneath my hands.

When I got the email that the Jones Subdivision Proposal had been approved for review, I had a panic attack. Then and there, in the middle of a restaurant. The Chuckanut Bay hillside is my happy place. It's my comfort. It's my home, just as it's home to the salal and the eagles and the wind. I've left pieces of my soul along the deer trails and rocks, trusting nowhere else to keep them safe. When I say that Chuckanut Bay is everything to me, I want you to know I mean it. It's where I learned to climb. It's where I learned to paint. It's where I learned to wallow in sadness; to run for joy; to feel mud between my toes and crab pinchers on my thumbs and salt air in my nose. It's where I learned freedom. Chuckanut Bay is where I learned myself.

I have spent my childhood exploring the intricate labyrinthine pathways that trace the bay. It's stunning. If you've never walked all the way from Woodstock to the tunnel at low tide, or climbed up chimneys to the zenith of magnificent sandstone cliffs, or sat atop a beach boulder in the sun-- god, I can't explain it. It's perfect. The forest there is like nothing I've ever seen. The steepness of the terrain and the airy bark of madrones lend an ethereal power to the wind. The clay in the soil and the warm yellow of the rock are earthy and soothing. The wisdom of the cedars and rich green of Oregon Grape have given me strength when I've needed it most.

And I'm not the only one. Chuckanut Village has sustained itself for over 100 years. We've built our community between the trees and the wetlands and the water. It's special. I cannot articulate the depth of it. If you grew up there, you feel it in your bones. And I've only been around a few decades. The families that have been there the whole time; I cannot begin to comprehend what they are going through. Imagine being watched over by the same hillside for a century, and then start preaching the inevitability of change.

Chuckanut Bay is not a neglected empty lot. It is not the 'missing link of Edgemore'. It is not something to be filled in. It's full enough; to tear what is already there away would be to empty it of its very essence. It would be to rip the Village from its protector. It would be to suck the life force from the most beautiful, uniquely pristine forest in Bellingham. It would be to forcefully amputate a part of me. It has cared for me, and now it is my turn to care for it. I will do everything in my power to protect this land.

Thank you for your consideration,

Serena Tyran

**Aven, Heather M.**

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**From:** MY - mayorsoffice@cob.org  
**Sent:** Tuesday, May 24, 2022 2:38 PM  
**To:** Laura Mackenzie  
**Subject:** RE: Comments about the Jones Family development project: The Woods at Viewcrest

Dear Laura,

On behalf of Mayor Fleetwood, thank you for taking the time to email him your concerns about the Woods at Viewcrest (also known as the Jones Property). I have shared your message with Mayor and members of the Planning Department.

Best,

Brooksana Raney  
Executive Assistant to Mayor Fleetwood  
City of Bellingham  
360-778-8100  
[mayorsoffice@cob.org](mailto:mayorsoffice@cob.org)

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**From:** Laura Mackenzie <lmackenzie31@gmail.com>  
**Sent:** Monday, May 23, 2022 12:27 PM  
**To:** MY - mayorsoffice@cob.org <mayorsoffice@cob.org>; CC - Shared Department (ccmail@cob.org) <ccmail@cob.org>  
**Subject:** Comments about the Jones Family development project: The Woods at Viewcrest

Dear Mayor Fleetwood and COB Council Members,  
My husband, Wayne Gerner, and I live directly across Chuckanut Bay from this proposed development. Please look at the attached picture. This forested cliffside and sandstone formations are what we see every morning when we begin our day. You can see the homes from the Briza/Sea Pines area and up on top of Viewcrest on the right. On the left, there are homes above the train tunnel leading to Fairhaven. It sickens me to think that this beautiful forested area could be changed for the worse if this development project is allowed to proceed.

We don't need more mega-million dollar homes. At the very least, what if just a few homes along the top of the ridge along Viewcrest are built and leave the rest alone? How about making this precious cliffside forest and bay area part of the COB Urban Forestry Management Plan?

What about Greenways funds, or a conservation easement, or partnering with the Whatcom Land Trust to save this space? If you can buy up land to save a colony of great blue herons at Post Point, then why not make a similar effort to stop this inappropriate form of urban infill? (BTW, the herons live here, too.) What's the point in saving the Chuckanut Bay Pocket Estuary when this type of development is utterly contrary to preserving this sacred space?

Other neighbors of mine have already written eloquent letters to you and I don't need to repeat what's been already said by John Goodman and Rebecca Bunn. I'll continue to monitor this development progress and make further comments when the time comes.

I'll close with a quote from Henry David Thoreau: "A man is rich in proportion to the number of things which he can afford to let alone." Can the Jones family afford to leave this property alone? What a legacy for them to leave behind if

they were willing to change their minds and choose to not develop this property. What a legacy for COB to enable saving this forested cliffside by Chuckanut Bay. Thank you for reading.

Laura Mackenzie  
3615 18th Street  
Bellingham, WA 98229  
[lmackenzie31@gmail.com](mailto:lmackenzie31@gmail.com)

**Aven, Heather M.**

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**From:** Sherry Miller <homes@sherrym.net>  
**Sent:** Tuesday, March 22, 2022 8:51 AM  
**To:** Bell, Kathy M.  
**Subject:** Jones Project

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542.

Sherry Miller  
628 Fieldston Rd  
Bellingham, 98225

Sent from [Mail](#) for Windows

**Aven, Heather M.**

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**From:** D R <dprangelito@gmail.com>  
**Sent:** Saturday, August 20, 2022 9:14 AM  
**To:** Bell, Kathy M.  
**Subject:** Jones Preliminary Plat

Hello Kathy Bell,

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542.

My mailing address is:

251 S Garden St, Bellingham WA, 98225

Thank you for keeping me updated.

-David

**Aven, Heather M.**

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**From:** Peterteresajennifer <peterteresajennifer@comcast.net>  
**Sent:** Saturday, August 20, 2022 9:55 AM  
**To:** Bell, Kathy M.  
**Subject:** Chuckanut Bay Development

Please accept this email as my request to receive all notices regarding the Jones Preliminary Plat subdivision application at 352 Viewcrest Rd / Parcel # 370213075542". Include in the subject line *Jones Preliminary Plat*

Teresa Hamilton  
2402 30th Street  
Bellingham Washington 98225  
Peterteresajennifer@comcast.net