Exhibit J

CRITICAL AREAS MITIGATION BANK USE PLAN FOR LINDSHIER AVENUE PROPERTY

Bellingham, Washington
Parcel No. 380316-159249

for
Cool Runnings Construction, LLC

March 3, 2025

Project 220019

MILLER ENVIRONMENTAL SERVICES, LLC

CRITICAL AREAS MITIGATION BANK USE PLAN FOR LINDSHIER AVENUE PROPERTY PARCEL 380316-159249

Bellingham, Washington

March 3, 2025

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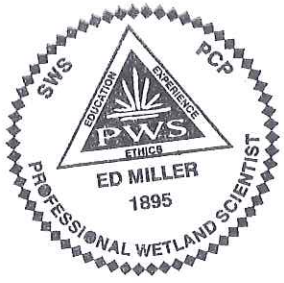

Author Qualifications

This report was prepared by Ed Miller.

Ed Miller is a senior biologist and owner of Miller Environmental Services, LLC, who specializes in wetlands, wildlife, and habitat assessment. He is a Society of Wetland Scientists certified Professional Wetland Scientist (PWS), #1895. Mr. Miller has obtained a Bachelor of Science in Terrestrial Ecology from Western Washington University in 1993 and a Masters of Environmental Science and Management with a focus on Watershed Management at the University of California at Santa Barbara in 2000. His 19 years of experience includes preparing wetland delineations and reports, wetland functional assessments, stream and shoreline ordinary high water mark determinations, habitat conservation area reports, mitigation design, mitigation monitoring and floodplain habitat assessments for FEMA Endangered Species Act compliance. Mr. Miller has completed project permitting and compliance for agencies including U.S. Army Corps of Engineers (Corps), U.S. Fish and Wildlife Service (USFWS), Washington Department of Fish and Wildlife (WDFW), Washington Department of Ecology (Ecology).

Disclaimer

This report, wetland and/or stream delineation, and/or marine ordinary high watermark determination, is based on protocols that are described and defined in manuals and publications utilized by Federal, State, and Local agencies. The wetland delineation methodology used is consistent with the *Washington State Wetlands Identification and Delineation Manual* (Ecology, 1997), the *U.S. Army Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987), *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (Corps, 2010), and subsequent Corps guidance. Ordinary high water mark determinations were performed based on Department of Ecology guidelines from *Determining the Ordinary High Water Mark for Shoreline Management Act Compliance in Washington State* (Ecology, 2016). This report is based on requirements from the local jurisdiction and any associated policies or code interpretations that have been approved and made available to the public at the time of this report. Completed work is based on conditions at the time of the site visit. No guarantees are given that a delineation determination or assessment will concur exactly with those performed by regulatory agencies or by other qualified professionals.

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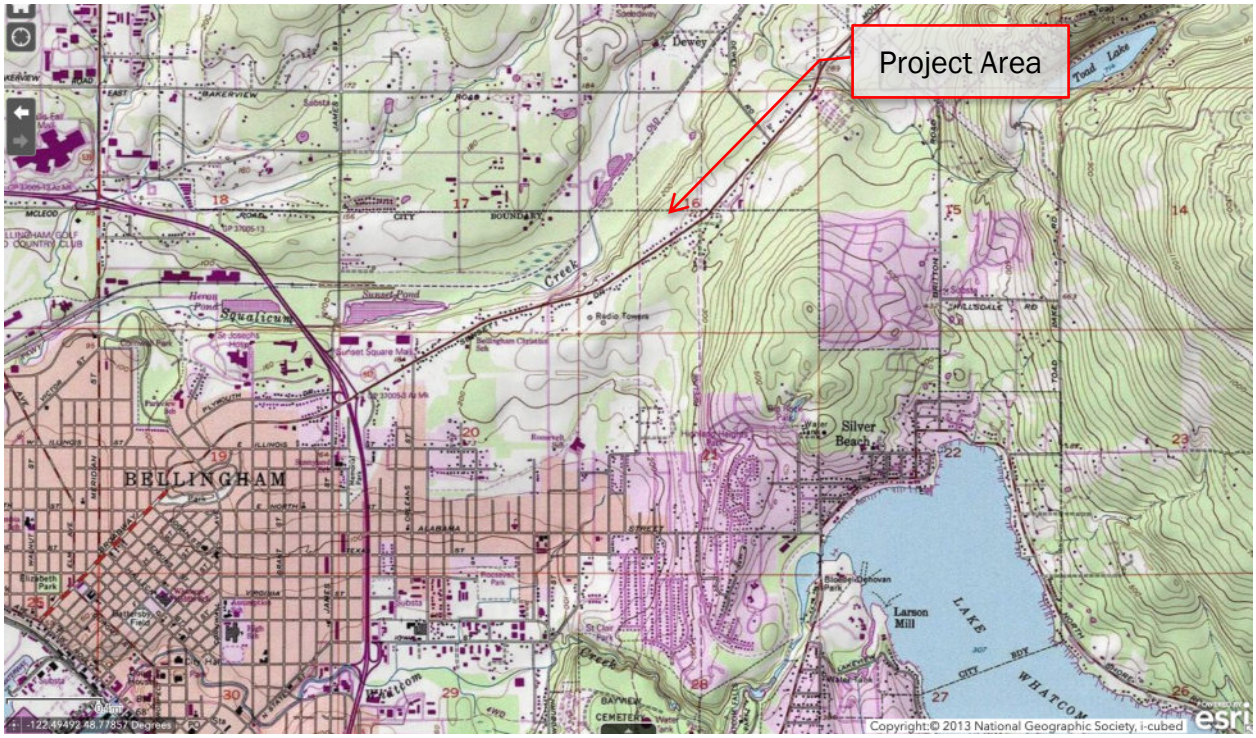
1.0 INTRODUCTION

At the request of the applicant, Cool Runnings Construction, LLC, Miller Environmental Services, LLC (MES) completed this mitigation bank use plan for the Lindshier Avenue project (tax parcel 380316-159249), located on the northwest side of Lindshier Avenue, just northwest of East Sunset Drive in Bellingham, Washington; Section 16, Township 38 N, Range 03 E, W.M. The project location is shown below on **Figure 1.** A map of the property and critical areas is included as **Appendix A.**

A critical areas report for Wetlands and Habitat Conservation Areas was completed separately (Miller Environmental Services; May 10, 2024) for the Lindshier Avenue Property.

The project location is shown below on **Figure 1.** A map of the subject property and proposed project is included as **Appendix A.**

Figure 1: Vicinity Map



1.1 PURPOSE

This Mitigation Bank Use Plan was prepared as required by the City of Bellingham 2016 Critical Areas Ordinance (CAO). This report includes mitigation for proposed wetland fill to onsite wetlands as shown on the site maps in **Appendix A.** A separate wetland delineation was completed and documented in a separate report –*Critical Areas Report: Wetlands and Habitat Conservation Areas for Lindshier Avenue Property* (MES; May 10, 2024).

2.0 METHODS

2.1 FIELD INVESTIGATION

A site investigation of the property was conducted on May 4 and 5, 2022 to document site conditions. This included a wetland delineation, an assessment of onsite habitat, and documentation of potential mitigation opportunities. Wetland boundaries and data plot locations were flagged and located by professional land surveyors. Site photographs taken during the site visit are included within **Appendix B**.

3.0 PROJECT AREA SETTING

3.1 WATERSHED

The property is located within the Lower Squalicum watershed, draining to Bellingham Bay - within Water Resource Inventory Area (WRIA) number 01.

The property contains a higher shelf area on the south side of the property, just north of Lindshier Avenue. A steep slope is located through the center of the property, draining water to the northwest. Water drains across the site to the northwest and down the steep slope. Several seasonal drainages are located within ravines on the slope, carrying water from the upper portion of the property (and offsite areas to the south) to the northwest. Additionally, water drains onto the property via a stormwater outfall, consisting of an outfall pipe and short ditch extended onto the property. This stormwater outfall collects water from Sunset Drive, Evergreen Avenue, Vincent Street and Idell Drive – all to the south.

3.2 PROJECT VICINITY

The subject property is located in the eastern portion of Bellingham, to the north of East Sunset Drive, within the Barkley neighborhood. A small residential neighborhood is located to the south between Lindshier Avenue and East Sunset Drive. Areas to the north, east and west are undeveloped forest habitat.

3.3 PROJECT SITE

The review area includes all of the 4.91-acre property and a portion of Washington Department of Natural Resources Property (DNR) to the north of the east side of the property. The entire property contains forest habitat - dominated by Douglas fir (*Pseudotsuga menziesii*), western red cedar (*Thuja plicata*), big leaf maple (*Acer circinatum*), red alder (*Alnus rubra*), paper birch (*Betula papyrifera*), snowberry (*Symphoricarpos albus*), vine maple (*Acer circinatum*), Indian plum (*Oemleria cerasiformis*) and sword fern (*Polystichum munitum*).

Nine wetlands were located on the subject property, two extending offsite to the north and one extending offsite to the southeast. Three additional wetlands were observed on the adjacent DNR property to the north and two additional wetlands were observed in the undeveloped portion of the Lindshier Avenue right of way (ROW) adjacent to the property.

A site map is included in **Appendix A**. Site photographs are included in **Appendix B**.

4.0 RESULTS

4.1 FIELD INVESTIGATION

Nine wetlands were located on the subject property, two extending offsite to the north and one extending offsite to the southeast. Three additional wetlands were observed on the adjacent property to the north and two additional wetlands were observed in the undeveloped portion of the Lindshier Avenue right of way (ROW) adjacent to the east side of the property.

These wetlands are summarized below in **Table 2**. MES flagged all onsite wetland boundaries, which were subsequently surveyed by professional land surveyors and mapped in AutoCAD.

Table 1: Project Wetlands Summary

Wetland	Cowardin Classification	Ecology Category	HGM Class	Ecology Habitat Score	City of Bellingham Buffer Width (Feet)[1]
A (offsite)	PFO	III	Depressional	Moderate (5)	150
B (offsite)	PFO	III	Depressional	Moderate (5)	150
C (offsite)	PSS	IV	Depressional	Moderate (5)	0[2]
D	PSS	III	Depressional	Moderate (5)	150
E	PSS	III	Slope	Moderate (5)	150
F (offsite)	PFO	III	Depressional	Moderate (5)	150
G	PFO	III	Depressional	Moderate (5)	0[2]
H (offsite)	PSS	III	Depressional	Moderate (5)	0[2]
I	PEM	III	Slope	Moderate (5)	150
J	PSS	III	Depressional	Moderate (5)	0[2]
K	PSS	III	Slope	Moderate (5)	150
L	PSS	III	Depressional	Moderate (5)	150
M	PSS	III	Depressional	Moderate (5)	150
N	PFO/PEM	III	Depressional	Moderate (6)	150

[1]Assumes high intensity land use proposal – more than one unit per acre.
[2]Wetlands C, D, H and J are exempt from buffer requirements, per BMC 16.55.270(B)(1).

As described in the Critical Areas Report (Mes; May 10, 2024). Fish and wildlife habitat conservation areas that were observed and/or may be located on the property include priority streams, high quality ecosystem, and bat habitat.

Several steep drainages were observed on the property. These are located within steep erosional ravines down the steep slope. These would be considered non-fish streams under City of Bellingham code, requiring a 50-foot minimum buffer. Drainage 1 receives a significant amount of stormwater from a storm drain outfall at the south side of the property.

The forest habitat on the property is contiguous with forest habitat and wetlands to the north and west. This habitat can be The City of Bellingham Habitat Restoration Technical

Assessment (ESA et. al., 2015) shows the property within forest block 072, designated as forest block protection – due to the large area of extended forest habitat, associated wetlands (to the northwest) and Squalicum Creek (to the northwest). The portion of the forest block on the property is not mapped as a restoration action. Additionally, the City of Bellingham Wildlife Corridor Analysis (Diamond Head Consulting, 2021) shows the forest area to the north and west and including the property as an important wildlife habitat area.

Accordingly, the area of forest habitat on the property, previously described as high quality ecosystem, can also be considered a priority habitat – biodiversity area as described in the WDFW priority habitats and species list. This is equivalent to the City designation of land useful or essential for preserving connections between habitat blocks and open spaces. Though, as noted in the Wildlife Corridor Analysis, the area is a portion of a habitat block that extends to the north and west.

Bat species have been mapped within the township inclusive of the subject property. Bats may utilize the forest area for foraging, roosting and nesting.

5.0 REGULATORY REQUIREMENTS

The wetlands identified on the property are subject to federal regulations under the Clean Water Act (CWA) Section 404, as well as state regulations under the Growth Management Act administered by the City of Bellingham under the CAO.

5.1 CWA SECTION 404- ARMY CORPS OF ENGINEERS

Pursuant to Section 404 of the Clean Water Act (CWA), the Corps regulates the discharge of dredged and/or fill material into waters of the United States, including wetlands and streams. The applicant will be applying for nationwide permit coverage for less than 0.5 acre of proposed wetland fill.

5.2 CWA SECTION 401- DEPARTMENT OF ECOLOGY

The Department of Ecology is the state agency responsible for administering the CWA Section 401 Water Quality Certification program. Wetland impacts requiring a Corps permit under Section 404 of the CWA are also subject to the provisions of Section 401. Corps regulations require that a 401 Certification or waiver thereof be issued by the responsible state agency before the 404 permit becomes valid. If onsite wetlands are not determined to be waters of the U.S. by the Corps, Ecology will regulate wetlands under an administrative order.

5.3 CRITICAL AREAS ORDINANCE- CITY OF BELLINGHAM

The City of Bellingham regulates critical areas, including wetlands and their associated buffers, and fish and wildlife habitat conservation areas under Title 16, Chapter 55 of the Bellingham Municipal Code. Impacts to wetlands and buffers require a Critical Area Permit and compensatory mitigation. Buffer widths are determined based on the proposed land use intensity, wetland category, and habitat score. Wetland buffers are listed in **Table 2**. Wetlands C, G, H and J are exempt from buffer requirements due to their wetland rating (Category III), small size (less than 1,000 square feet), hydrologic isolation and lack of special

characteristics. Additionally, these wetlands (C, G, H and J) are exempt from mitigation sequencing as specified in BMC 16.55.350.

The drainages located on the property were designated as non-fish streams, due to their small size and extreme gradient. Under City of Bellingham Code non-fish streams require a minimum 50 foot buffer.

6.0 PROJECT DESCRIPTION AND IMPACT ASSESSMENT

The applicant for the project at the 2825 Lindshier Avenue property is proposing to create three additional lots on the property – for a total of four lots. These lots will front Lindshier Avenue along the south side of the property. The creation of the lots will facilitate the eventual construction of access and residences on the proposed lots. This will necessitate limited direct and indirect wetland fill to small low category wetlands on the property. Direct wetland impacts will occur to Wetlands G, H and L with the extension of Lindshier Avenue to the east and Wetlands I, J and M will be directly impacted by the placement of residential units. While development is not planned over Wetlands I and J the development is so close and would remove hydrologic contributing areas that these wetlands will be functionally filled and have been tabulated as direct fill. Wetland L will be partially filled with the remaining area so impacted, the entire wetland is tabulated as direct impact.

Indirect impacts will occur to the remaining wetlands on site and wetlands offsite to the north. No buffer impacts are proposed. Proposed direct wetland impacts total 2,958 square feet and indirect wetland impacts total 8,451 square feet.

Site plans showing the existing conditions, proposed project and impacts are in **Appendix A**.

6.1 WETLAND IMPACTS

The proposed residential project necessitates filling Wetlands G, H, I, J, L and M. Indirect wetland impacts will occur to Wetlands A, B, C, D, E, F and K. Total proposed direct wetland impact is 2,958 square feet and total proposed indirect wetland impact is 8,451 square feet.

Specifically, Wetlands G and H will be filled with the extension of Lindshier Avenue to access the eastern side of the property. These wetlands are located in the Lindshier Avenue right of way (ROW). Wetland L is located adjacent and immediately downgradient of the Lindshier ROW and would be partially filled with roadway and sideway. The remaining portion would be so impacted that the entire wetland will be functionally filled. Wetland I is located downgradient and adjacent to a proposed residential unit. The wetland is a slope wetland that receives water from Wetland K and upslope areas to the south. The construction of the residence will remove these contributing areas and functionally fill this wetland. Similarly, Wetland J is a small depressional wetland that will be immediately adjacent to a residence. The contributing area of the wetland will be developed and the wetland functionally filled.

The proposed impacts and associated mitigation are included in the table below. The location of proposed impacts and mitigation are shown on the attached maps in **Appendix A**.

Table 2: Proposed Critical Areas Impacts and Mitigation

Type of Impact	Impact Area (square feet)	Impact Area (acres)	Mitigation Type and size (square feet)
Wetland Direct Impacts			
Wetland G (Category III)	426	0.010	Lummi Mitigation bank – 0.010 credit
Wetland H (Category III)	418	0.010	Lummi Mitigation bank – 0.010 credit
Wetland I (Category III)	620	0.014	Lummi Mitigation bank – 0.014 credit
Wetland J (Category III)	286	0.007	Lummi Mitigation bank – 0.007 credit
Wetland L (Category III)	313	0.007	Lummi Mitigation bank – 0.007 credit
Wetland M (Category III)	895	0.020	Lummi Mitigation bank – 0.020 credit
Total Direct Fill:	***2,958***	0.068	**Lummi Mitigation Bank – 0.068 credit**
Wetland Indirect Impacts[1]			
Wetland A (Category III)	1,810	0.42	Lummi Mitigation bank – 0.021 credit
Wetland B (Category III)	1,211	0.028	Lummi Mitigation bank – 0.014 credit
Wetland C (Category IV)	105	0.002	Lummi Mitigation bank – 0.001 credit
Wetland D (Category III)	1,272	0.029	Lummi Mitigation bank – 0.015 credit
Wetland E (Category III)	1,527	0.035	Lummi Mitigation bank – 0.017 credit
Wetland F (Category III)	1,542	0.035	Lummi Mitigation bank – 0.0.18 credit
Wetland K (Category III)	984	0.023	Lummi Mitigation bank – 0.011 credit
Total Indirect Impact:	***8,451***	0.194	**Lummi Mitigation Bank – 0.097 credit**

[1]Indirect wetland impacts will be mitigated at one half the standard ratio

Mitigation for direct and indirect wetland impacts is proposed with the purchase of Lummi Nation Wetland Mitigation Bank credits. Per the approved mitigation banking instrument credits for fill of Category III wetlands are at a 1 to 1 ratio and at a 0.85 to 1 (credit to impact) for fill of Category IV wetlands. Mitigation for the proposed indirect impacts will be offset at one half the standard ratio. The mitigation bank is considered advance mitigation with credits released for sale only as areas have been installed and reviewed as successful by the

regulatory agencies (U.S. Army Corps of Engineers). Thus, purchase of credits will immediately replace lost functions.

A summary of wetland impacts by classification type is included in **Table 3** below.

Table 3: Wetland Direct Impact Summary by Classification

Classification System	Class	Area of Permanent Impact (acres)
Washington State Rating	I	0
	II	0
	III	0.068
	IV	0
Cowardin Classification	PFO	0.010
	PSS	0.044
	PEM	0.014
	PAB	0
	POW	0
Hydrogeomorphic	Depressional	0.054
	Riverine	0
	Slope	0.014
	Flats	0
	Lake Fringe	0
	Freshwater Tidal Fringe	0
	Estuarine Fringe	0

Temporary Impacts

No temporary impacts are proposed or anticipated.

6.2 BUFFER IMPACTS

Buffer impacts are not proposed. Instead, proposed development within buffer areas has been tabulated as indirect impact and described above.

6.3 FISH AND WILDLIFE HABITAT CONSERVATION AREA IMPACTS

The habitat conservation areas on the development property include non-fish streams, biodiversity area/land useful or essential for connections and potential bat habitat. The onsite streams will not be impacted by the proposed development. Additionally, over 70 percent of the property will remain as undisturbed forest habitat. This will include a majority of the

biodiversity area/ land useful or essential for connections and potential bat habitat on the property. The portion of the property proposed for development is adjacent to an existing road and residences. Additionally, the offsite mitigation proposed to offset project wetland impacts, at the Lummi Nation Wetland and Habitat Mitigation Bank, will provide habitat benefits to a riparian corridor and habitat block within the Nooksack River floodplain, including potential bat habitat. No net loss of fish and wildlife area functions are anticipated.

Federally Listed Species in the Project Vicinity.

Steelhead, Chinook and bull trout are mapped within the Squalicum Creek drainage to the west of the northwest portion of the property. The onsite drainages drain northwestward over the steep slope on the north side of the property, emptying into a large wetland, Wetland N, that extends to the north and west. No obvious channels were observed within Wetland N and none are visible within Wetland, offsite to the north and west (utilizing aerial imagery and lidar mapping). Accordingly, water from the property drains through forested and emergent wetland for approximately 1,100 feet (to the west) where it enters Squalicum Creek.

Given the distance to potential listed species no short or long term impacts to federally listed species are anticipated.

7.0 MITIGATION

In order to accommodate the proposed residential development on the south side of the property, six wetlands will be directly impacted and seven wetlands will be indirectly impacted. Per BMC 16.55.270.B, Wetlands C, G, H and J are exempt from mitigation sequencing.

Mitigation for the proposed wetland fill, outlined in **Table 2**, includes purchase of Lummi Nation Mitigation Bank Credits to offset the lost wetland functions.

7.1 MITIGATION SEQUENCING (BMC 16.55.250)

1. **Avoid the impact.** The project includes the development of the south side of the property adjacent to existing developed areas and Lindshier Avenue. This proposed development is concentrated in one area and avoids impacts to a majority of the property while providing needed housing density to the City of Bellingham. Wetland M is located in the center of the proposed Lot 4, where it would not be feasible to build residential units without impacting this wetland or removing it's contributing basin. Wetlands I, J and L, described above, cannot be avoided as the adjacent proposed development, abutting Lindshier Avenue, will remove the contributing basins of these wetlands.

2. **Minimize the impact.** Impacts were minimized by reducing the development footprint to minimize direct wetland impacts where possible. Due to the proximity of wetlands and buffers, indirect impacts to wetlands cannot be avoided. Potential impacts were reduced with the variance request to build out only a portion of Lindshier Avenue. This will result in the retention of Wetland F. Given the large size of the wetland buffers and location of the wetlands, indirect wetland impacts cannot be avoided for the construction of a project on this property.

3. **Rectify the impact**. No temporary impacts are expected.

4. **Minimize or eliminate the hazard**. Steep slopes in the center of the property will be avoided.

5. **Reduce or eliminate the impact or hazard**. No impact to steep slopes is proposed.

6. **Compensate for impacts**. Compensation for wetland impacts will include purchase of Lummi Nation Mitigation Bank credits.

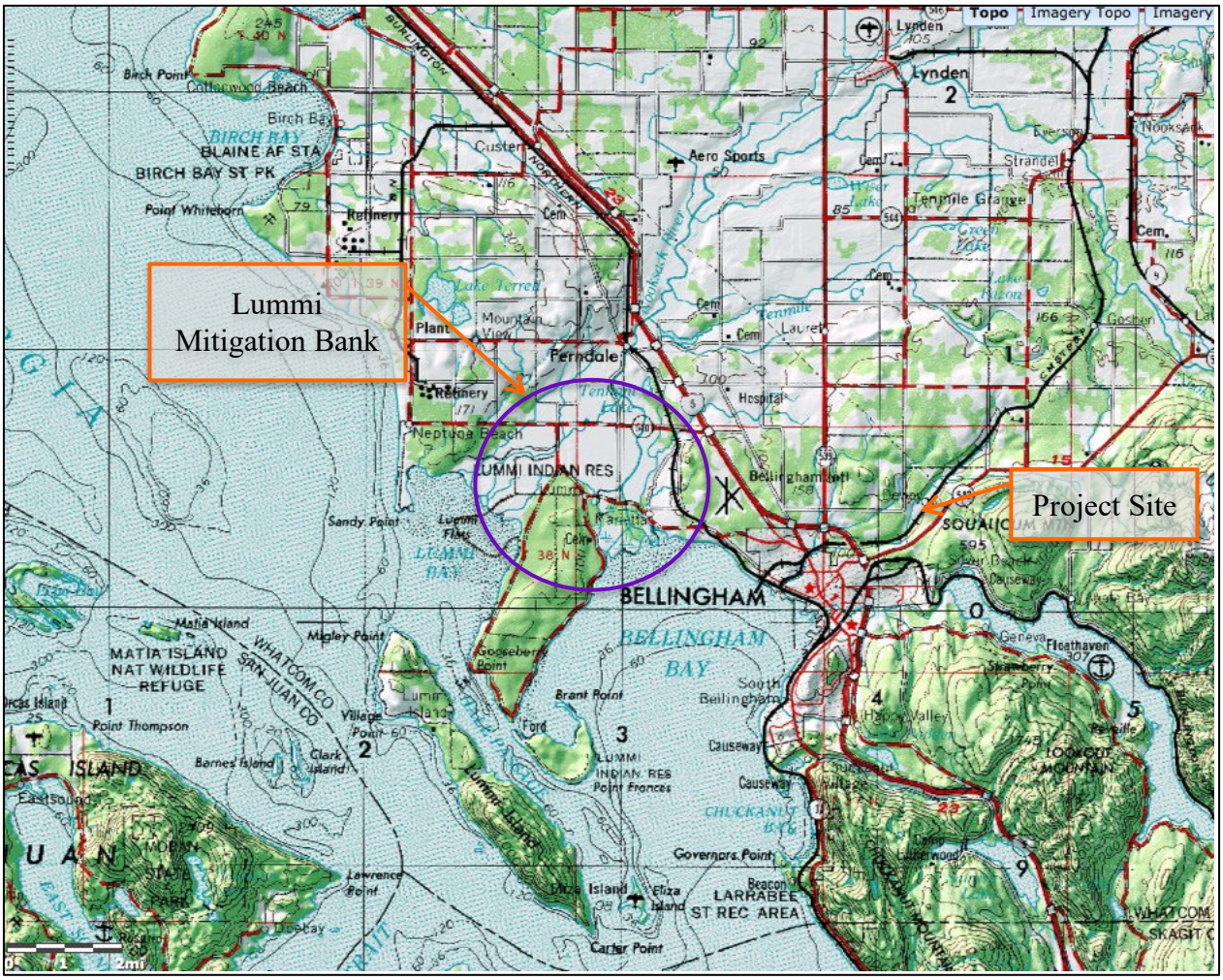
7. **Monitor the hazard or other required mitigation**. The mitigation bank is regularly monitored and reviewed by the U.S. Army Corps of Engineers to ensure the site meets all permitted success and performance criteria.

Given the small portion of developable area on the south side of the property and presence of wetlands with large buffers distributed across this area, there are no project alternatives with the same density that would result in fewer wetland impacts. Any development of Lots 1 through 3 would result in the loss of contributing basin to wetlands I and J – resulting in functional wetland fill. Lot 4 represents a significant portion of the developable area on the property. Accessing the lot, with an extension of Lindshier Avenue, and construction on the lot cannot avoid direct and indirect impacts. As noted above, Wetland M is in the center of the buildable area of Lot 4. Even if direct fill was avoided, any development would remove the contributing basin and result in a functional fill of this wetland. Indirect wetland impacts cannot be avoided with any development on Lot 4. As a result, there appear to be no project alternatives, that include development of residential housing, that would result in a lower amount of critical areas impacts.

7.2 WETLAND MITIGATION BANK

The project site consists of forest habitat on a steep slope, with the portion of a larger wetland encroaching onto the northwest corner of the property. There are no viable locations for wetland mitigation (creation, rehabilitation, restoration or enhancement) on the property. Accordingly, the applicant proposes mitigating direct and indirect impacts to wetlands by purchasing credits from the Lummi Nation Wetland and Habitat Mitigation Bank, pending Lummi approval. The location of the Bank and the project site is shown in **Figure 2** below. The project site is located within the Bank's service area – which has been approved by State and Federal Agencies including the U.S. Army Corps of Engineers during initial permitting of the Bank. This Bank is currently the only bank available in Whatcom County. The bank is located within the Nooksack River basin, near the mouth of the river, in an area draining to the north side of Bellingham Bay. The project site is within the Squalicum basin, which also drains to the north side of Bellingham Bay. The proposed replacement of lost water quality and hydrologic functions will benefit a basin just upgradient and draining to Bellingham Bay, similar to the current location of these functions on the property – in a basin upgradient and draining to Bellingham Bay. The lost habitat function, within a large habitat block, will be replaced within a large habitat block associated with the Nooksack River just west of the City of Bellingham.

Figure 2: Lummi Mitigation Bank and Project Site Location Map



7.3 WETLAND FUNCTIONS PROVIDED AT THE MITIGATION BANK

The Bank will provide a high level of water quality, hydrologic, and habitat functions. Wetlands A through M currently provide low to moderate levels of these functions. The Bank will replace these lost functions with wetland rehabilitation, re-establishment, and creation. The Bank wetlands will provide sediment filtration, seasonal ponding, and high quality habitat for wildlife; replacing all on-site wetland functions to an equivalent or higher level than are currently present on-site.

7.4 WETLAND FUNCTIONS NOT MITIGATED AT THE MITIGATION BANK

All wetland functions will be mitigated at the mitigation bank.

7.5 PROPOSED MITIGATION CREDITS

Mitigation ratios utilized by the Bank are 1 credit per 1 acre of impact to Category III wetland and 0.85 credit per 1 acre of impact to Category IV wetland. Indirect impacts will be offset at one half the standard ratio. Accordingly, 0.165 credits will be requested from the Bank.

7.6 CREDIT PURCHASE

Once the applicant is approved by the Lummi Nation to purchase 0.165 credits from the Bank and approval from the Corps, City of Bellingham, and Ecology has been obtained, credits will be purchased. A copy of the recorded transaction record will be supplied to the Corps, Ecology, and City of Bellingham.

7.7 ONSITE MITIGATION

No onsite mitigation is proposed.

7.7.1 Hazard Tree Contingency

The proposed project, residences and infrastructure, will be located in part adjacent to existing forest habitat. Potential future hazard trees may require removal. If a potential hazard tree presents a potential problem for the proposed development, future owners or homeowners association will follow City of Bellingham Code Section 16.55.080.C.6. This applies to the removal and/or pruning of hazard trees within critical areas or their buffers. Per the code section, any potential hazard tree will be reviewed by an ISA (International Society of Arboriculture)-certified arborist. The arborist will prepare a report including a risk assessment, a site plan showing the location of the trees, and a replacement plan. This report will be reviewed the City Director. The applicant shall replace any cut tree with three native replacement trees (3 to 1 replacement ratio), unless determined otherwise by the Director, within six months of cutting. The applicant shall provide documentation to the City demonstrating that the replacement plantings were installed within six months of the tree removal. Cut trees and other vegetation may be left within the critical area or buffer where it does not pose a public threat or nuisance or damage significantly the surrounding vegetation.

7.7.2 Site Protection

All remaining areas of wetlands, steep slopes and buffers will be placed within a conservation easement for permanent protection.

8.0 REFERENCES

Diamond Head Consulting. 2021. *2021 Wildlife Corridor Analysis Methods Summary & Results.* City of Bellingham Public Works Dept. July 13, 2021. Bellingham, WA

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APPENDICES

Appendix A

Project Site Maps

TOPOGRAPHIC BASE MAP & WETLANDS EXHIBIT

SITUATE IN A PORTION OF THE NE 1/4, SW 1/4
SECTION 16, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M.
WHATCOM COUNTY, WASHINGTON

SURVEY NOTES:

1.) THIS SURVEY WAS PREPARED IN ACCORDANCE WITH WAC 332-130-145 IN JUNE 2022 AND APRIL 2023 AT THE REQUEST OF COOL RUNNINGS CONSTRUCTION LLC.

2.) FIELD SURVEY PERFORMED WITH TRIMBLE R8-3 GNSS RECEIVER AND LEICA TCRP 1201+ ROBOTIC TOTAL STATION AND MEETS OR EXCEEDS THE STANDARDS SET FORTH WITHIN WAC 332-130-090.

3.) HORIZONTAL DATUM: "CITY OF BELLINGHAM HORIZONTAL NETWORK JUNE, 2005" (NAD83/98) RECORDED UNDER A.F. NO. 2071002449. INVERSE OF COB#1375 TO COB#1377 BEARING S88°39'24"E A DISTANCE OF 2,619.14'.

P-TEK#1375 N=656808.3073 E=1252509.2918	P-TEK#1377 N=656746.91 E=1255127.71

4.) VERTICAL DATUM: CITY OF BELLINGHAM (NAVD88)

P-TEK#3827 N=656756.184 E=1254627.525 EL.=146.26	P-TEK#10 N=654019.8910 E=1254270.6339 EL.=249.48

5.) THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ANY OR ALL EASEMENTS.

6.) POWERTEK SURVEYING ASSUMES NO LIABILITY FOR ANY SUBSURFACE CONDITIONS OR FEATURES THAT MAY EXIST THAT ARE UNDETECTABLE AND/OR NOT VISIBLE.

7.) CONTOUR INTERVALS ARE SHOWN AT 2 FEET AND ARE COMPUTER GENERATED FROM BOTH GROUND FIELD TOPOGRAPHY GATHERED FOR THIS SURVEY AND LIDAR (LABELED AS SUCH) AND MEET OR EXCEED NATIONAL MAPPING STANDARDS UTILIZING ELECTRONIC DATA COLLECTION.

8.) THE TOPOGRAPHIC ELEMENTS SHOWN ON THIS MAP ARE INTENDED TO SUPPORT PLANNING AND DESIGN. UTILITY LOCATIONS DERIVED FROM ABOVE GROUND APPURTENANCES AND/OR UTILITY PAINT MARKS PER WASHINGTON STATE ONE-CALL UNDERGROUND LOCATES (811).

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10.) WETLAND FLAGS DELINEATED BY MILLER ENVIRONMENTAL IN MAY 2022 AND FIELD LOCATED BY POWERTEK SURVEYING IN MAY OF 2022 AND APRIL OF 2023.

LEGAL DESCRIPTION:

(PER STATUTORY WARRANTY DEED A.F. NO. 2022-0203218)

ALL OF BLOCK 1, "MAP OF LINDSHIER GARDENS," ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 7 OF PLATS, PAGE 19, RECORDS OF WHATCOM COUNTY, WASHINGTON.

SITUATE IN WHATCOM COUNTY, WASHINGTON.

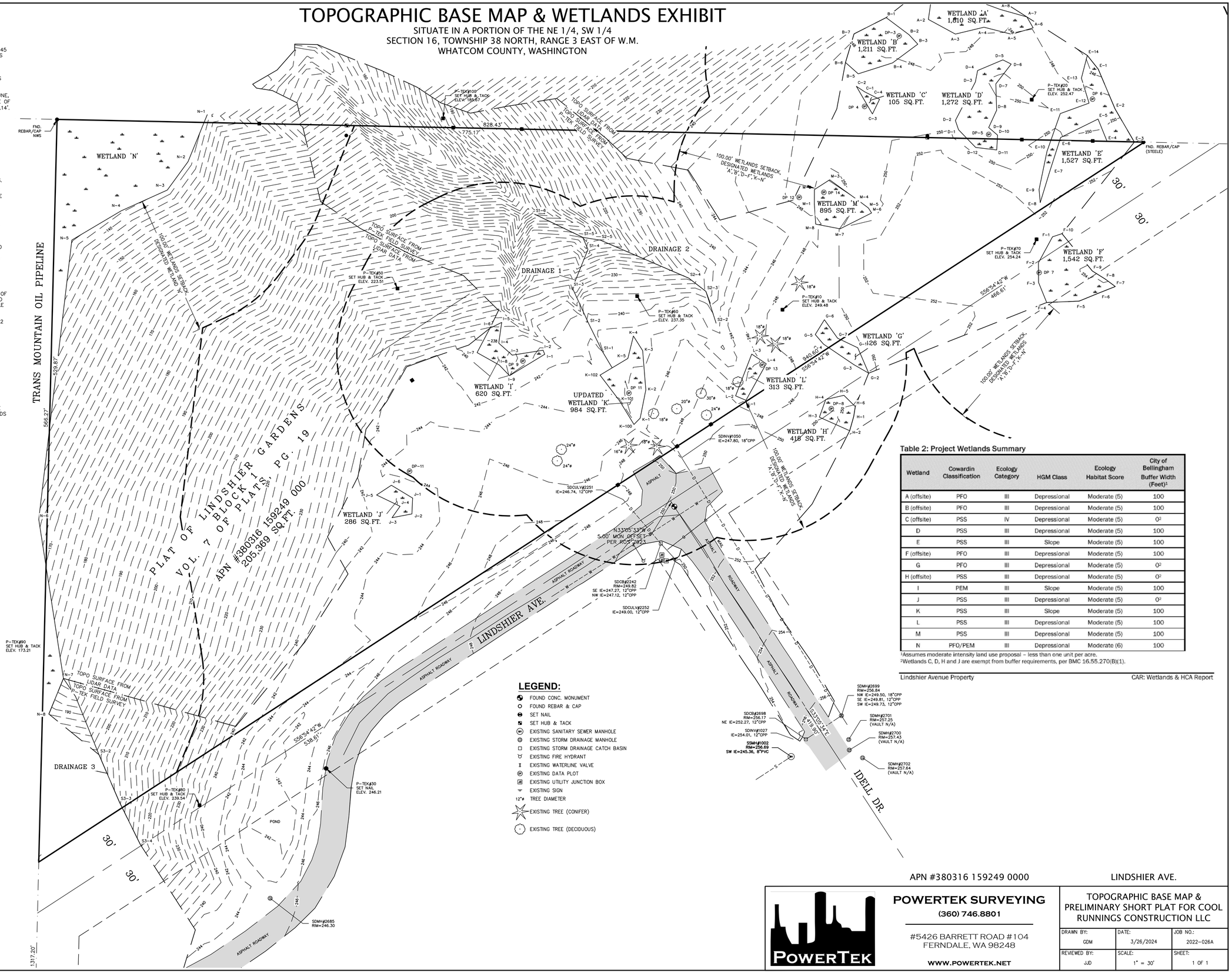


Table 2: Project Wetlands Summary

Wetland	Cowardin Classification	Ecology Category	HGM Class	Ecology Habitat Score	City of Bellingham Buffer Width (Feet)[1]
A (offsite)	PFO	III	Depressional	Moderate (5)	100
B (offsite)	PFO	III	Depressional	Moderate (5)	100
C (offsite)	PSS	IV	Depressional	Moderate (5)	0[2]
D	PSS	III	Depressional	Moderate (5)	100
E	PSS	III	Slope	Moderate (5)	100
F (offsite)	PFO	III	Depressional	Moderate (5)	100
G	PFO	III	Depressional	Moderate (5)	0[2]
H (offsite)	PSS	III	Depressional	Moderate (5)	0[2]
I	PEM	III	Slope	Moderate (5)	100
J	PSS	III	Depressional	Moderate (5)	0[2]
K	PSS	III	Slope	Moderate (5)	100
L	PSS	III	Depressional	Moderate (5)	100
M	PSS	III	Depressional	Moderate (5)	100
N	PFO/PEM	III	Depressional	Moderate (6)	100

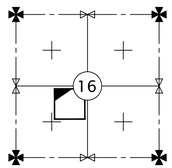
[1]Assumes moderate intensity land use proposal - less than one unit per acre.
[2]Wetlands C, D, H and J are exempt from buffer requirements, per BMC 16.55.270(B)(1).

Lindshier Avenue Property — CAR: Wetlands & HCA Report

LEGEND:

- FOUND CONC. MONUMENT
- FOUND REBAR & CAP
- SET NAIL
- SET HUB & TACK
- EXISTING SANITARY SEWER MANHOLE
- EXISTING STORM DRAINAGE MANHOLE
- EXISTING STORM DRAINAGE CATCH BASIN
- EXISTING FIRE HYDRANT
- EXISTING WATERLINE VALVE
- EXISTING DATA PLOT
- EXISTING UTILITY JUNCTION BOX
- EXISTING SIGN
- 12"ø TREE DIAMETER
- EXISTING TREE (CONIFER)
- EXISTING TREE (DECIDUOUS)

0 30 60
SCALE: 1" = 30'



NE 1/4, SW 1/4 SECTION 16
T. 38 N., R. 3 E. OF W.M.

APN #380316 159249 0000

LINDSHIER AVE.

POWERTEK SURVEYING
(360) 746.8801
#5426 BARRETT ROAD #104
FERNDALE, WA 98248
WWW.POWERTEK.NET

TOPOGRAPHIC BASE MAP & PRELIMINARY SHORT PLAT FOR COOL RUNNINGS CONSTRUCTION LLC

DRAWN BY:	DATE:	JOB NO.:
GDM	3/26/2024	2022-026A
REVIEWED BY:	SCALE:	SHEET:
JJD	1" = 30'	1 OF 1

2020_095a_topo_240326.dwg

TOPOGRAPHIC BASE MAP & PRELIMINARY SHORT PLAT

SITUATE IN A PORTION OF THE NE 1/4, SW 1/4
SECTION 16, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M.
WHATCOM COUNTY, WASHINGTON

SURVEY NOTES:

1.) THIS SURVEY WAS PREPARED IN ACCORDANCE WITH WAC 332-130-145 IN JUNE 2022 AND APRIL 2023 AT THE REQUEST OF COOL RUNNINGS CONSTRUCTION LLC.

2.) FIELD SURVEY PERFORMED WITH TRIMBLE R8-3 GNSS RECEIVER AND LEICA TCRP 1201+ ROBOTIC TOTAL STATION AND MEETS OR EXCEEDS THE STANDARDS SET FORTH WITHIN WAC 332-130-090.

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SITUATE IN WHATCOM COUNTY, WASHINGTON.

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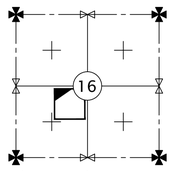
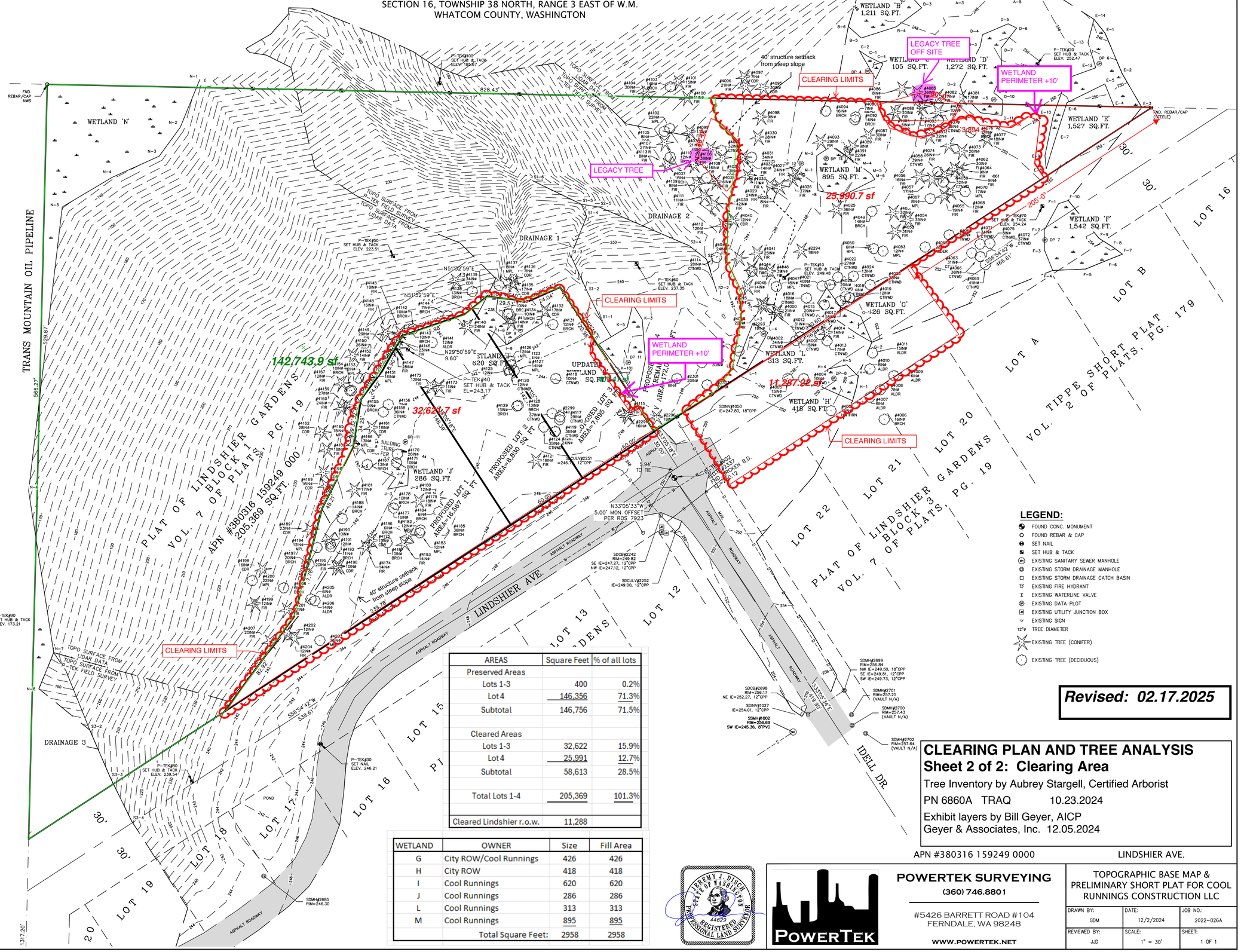


NE 1/4, SW 1/4 SECTION 16
T. 38 N., R. 3 E. OF W.M.



AREAS	Square Feet	% of all lots
Preserved Areas		
Lots 1-3	400	0.2%
Lot 4	146,356	71.3%
Subtotal	146,756	71.5%
Cleared Areas		
Lots 1-3	32,622	15.9%
Lot 4	25,991	12.7%
Subtotal	58,613	28.5%
Total Lots 1-4	205,369	101.3%
Cleared Lindshier r.o.w.	11,288	

WETLAND	OWNER	Size	Fill Area
G	City ROW/Cool Runnings	426	426
H	City ROW	418	418
I	Cool Runnings	620	620
J	Cool Runnings	286	286
L	Cool Runnings	313	313
M	Cool Runnings	895	895
	Total Square Feet:	2958	2958

LEGEND:

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- EXISTING SIGN
- 12"ø TREE DIAMETER
- EXISTING TREE (CONIFER)
- EXISTING TREE (DECIDUOUS)

Revised: 02.17.2025

CLEARING PLAN AND TREE ANALYSIS
Sheet 2 of 2: Clearing Area

Tree Inventory by Aubrey Stargell, Certified Arborist

PN 6860A TRAQ 10.23.2024

Exhibit layers by Bill Geyer, AICP
Geyer & Associates, Inc. 12.05.2024

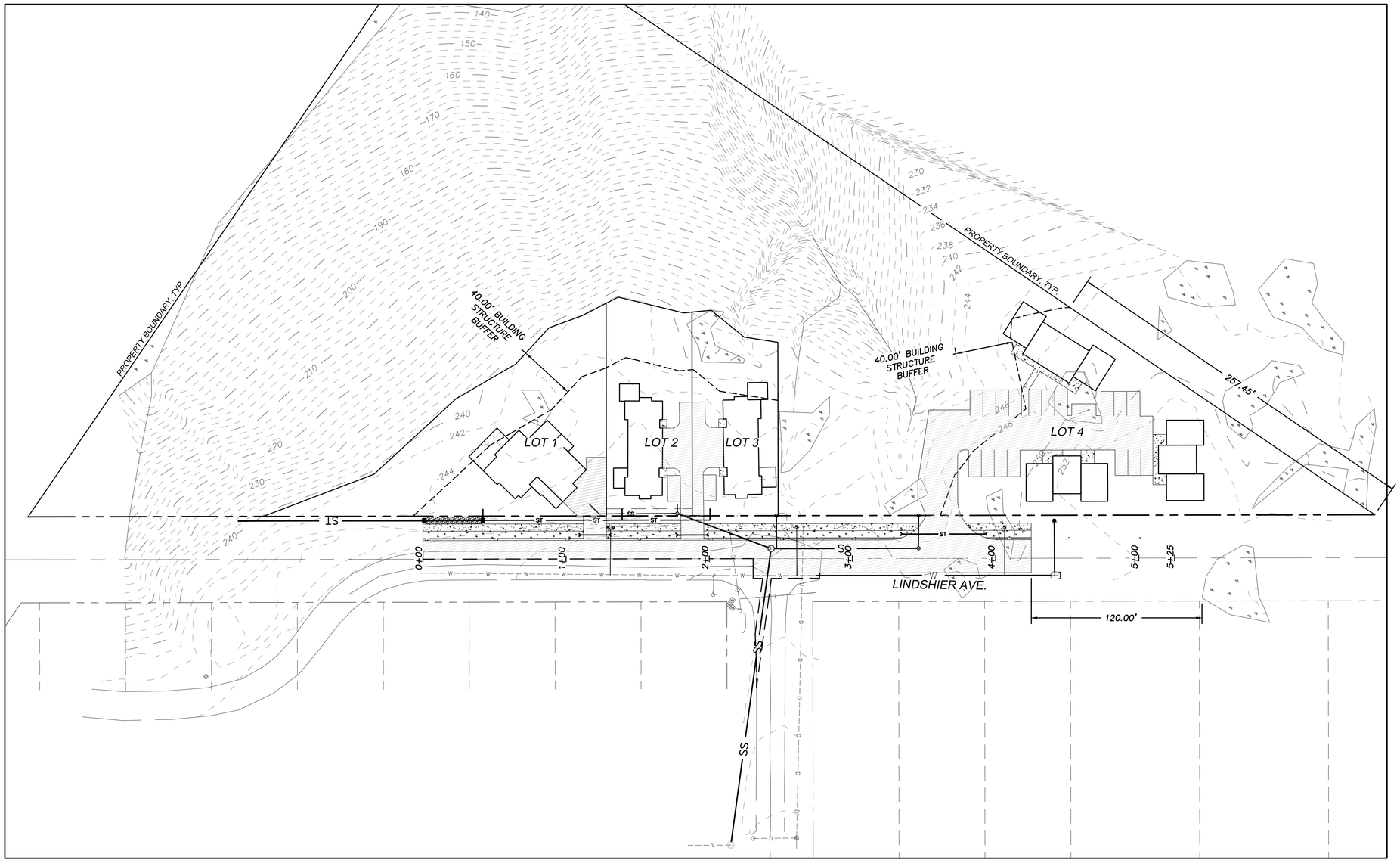
APN #380316 159249 0000 LINDSHIER AVE.

JEREMY J. DISCH STATE OF WASHINGTON 14629 REGISTERED PROFESSIONAL LAND SURVEYOR

POWERTEK SURVEYING
(360) 746.8801
#5426 BARRETT ROAD #104
FERNDALE, WA 98248
WWW.POWERTEK.NET

TOPOGRAPHIC BASE MAP & PRELIMINARY SHORT PLAT FOR COOL RUNNINGS CONSTRUCTION LLC		
DRAWN BY: GDM	DATE: 12/2/2024	JOB NO.: 2022-026A
REVIEWED BY: JJD	SCALE: 1" = 30'	SHEET: 1 OF 1

Z:\Shared\2022_2022026A_Lindshier Short Plat\AutoCad\Project Drawing\2022_026A_Overall&Trees-Transmittal_241202.dwg



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COOL RUNNINGS SHORT PLAT
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OVERALL BUILDING LAYOUTS

CITY OF BELLINGHAM, WASHINGTON

Job No : 24-0151

Issue	Drawn / Date
PRELIMINARY ENGINEERING	SRA 02/24/2

SCALE 1" =40' (40 0 40 80 FEET)

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TWO WORKING DAYS
BEFORE YOU DIG
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UTILITIES ARE KNOWN TO EXIST AND NOT ALL ARE SHOWN. VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION

1

OF:

1

Appendix B

Site Photographs

Site Photographs

Photo 1. View over Wetland A (5/4/22).

Photo 2. View over Wetland C (5/4/22).

Site Photographs

Photo 3. View over Wetland D (5/4/22).

Photo 4. View over Wetland E (5/4/22).

Site Photographs

Photo 5. View southeast over Wetland F (5/4/22).

Photo 6. View over Wetland G (5/4/22).

Site Photographs

Photo 7. View over Wetland B (5/4/22).

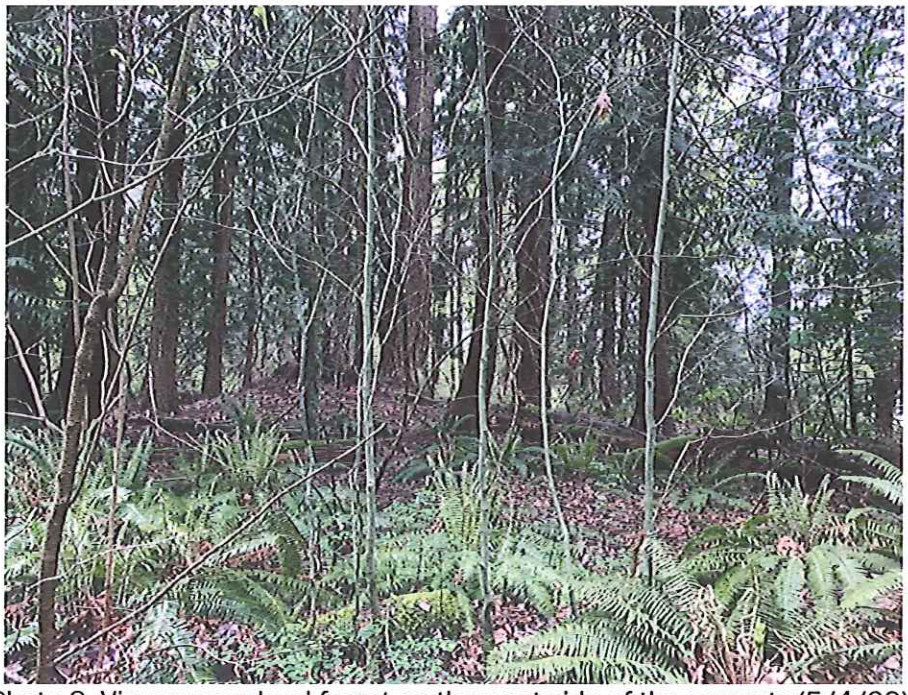

Photo 8. View over upland forest on the west side of the property (5/4/22).

Site Photographs

Photo 9. View over Wetland H (5/4/22).

Photo 10. View west over Wetland I (5/4/22).

Site Photographs

Photo 11. View north over the upper end of head cut below Wetland I (5/4/22).

Photo 12. View over Wetland J (5/4/22).

Site Photographs

Photo 13. View south over Wetland K (5/4/22).

Photo 14. View north over Wetland K stream outlet (5/4/22).

Site Photographs

Photo 15. View north over culvert outlet and ditch draining to Wetland K (5/4/22).

Photo 16 View over Wetland L (5/4/22).

Site Photographs

Photo 17. View north over Drainage 2 (5/4/22).

Photo 18. View west along the south boundary of Wetland N (5/4/22).

Site Photographs

Photo 19 View north along the pipeline corridor and Wetland N along the west side of the property (5/4/22).

Photo 20. View south over Drainage 1 just above confluence with Drainage 2 (5/4/22).