

WHATCOM COUNTY

Planning & Development Services
5280 Northwest Drive
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



J.E. "Sam" Ryan
Director

SEPA Distribution List
SEP2013-00034
Date of Issuance: August 22, 2013

Please review this determination. If you have further comments, questions or would like a copy of the SEPA checklist, phone the responsible official at (360) 676-6907. Please submit your response by the comment date noted on the attached notice of determination.

WA State Department of Archaeology and Historic Preservation via email
Gretchen Kaehler, gretchen.kaehler@dahp.wa.gov

SEPA Unit, WA State Department of Ecology, Olympia via email
sepaunit@ecy.wa.gov

WA State Department of Fish and Wildlife via email
Joel Ingram, joel.ingram@dfw.wa.gov

WA State Department of Natural Resources via email
Rochelle Knust, sepacenter@dnr.wa.gov

SEPA Unit, WA State Department of Transportation, Burlington via email
Roland Storme, stormer@wsdot.wa.gov

City of Bellingham .
Kurt Nabbeffeld via email - knabbefeld@cob.org
Brent Baldwin via email - bbaldwin@cob.org
Clare Fogelsong via email - cfogelsong@cob.org

Lummi Nation
Attn: Natural Resources Department
Attn: Cultural Resources Department

Nooksack Indian Tribe
Attn: Natural Resources Department
Attn: Cultural Resources Department

Applicant
Bouma et al.
c/o Jaime White, Whatcom Land Use Consulting, LLC

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Director

SEPA Determination of Nonsignificance (DNS)

File: SEP2013-00034

Project Description: Widen and reduce grade on an existing driveway. Remove some trees within the building sites and driveway area.

Proponent: Jaime White, Whatcom Land Use Consulting

Address and Parcel #: 3630 Siper Road APN#: 390416451149

Lead Agency: Whatcom County Planning & Development Services

Zoning: R5A **Comp Plan:** Rural **Shoreline Jurisdiction:** N/A

The lead agency for this proposal has determined that with proper mitigation, no significant adverse environmental impacts are likely. Pursuant to RCW 43.21C.030(2)(c), an environmental impact statement (EIS) is not required. This decision was made following review of a completed SEPA environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

Pursuant to WAC 197-11-340(2), the lead agency will not act on this proposal for 14 days from the date of issuance indicated below. Comments must be received by September 5, 2013 and should be sent to: Joshua Fleischmann

Responsible Official: Tyler Schroeder

Title: Planning Manager

Telephone: 360-676-6907

Address: 5280 Northwest Drive
Bellingham, WA 98226

Date of Issuance: August 22, 2013

Signature: _____

A handwritten signature in blue ink, appearing to be "J. Ryan", is written over a horizontal line.

An aggrieved agency or person may appeal this determination to the Whatcom County Hearing Examiner. Application for appeal must be filed on a form provided by and submitted to the Whatcom County Current Planning Division located at 5280 Northwest Drive, Bellingham, WA 98226, during the ten days following the comment period, concluding September 16, 2013.

You should be prepared to make a specific factual objection. Contact Whatcom County Current Planning Division for information about the procedures for SEPA appeals.

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J.E. "Sam" Ryan
Director

SEPA Determination of Nonsignificance (DNS)
Legal Notice

To be published one time only on: **August 22, 2013**

CHARGE TO: Whatcom County Planning & Development Services
5280 Northwest Drive
Bellingham, Washington 98226
Acct #048867

WHATCOM COUNTY GIVES PUBLIC NOTICE THAT THE FOLLOWING SEPA THRESHOLD DETERMINATION OF NON-SIGNIFICANCE (DNS) HAS BEEN ISSUED TODAY SUBJECT TO THE 14 DAY COMMENT PERIOD CONCLUDING ON, September 5, 2013.

File: SEP2013-00034

Project Description: Widen and reduce grade on an existing driveway. Remove some trees within the building sites and driveway area.

Proponent: Jaime White, Whatcom Land Use Consulting

Address and Parcel #: 3630 Siper Road APN#: 390416451149

Lead Agency: Whatcom County Planning & Development Services

Zoning: R5A **Comp Plan:** Rural **Shoreline Jurisdiction:** N/A

ANY PERSON OR AGENCY MAY APPEAL THE COUNTY'S COMPLIANCE WITH WAC 197-11 BY FILING AN APPEAL WITH THE WHATCOM COUNTY CURRENT PLANNING DIVISION LOCATED AT 5280 NORTHWEST DRIVE, BELLINGHAM, WA 98226. APPEALS MUST BE MADE WITHIN 10 DAYS AFTER THE END OF THE COMMENT PERIOD.

WHATCOM COUNTY
Planning & Development Services
5280 Northwest Drive,
Bellingham, WA 98226-9097
360-676-6907, TTY 800-833-6384
360-738-2525 Fax



WHATCOM COUNTY
PLANNING & DEVELOPMENT SERVICES
J.E. "Sam" Ryan
Director

JUL 12 2013

RECEIVED
SEP 2013 - 00034

SEPA Environmental Checklist

Purpose of Checklist:

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist for Non-Project Proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply." In addition, complete the supplemental sheet for non-project actions (part C).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A Background

- 1 Name of proposed project, if applicable:
Bouma Land Disturbance Permit
- 2 Name of applicant: Bouma et al.
Applicant phone number: (360) 319-9199
Applicant address: 8071 Guide Meridian, Suite 105, Lynden, WA 98264
- 3 Contact name: Jaime White, Whatcom Land Use Consulting, LLC
Contact phone number: (360) 961-2489
Contact address: PO Box 30696, Bellingham, WA 98228
- 4 Date checklist prepared: July 10, 2013
- 5 Agency requesting checklist: Whatcom County PDS
- 6 Proposed timing or schedule (including phasing, if applicable):
Summer-Fall of 2013
- 7 Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? Yes No
If yes, explain:
Likely construction of a single family residence.
- 8 List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal:
None.
- 9 Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal?
Yes No
If yes, explain.
- 10 List any government approvals or permits that will be needed for your proposal, if known.
Land Disturbance permit.

- 11 Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Widening and reducing grade on an existing driveway. Finishing with gravel material. Excavation of approximately 963 cubic yards and fill material of approximately 722 cubic yards. Removal of trees to open up two building site areas. Approximately .5 acre of tree removal.

- 12 Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

Located at 3630 Siper Road, in Section 16 Township 39 North, Range 4 East in Whatcom County Washington.

B Environmental Elements

1 Earth

- a. General description of the site:

- Flat
 Rolling
 Hilly
 Steep Slopes
 Mountainous
 Other

- b. What is the steepest slope on the site (approximate percent slope)?

Approximately 20%.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

Mt. Vernon fine sandy loam according to the USDA Soil Survey of Whatcom County.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? Yes No

If so, describe.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed.

Approximately 963 cubic yards of grading proposed and approximately 722 cubic yards of fill material.

Indicate source of fill.

To be determined.

- f. Could erosion occur as a result of clearing, construction, or use?
Yes No

If so, generally describe.

Erosion could occur as a result of the clearing and grading. As a result, proper erosion and sedimentation controls will be employed such as straw coverage, silt fencing and hydroseeding.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

~6,500 square feet.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Employ best management practices such as straw coverage and silt fencing and hydroseeding.

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, or industrial wood smoke) during construction and when the project is completed?

If any, generally describe and give approximate quantities if known.

Temporary dust and automobile emissions from equipment.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? Yes No

If so, generally describe.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None at this time.

3. Water

a. Surface:

- (1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? Yes No

If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

- (2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? Yes No

If yes, please describe and attach available plans.

- (3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected.

Indicate the source of fill material.

- (4) Will the proposal require surface water withdrawals or diversions?
Yes No

Give general description, purpose, and approximate quantities if known.

Does the proposal lie within a 100-year floodplain?

Yes No

If so, note location on the site plan.

(5) Does the proposal involve any discharges of waste materials to surface waters?

Yes No

If so, describe the type of waste and anticipated volume of discharge

b. Ground

Will ground water be withdrawn, or will water be discharged to ground water? Yes No

Give general description, purpose, and approximate quantities if known.

(1) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals.....; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None in conjunction with this proposal.

c. Water runoff (including stormwater):

(1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known).

Source of runoff could occur from the road. The road will be crowned or side sloped and runoff will be infiltrated into the well drained soil.

Where will this water flow?

Will this water flow into other waters? Yes No

If so, describe.

(2) Could waste materials enter ground or surface waters?

Yes No

If so, generally describe.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None at this time.

4 Plants

a. Check types of vegetation found on the site:

- Deciduous tree: alder, maple, aspen, other
- Evergreen tree: fir, cedar, pine, other
- Shrubs
- Grass
- Pasture
- Crop or grain
- Wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- Water plants: water lily, eelgrass, milfoil, other
- Other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

Some deciduous and coniferous trees will be removed in conjunction with this proposal. Also some shrubs and understory.

c. List threatened or endangered species known to be on or near the site.

None known.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:
None at this time.

5. Animals

- a. Check any birds and animals, which have been observed on or near the site or are known to be on or near the site:

Birds:

- | | |
|---------------------------------|--|
| <input type="checkbox"/> Hawk, | <input type="checkbox"/> Heron, |
| <input type="checkbox"/> Eagle, | <input checked="" type="checkbox"/> Songbirds; |
| <input type="checkbox"/> Other: | |

Mammals:

- | | |
|---------------------------------|----------------------------------|
| <input type="checkbox"/> Deer, | <input type="checkbox"/> Bear, |
| <input type="checkbox"/> Elk, | <input type="checkbox"/> Beaver; |
| <input type="checkbox"/> Other: | |

Fish:

- | | |
|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> Bass, | <input type="checkbox"/> Salmon, |
| <input type="checkbox"/> Trout, | <input type="checkbox"/> Herring, |
| <input type="checkbox"/> Shellfish; | <input type="checkbox"/> Other: |

- b. List any threatened or endangered species known to be on or near the site.
None known.

- c. Is the site part of a migration route? Yes No

If so, explain.

- d. Proposed measures to preserve or enhance wildlife, if any:
None at this time.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.
No energy needed in conjunction with this proposal.
- b. Would your project affect the potential use of solar energy by adjacent properties? Yes No
If so, generally describe.
- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:
None at this time.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? Yes No
If so, describe.

- (1) Describe special emergency services that might be required.
None anticipated.

- (2) Proposed measures to reduce or control environmental health hazards, if any:
None at this time.

b. Noise

- (1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Normal noise from automobile traffic off of Siper Road.

- (2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Short-term noise associated with equipment. Construction will occur during normal hours of 7 am through 6 pm.

- (3) Proposed measures to reduce or control noise impacts, if any:

None at this time.

8 Land and Shoreline Use

- a. What is the current use of the site and adjacent properties?

Residential and agricultural.

- b. Has the site been used for agriculture? Yes No
If so, describe.

- c. Describe any structures on the site.

None.

- d. Will any structures be demolished? Yes No
If so, what?

- e. What is the current zoning classification of the site?

R5A.

- f. What is the current comprehensive plan designation of the site?

Rural.

- g. If applicable, what is the current shoreline master program designation of the site?

Not applicable.

- h. Has any part of the site been classified as an "environmentally sensitive" area? Yes No

If so, specify.

- i. Approximately how many people would reside or work in the completed project?

None.

- j. Approximately how many people would the completed project displace?

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any:

None.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Residential development is compatible with adjacent land uses.

9 Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

No units will be provided in conjunction with this proposal.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

No units will be displaced.

- High
 Middle
 Low-income

c. Proposed measures to reduce or control housing impacts, if any:

None.

10 Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

No buildings or structures are proposed.

b. What views in the immediate vicinity would be altered or obstructed?

None.

c. Proposed measures to reduce or control aesthetic impacts, if any:

None at this time.

11 Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

No light or glare will be produced.

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No light or glare would be produced from the proposal.

c. What existing off-site sources of light or glare may affect your proposal?

Normal lighting from adjacent residences or automobile lighting from Siper Road.

d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12 Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity?

Informal walks or scenic drives.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

No.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

None.

13 Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

None known.

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None known.

- c. Proposed measures to reduce or control impacts, if any:

None at this time.

14 Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans, if any.

The site is accessed via Siper Road.

- b. Is site currently served by public transit? Yes No

If not, what is the approximate distance to the nearest transit stop?

Approximately 2 miles.

- c. How many parking spaces would the completed project have? How many would the project eliminate?

There will be a minimum of two spaces per lot.

- d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? Yes No
If so, generally describe (indicate whether public or private).

The proposal is to improve an existing private easement and shared driveway.

- e. Will the project use (or occur in the immediate vicinity of)

- Water,
 Rail, or
 Air transportation?

If so, generally describe.

No.

- f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

No additional vehicular trips per day would be generated by this proposal.

- g. Proposed measures to reduce or control transportation impacts, if any:

None at this time.

15 Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)?

Yes No

If so, generally describe.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None at this time.

16 Utilities

- a. Check utilities currently available at the site:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Electricity, | <input type="checkbox"/> Natural gas, |
| <input checked="" type="checkbox"/> Water, | <input checked="" type="checkbox"/> Refuse service, |
| <input checked="" type="checkbox"/> Telephone, | <input type="checkbox"/> Sanitary sewer, |
| <input checked="" type="checkbox"/> Septic system, | <input type="checkbox"/> Other. |

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

No utilities are necessary for the proposal.

SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____



Date Submitted: _____



2070403176

KBJ No.1 APO CLUSTER SHORT PLAT

SSS2005-00048
SHEET 2 OF 2

A PORTION OF THE NE QUARTER OF THE SE QUARTER OF SECTION 16,
TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., WHATCOM COUNTY, WASHINGTON

EAST QUARTER CORNER:
CONCRETE MONUMENT
(ROS No. 1494)



1322.57'
669.38'
1331.36'
N 00°23'11"E 2662.72'
1331.36'
1325.03'
1327.53'
1337.73'

CENTERLINE SIPER ROAD (COUNTY ROAD No. 253) R-O-W AS SHOWN

WELL NOTES No.1

15' RADIUS ACCESS & UTILITY EASEMENT IN FAVOR OF LOT 1 & 2, SEE SHARED WELL AGREEMENT FILED UNDER A.F. No. 2070403178.

100' WELL PROTECTION ZONE, SEE WELL COVENANT FILED UNDER A.F. No. 2070403177.

WELL NOTES No.2

15' RADIUS ACCESS & UTILITY EASEMENT IN FAVOR OF LOTS 3 & 4, SEE SHARED WELL AGREEMENT FILED UNDER A.F. No. 2070403180.

100' WELL PROTECTION ZONE, SEE WELL COVENANT FILED UNDER A.F. No. 2070403179.

FENCE LIES 9.0' SOUTH OF DEED CORNER

LAND DESCRIPTION:

SEE SHEET 1

SURVEYORS NOTES:

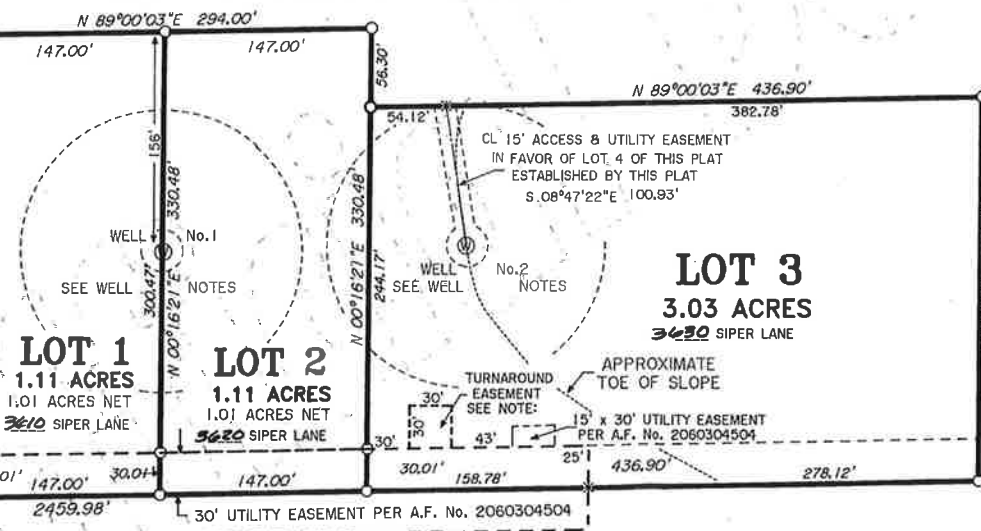
- "O" DENOTES 5/8 INCH REBAR WITH 1 INCH PLASTIC CAP MARKED "NWS & GPS LS 21423" SET BY THIS SURVEY IN JANUARY AND JUNE OF 2006.
- "□" DENOTES HUB AND LATH SET FOR POINT ON LINE BY THIS SURVEY IN JANUARY AND JUNE OF 2006.
- "*" DENOTES CALCULATED POINT ONLY.
- THIS SURVEY WAS PERFORMED BY STANDARD FIELD TRAVERSE USING A NIKON NPL-352 TOTAL STATION WITH TDS-RECON DATA COLLECTOR/FIELD COMPUTER IN JANUARY AND JUNE OF 2006.
- THIS SURVEY TIED INTO THE CONTROL POINTS SET DURING OUR PREVIOUS SURVEYS IN THE AREA AND RELIED UPON THAT RECORD OF SURVEY FILED UNDER AF No. 2000702113 FOR BASIS OF BEARINGS.
- THIS SURVEY COMPLETED WITH THE BENEFIT OF A SUBDIVISION GUARANTEE (OR PLAT CERTIFICATE) BUT WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT PURPORT TO SHOW ANY OR ALL EASEMENTS THAT A CURRENT TITLE REPORT MIGHT REVEAL.

DEVELOPER RESTRICTIONS AND INFORMATION:

THE WHATCOM COUNTY AGRICULTURE OVERLAY LEGISLATION IN EFFECT AT THE TIME THIS SHORT PLAT WAS VESTED REQUIRES HOUSES AND WELLS TO BE SET BACK 100 FEET FROM THE ADJACENT RESERVE TRACT AND REQUIRES ACCESSORY BUILDINGS TO BE SET BACK 30 FEET FROM SAID RESERVE TRACT. THE WHATCOM COUNTY FIRE MARSHAL REQUIRES A 20-FOOT BUILDING SETBACK FROM ALL SIDE AND REAR PROPERTY LINES (SEE FIRE PROTECTION SETBACK NOTE).



LOT 4
14.96 ACRES
RESERVE TRACT
6248 SIPER ROAD



LOT 3
3.03 ACRES
3430 SIPER LANE

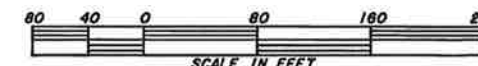
LOT 1
1.11 ACRES
1.01 ACRES NET
3610 SIPER LANE

LOT 2
1.11 ACRES
1.01 ACRES NET
3620 SIPER LANE

SIPER LANE (PRIVATE ROAD)
60' RECIPROCAL ACCESS & UTILITY EASEMENT
AS PER A.F. No. 2061004443.

TURN AROUND EASEMENT NOTE:

30' X 30' TURNAROUND EASEMENT
AS PER A.F. No. 2061004443



SCALE: 1 INCH = 80 FEET

BASIS OF BEARINGS =
RECORD OF SURVEY
FILED UNDER A.F. No. 2000702113
SOUTH LINE SE 1/4 = N 89°19'21" E

SECTION SUBDIVISION =
RECORD OF SURVEYS Nos. 1494 AND 2825

SOUTH QUARTER CORNER:
CONCRETE MONUMENT
(ROS No. 1494)

FOUND BRASS DISC IN ROAD
N 00°40' W AT 0.32'
FROM CALCULATED 1/16TH CORNER

NORTHWEST SURVEYING & GPS, INC.

DENNY DEMEYER, L.S. 21423
407 5TH STREET, LYNDEN, WA.
PH.(360) 354-1950 FAX.(360) 354-7644

SOUTHEAST SECTION CORNER:
IRON PIPE (2004)

2070403176

SSS2005-00048
SHEET 1 OF 2

KBJ No.1 APO CLUSTER SHORT PLAT

A PORTION OF THE NE QUARTER OF THE SE QUARTER OF SECTION 16,
TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M., WHATCOM COUNTY, WASHINGTON

LAND DESCRIPTION:

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 4 EAST OF W.M.

LESS ROAD

SITUATE IN WHATCOM COUNTY, WASHINGTON

SUBJECT TO AND TOGETHER WITH ALL EASEMENTS, COVENANTS, RESTRICTIONS AND/OR AGREEMENTS OF RECORD.

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS, THAT WE, THE UNDERSIGNED OWNERS HEREBY DECLARE THIS PLAT ENTITLED "KBJ No.1 CLUSTER SHORT PLAT" IS MADE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR WISHES.

Keith Bouma
KEITH BOUMA

Joachim Tabert
JOACHIM TABERT

Byron Kooy
BYRON KOOY

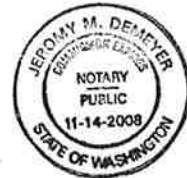
ACKNOWLEDGEMENT

STATE OF WASHINGTON)
COUNTY OF WHATCOM)

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT KEITH BOUMA, JOACHIM TABERT AND BYRON KOOY ARE THE PERSONS WHO APPEARED BEFORE ME, AND SAID PERSONS ACKNOWLEDGED THAT THEY SIGNED THIS INSTRUMENT, ON OATH STATED THAT THEY ARE AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTIES FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

THIS 14th DAY OF FEBRUARY, 2007.

Jeromy M. De Meyer
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON.
RESIDING AT PERDALE WASHINGTON
MY COMMISSION EXPIRES 11-14-2008



SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THIS SHORT PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON AN ACTUAL SURVEY MADE IN COMPLIANCE WITH STATE LAWS.

Dennis M. Demeyer DATE 01/25/07
DENNIS M. DEMEYER, P.L.S. CERTIFICATE No. 21423
NORTHWEST SURVEYING & GPS INC, 407 5TH STREET, LYNDEN, WA 98264



TECHNICAL COMMITTEE APPROVAL:

EXAMINED AND APPROVED BY THE TECHNICAL COMMITTEE IN ACCORDANCE WITH THE WHATCOM COUNTY SUBDIVISION REGULATIONS.

THIS 18 DAY OF APRIL, 2007.

Robert C. Martin
CHAIRMAN, TECHNICAL COMMITTEE

AUDITOR'S CERTIFICATE:

FILED FOR RECORD THIS 19th DAY OF April
2007 AT 12:06 P.M.

AT THE REQUEST OF NORTHWEST SURVEYING & GPS

UNDER AUDITOR'S FILE NUMBER 2070403176

Shirley Jacob
COUNTY AUDITOR



HYDRAULICS PERMIT:

DISRUPTION OF ANY DRAINAGE COURSE WITHIN THIS SHORT PLAT MAY REQUIRE A HYDRAULICS PERMIT APPROVED BY THE WASHINGTON STATE DEPARTMENT OF FISH AND WILDLIFE.

FIRE PROTECTION SETBACKS:

AS THERE ARE NO PUBLIC OR PRIVATE FIRE PROTECTION FACILITIES AVAILABLE WITHIN 600 FEET OF THE LOTS WITHIN THIS SHORT PLAT, ALL BUILDINGS SHALL BE SETBACK AT LEAST 20 FEET FROM ALL SIDE AND REAR PROPERTY LINES FOR FIRE PROTECTION PURPOSES. PLEASE NOTE THAT OTHER DEVELOPMENT REGULATIONS MAY SUPERSEDE AND ALTER THIS SETBACK REQUIREMENT. THE WHATCOM COUNTY FIRE MARSHAL HAS THE AUTHORITY TO SELECTIVELY OVERRIDE THIS RESTRICTION IN THE EVENT THAT ADEQUATE FIRE PROTECTION FACILITIES BECOME AVAILABLE AS SPECIFIED BY THE UNIFORM FIRE CODE.

RIGHT TO FARM NOTE

AS THIS SHORT PLAT IS LOCATED WITHIN A 1/2 MILE OF AN OPERATING FARM OR AG ZONE, THE DEVELOPER AND ANY SUBSEQUENT PURCHASER OR SUCCESSORS IN INTEREST OF ALL OF THE LOTS WITHIN THIS SHORT PLAT WILL REFRAIN FROM ANY LEGAL ACTION TO RESTRAIN OR COLLECT DAMAGES FROM OWNERS OR OPERATORS OF SUCH AGRICULTURAL LANDS, OR FROM WHATCOM COUNTY, ARISING OUT OF ANY REASONABLE AND LAWFUL FARM OPERATIONS ON SAID AGRICULTURAL LANDS WHICH OCCURS IN THE NORMAL COURSE OF THEIR ESTABLISHED USE. UPON SALE OF EACH LOT, THE SELLER SHALL REQUIRE THAT THE "DISCLOSURE STATEMENT" AS SET FORTH IN TITLE 14.02 BE SIGNED BY THE PURCHASER AND RECORDED IN THE COUNTY AUDITOR'S OFFICE IN CONJUNCTION WITH THE DEED CONVEYING SAID LOT.

RIGHT TO PRACTICE FORESTRY ORDINANCE:

(THIS PROPERTY IS LOCATED WITHIN ONE-HALF MILE OF THE AREA DESIGNATED AS FORESTRY ON THE MAPS COMPRISING THE WHATCOM COUNTY COMPREHENSIVE PLAN.) THE DEVELOPER AND ANY SUBSEQUENT PURCHASER OR SUCCESSORS IN INTEREST OF ALL OF THE LOTS WITHIN THIS SHORT PLAT WILL REFRAIN FROM ANY LEGAL ACTION TO RESTRAIN OR COLLECT DAMAGES FROM OWNERS OR OPERATORS OF SUCH SAID FORESTRY LAND, OR FROM WHATCOM COUNTY, ARISING OUT OF ANY REASONABLE AND LAWFUL FORESTRY PRACTICES. THE SELLER SHALL REQUIRE THAT THE "DISCLOSURE STATEMENT" AS SET FORTH IN TITLE 14.04 BE SIGNED BY THE PURCHASER AND RECORDED IN THE COUNTY AUDITOR'S OFFICE IN CONJUNCTION WITH THE DEED CONVEYING SAID LOT. THIS COVENANT SHALL RUN WITH THE LAND.

CRITICAL AREAS ORDINANCE NOTE:

THIS SHORT PLAT HAS BEEN REVIEWED FOR COMPLIANCE WITH THE WHATCOM COUNTY CRITICAL AREAS ORDINANCE. NO JURISDICTIONAL CRITICAL AREAS WERE FOUND TO EXIST WITHIN THE BOUNDARIES OF THIS SHORT PLAT AS OF SEPTEMBER 15, 2005.

JOINT ROAD MAINTENANCE AGREEMENT:

ALL COSTS OF MAINTAINING, REPAIRING, IMPROVING OR OTHERWISE CONNECTED WITH THE 60' WIDE INGRESS, EGRESS & UTILITY EASEMENTS SHOWN HEREON WILL SUBSCRIBE TO AND BECOME EQUAL PARTICIPANTS, ALONG WITH THE NEIGHBORING PROPERTIES (AND ANY SUBDIVISION THEREOF), OF THE ROAD MAINTENANCE AGREEMENT - PRIVATE ROAD AS RECORDED UNDER AF No. 206100443. SAID COSTS SHALL THEREFORE BECOME AN ENFORCEABLE LIEN AGAINST ANY LOT WHOSE OWNERS REFUSE OR FAIL TO PARTICIPATE IN THE MAINTENANCE, REPAIRS OR IMPROVEMENTS MADE BY AGREEMENT OF THE OTHER OWNERS. THIS PROVISION SHALL BE CONSTRUED AS A COVENANT RUNNING WITH THE LAND.

ACCESSORY DWELLING UNIT NOTE (ADU):

NO ACCESSORY DWELLING UNITS SHALL BE PERMITTED ANYWHERE WITHIN THIS SHORT PLAT.

WHATCOM COUNTY DRAINAGE EASEMENT DISCLAIMER:

WHATCOM COUNTY PUBLIC WORKS SHALL HAVE NO OBLIGATION TO ASSUME ANY RESPONSIBILITY OR COST FOR MAINTENANCE OR IMPROVEMENT OF ANY DRAINAGE COURSE WITHIN THIS SHORT PLAT OR PRIVATE ROAD EASEMENTS.

APO CLUSTER NOTES:

1. THIS 4 LOT LAND DIVISION HAS BEEN APPROVED AS AN AGRICULTURE PROTECTION OVERLAY (APO) CLUSTER SHORT PLAT. ALL LOTS WITHIN THIS SHORT PLAT ARE SUBJECT TO THE DEVELOPMENT AND USE STANDARDS OF THE AGRICULTURE PROTECTION OVERLAY DISTRICT, PURSUANT TO WHATCOM COUNTY CODE 20.38.060. THE FOLLOWING NOTES SHALL BE CONSIDERED A DEED RESTRICTION AND SHALL CONSTITUTE A BINDING AGREEMENT BETWEEN WHATCOM COUNTY AND ALL PRESENT AND FUTURE OWNERS OF RECORD. SAID NOTES SHALL BE INCLUDED WITHIN ALL DEEDS AND CONTRACTS OF CONVEYANCE AND MAY ONLY BE AMENDED BY MUTUAL AGREEMENT BETWEEN SAID PARTIES PURSUANT TO THE ZONING IN EFFECT AT THE TIME. ANY AMENDMENT OF THE RESERVE TRACT REQUIRES THE FILING FOR RECORD OF A NEW MYLAR.

2. THE CURRENTLY PERMITTED DENSITY WITHIN THE FOUR LOTS OF THE SHORT PLAT SHALL BE ACHIEVED WITH ONE SINGLE FAMILY DWELLING UNIT ON EACH OF LOTS 1,2,3 AND 4.

3. BASED ON DENSITY CALCULATIONS MADE FOR THE 20-ACRE PARENT PARCEL LOCATED WITHIN AN R5A-APO ZONE, SAID PARCEL IS ELIGIBLE FOR FOUR (4) RESIDENTIAL DENSITIES WHICH ARE DISTRIBUTED AS FOLLOWS: ONE (1) DENSITY IS ASSIGNED TO LOT 1; ONE (1) DENSITY IS ASSIGNED TO LOT 2; ONE (1) ONE DENSITY IS ASSIGNED TO LOT 3; AND ONE (1) DENSITY IS ASSIGNED TO LOT 4, THE AGRICULTURAL RESERVE TRACT.

4. LOT 4 HAS BEEN DESIGNATED AS THE AGRICULTURAL RESERVE TRACT AND IS SUBJECT TO THE FOLLOWING RESTRICTIONS:
A. IT HAS BEEN ASSIGNED ONE (1) RESIDENTIAL DENSITY AND MAY BE UTILIZED FOR THE CONSTRUCTION OF ONE, SINGLE FAMILY DWELLING UNIT. IT IS NOT ELIGIBLE FOR AN ACCESSORY DWELLING UNIT;
B. ALL FOUR AVAILABLE RESIDENTIAL DENSITIES HAVE BEEN ASSIGNED AS NOTED ABOVE;
C. IT SHALL NOT BE FURTHER DIVIDED IN ANY MANNER EXCEPT AS MAY BE PROVIDED BY W.C.C.20.36.320;
D. IT MAY BE RETAINED BY THE SUBDIVIDER, CONVEYED TO THE RESIDENTS OF THIS SHORT PLAT, OR CONVEYED TO A THIRD PARTY;
E. IT CONTAINS AT LEAST 75% OF THE GROSS AREA OF THE PARENT PARCEL (20 ACRES). AS THIS PROPERTY IS SUBJECT TO THE APO ZONE, ANY FURTHER ALTERATIONS, AMENDMENTS, OR ADJUSTMENTS TO ANY PART OF THIS PLAT SHALL NOT RESULT IN THE RESERVE TRACT BEING REDUCED BELOW THE MANDATORY 75% REQUIREMENT.

NORTHWEST SURVEYING & GPS, INC.
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