

RECEIVED

May 2, 2024

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Whatcom County Attn: Tawni Helms 311 Grand Avenue Bellingham, WA 98225 WHATCOM COUNTY EXECUTIVE'S OFFICE

RE: EDI Grant Request for the Bellingham Mitigation Bank: Bear Creek Corridor Construction Project

Dear County Executive Sidhu, Economic Development Investment Program Board Chair and County Council Members:

I am writing to submit the City of Bellingham's application for an Economic Development Investment (EDI) grant to support the Bellingham Mitigation Bank: Bear Creek Corridor Construction Project. Specifically, we are seeking \$1,000,000.00 in EDI grant funds to complement the City's \$3,640,000.00 investment, which is essential for establishing the Bellingham Mitigation Bank as a much-needed mitigation alternative for Whatcom County developers.

In 2016, the City initiated the development of the Bellingham Mitigation Bank as a means of establishing a programmatic approach to compensatory mitigation that can, on the one hand, provide ecologically significant and functional mitigation and, on the other hand, promote economic development in the region by helping public and private developers meet their regulatory mitigation requirements with less time and agency coordination. Traditional permittee-responsible mitigation relies on small one-off mitigation projects that are usually expensive, time-consuming, and provide low ecological benefits. By consolidating mitigation efforts into a mitigation bank, the City aims to offset unavoidable impacts in the region while complementing regional restoration goals and ensuring consistency with City and County Comprehensive Plan goals and policies, Shoreline Master Programs, and Regional Parks and Open Space planning efforts.

The Bellingham Mitigation Bank will offer credits for sale to all public and private sector developers whose projects have unavoidable impacts in the City's proposed service area. Professional developers, individuals, utility companies, special districts, Whatcom County, City of

Bellingham, WSDOT, or any other developer with unavoidable impacts in the service area, would be eligible to purchase mitigation bank credits. Permitting timelines for developers that purchase mitigation bank credits will be faster than traditional permittee-responsible mitigation because mitigation bank credits are pre-approved, reducing the agency approval timeline. By establishing the Bellingham Mitigation Bank, the City aims to promote regional economic development and help Whatcom County developers meet their regulatory mitigation obligations with maximum ecological benefit.

We hope that you are excited about this project's potential. The addition of EDI funds will facilitate the creation of the Bellingham Mitigation Bank and fulfill a long-awaited vision that has been anticipated for nearly a decade. We look forward to discussing this proposal further and demonstrating how it aligns with our shared commitment to improving mitigation outcomes and supporting economic development in Whatcom County.

Sincerely,

Kim Lund Mayor

Enclosure: Grant Application

Cc: Renee LaCroix, Assistant Public Works Director, Natural Resources

Analiese Burns, Habitat & Restoration Manager, Public Works Natural Resources

Eric Johnston, Director of Public Works

Whatcom County

Economic Development Investments Program

Application for Funding



Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

Preliminary Information and Application

Note: The intent of this Program is to be consistent with State law, RCW 82.14.370

- 1. Who is eligible to apply: Local general or special-purpose governments and higher education.
- 2. What projects are covered: Construction of publicly owned infrastructure, facilities, and related improvements, which enable or encourage the creation or retention of private sector businesses and jobs in Whatcom County consistent with EDI Program Policy Objectives.
- 3. What activities are fundable: New construction, refurbishment, replacement, rehabilitation, renovation or repair. Demolition is allowable if tied to construction. Soft costs allowed within scope of construction budget. No land acquisition except right-of-way included in a construction project.
- **4.** What can you use the funds for: Transportation (roads, bridges, rail), utility services (water, sewer, storm, energy, telecom) and public buildings or structures.
- 5. Other Limitations: Planning/feasibility only projects are not eligible. Minimum local match is 10% of EDI request. EDI Board will make recommendations to the County Council which makes the final decision.

Preferential Project Types

First Preference – "JOBS IN HAND PROJECTS" – These types of projects will allow for the immediate creation and/or retention of jobs by providing public infrastructure that directly supports jobs. A perfect example would be a private business that will build or move into a facility and hire employees if a road is built or if water/sewer lines are extended to the site. These types of proposals would include a commitment by the private sector employer to create jobs and provide private investment.

Second Preference – "BUILD IT AND JOBS WILL COME PROJECTS" – These types of projects will construct public infrastructure but are not associated with a specific commitment from a private business to locate and/or create jobs. A perfect example would be the construction of roads and utility infrastructure to serve a new business park that would benefit multiple businesses.

Third Preference – COMMUNITY ENHANCEMENT PROJECTS" – These types of projects generally improve the physical appearance or create community assets to enhance the business climate. Examples would be boardwalk, streetscaping, downtown structures, and other publicly-owned facilities that make a community or region more attractive to existing or future businesses.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

Preferential Project Terms

First Preference – EDI LOAN – Due to the preferred revolving nature of EDI funds, proposals that are loan only will receive higher scoring. Loan terms and interest rate structure matches the Public Works Trust Fund program. The county will maintain discretion to modify such as including a deferral period.

Second Preference – LOAN/GRANT COMBINATION – The preferred combination of grant funds and loan funds is 1/3 grant, 2/3 loan.

Third Preference – EDI GRANT – Due to the "one-shot" nature of grants, projects of equal scoring requesting a grant only will be scored lower than another similar project requesting a loan/grant mix.

Preferential* Project Amounts (Guidelines)

JOBS IN HAND PROJECTS - \$1,000,000 limit if grant only. \$2,000,000 limit if combination of grant and loan. \$3,000,000 limit if loan only

BUILD IT AND JOBS WILL COME PROJECTS - \$500,000 limit if grant only. \$1,000,000 limit if combination of grant and loan. \$1,500,000 limit if loan only.

COMMUNITY ENHANCEMENT PROJECTS - \$250,000 limit if grant only. \$500,000 limit if combination of grant and loan. \$750,000 limit if loan only.

*Based on compelling reasons, the EDI Board and County Council may consider exceptions.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

FILLABLE FORM BEGINS HERE

Past Performance

Project Name	Year	EDI – Grant/Loan	Amount	
W Bakerview Overpass	2012	Loan	\$350,000	
W Bakerview Overpass	2013	Grant	\$300,000	
Regional Stormwater Facility	2015	Loan	\$1,675,000	
Regional Stormwater Facility	2015	Grant	\$825,000	
Waterfront Project	2018	Grant	\$1,100,000	
Meridian Birchwood PH1	2023	Grant	\$2,625,000	
Old Town	2024	Grant/Loan	\$3,000,000	
X Yes;No.	t findings fro	om the Washington St	ate Auditor in th	he past 10 years?
X Yes; No.				he past 10 years?
your jurisdiction received any audi X Yes; No. S, provide details: The City received the following find				he past 10 years?
X Yes; No.	lings from the ver financial s ty's ability to ned the missta	e Washington State Au statement preparation produce reliable finan	ditor's Office: were found to be cial statements w	e inadequate to ensure which resulted in several ne financial statements

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

THRESHOLD PROJECT CRITERIA

Evidence of Planning

YES	NO
X	
X	
X	• ::

Project included on an adopted regional economic strategy ("CEDS" list). Project included in the applicant's Comprehensive Plan. Project included in the applicant's Capital Expenditure Plan or adopted budget.

COMMENTS

The Bellingham Wetland Mitigation Bank is included in the Updated CEDS 2022 list to: "Complete acquisition for the regional Wetland Mitigation Bank north of Bellingham. Additional mitigation construction will likely be required." EDI is listed as a potential funding source.

Whatcom County Comprehensive Economic Development Strategy (CEDS) 2022-2026

 Creation of a mitigation bank is included in the City of Bellingham's 2016 Comprehensive Plan Economic Development Chapter under Policy EV-14: "Encourage development of mitigation options such as a mitigation bank or in-lieu fee program."

City of Bellingham 2016 Comprehensive Plan

• Development of a mitigation bank is included in the City's adopted 2023-2024 Budget and has been since 2017.

City of Bellingham Adopted 2023-2024 Budget

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

THRESHOLD PROJECT SCORING

POINTS		
	Preferential Project Type	
17	 X Jobs In Hand X Build It And Jobs Will Come X Community Enhancement 	10 points 5 points 2 points
	Preferential Project Terms	
2	Loan Only Loan/Grant X Grant Only	10 points 5 points 2 points
	Preferential Project Amounts	
5	X Within Dollar LimitsOutside Preferred Dollar Limits	5 points 0 points
24		
TOTAL POINTS	To proceed to other parts of the application and to receive EDI	Board review, a proposed

project must score 10 or more points on the above section.

Whatcom County Economic Development Investment (EDI) Program Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

PROJECT APPLICANT

Applicant Name:	City of Bellingham			
Applicant Address	: 210 Lottie Street, E	Bellingham, WA 98225		
Applicant Contact	Person: Renee Lacro	ix, Assistant Director Pu	ıblic Works N	atural Resources
Applicant Email an	nd Phone Number: <u>rlac</u>	croix@cob.org, 360-778	3-7966	
		PROJECT TITLE		
-2	Bellingham Mitigat	ion Bank: Bear Creek Co	orridor Constr	ruction Project
	PROJ	ECT AMOUNT RE	QUESTE	0
\$1,000,000	EDI TOTAL – (<u>L</u>	oan	; Grant	\$1,000,000
\$3,640,000	Local Match (10	% of EDI request minin	num)	
		PROJECT TYPE		
X Jobs In Hand	XBuild l	t and Jobs Will Come	<u>X</u>	Community Enhancement
		PROJECT TERMS		
Loan Only	Grant/Loan	X Grant Only	If a loan, t	erm requested:

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

PROJECT DESCRIPTION

(one page limit)

The Bellingham Mitigation Bank is a multi-phased project that will provide compensatory mitigation for public and private sector development with unavoidable impacts to wetlands, freshwater streams, and buffers. The City of Bellingham (City) is currently developing the first two sites of the Bellingham Mitigation Bank: Bear Creek Corridor and McCormick Creek Headwaters (Figure 1). Mitigation bank credits generated from the Bear Creek Corridor and the McCormick Creek Headwaters will be available to all developers seeking to offset their permitted impacts in the 68,978-acre service area, as shown in Figure 1.

The Bellingham Mitigation Bank's goals are to consolidate mitigation to complement regional restoration goals, streamline the permitting process, appropriately offset unavoidable impacts, and improve land use. The Bellingham Mitigation Bank will achieve these goals by providing ecologically significant and functional mitigation credits from bank sites selected through the City's watershed planning document, the Bellingham Habitat Restoration Technical Assessment. By consolidating mitigation efforts into a bank, the City aims to support developers in Whatcom County to meet their regulatory mitigation requirements with less time and agency coordination while complementing regional restoration goals and ensuring consistency with City and County Comprehensive Plans, Shoreline Master Programs, and Regional Parks and Open Space planning efforts.



Figure 1. Location and service area of the Bear Creek Corridor and McCormick Creek Headwaters.

The Mitigation Bank Project Team researched public and private development trends in Whatcom County, focusing on identifying future mitigation needs between 2017 and 2027. Through this research, they found 60 projects and 38 acres of unavoidable impacts in the service area. Project sponsors with unavoidable impacts included individual landowners, professional developers, utility companies, special districts, the City of Bellingham, Whatcom County, and WSDOT and included housing, commercial, and government infrastructure projects. While the research focused on anticipated projects between 2017 to 2027, the number of projects and project sponsors with unavoidable impacts in the service area is projected to remain consistent during the operation of the Bellingham Mitigation Bank. The City used these findings to inform bank site selection and to set goals for credit generation, scaling the Bellingham Mitigation Bank to accommodate the projected mitigation needs for the service area during its operational period.

The City has been working on the Bellingham Mitigation Bank since 2016 and has spent \$3,640,000 on acquisition, design, and permitting of the Bear Creek Corridor. The Mitigation Banking Instrument for the Bear Creek Corridor is currently in development, and drafts have been reviewed by the Interagency Review Team consisting of Whatcom County, Army Corps of Engineers, Department of Ecology, and Lummi Nation. The City of Bellingham requests a \$1,000,000 EDI Grant to pay for the cost of constructing the Bear Creek Corridor. Revenue from Bear Creek Corridor credit sales will fund the design, permitting, and construction of the McCormick Creek Headwaters.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

BASIC PROJECT INFORMATION

1.	Complete the pul 100% complete?	lic project budget and status of funds below. If EDI funds are approved is fu	nding
Co No	es for Bear Creek orridor o for McCormick eek Headwaters	Please explain:	

Should the County approve the City's EDI Grant application, Bear Creek Corridor construction will be 100% funded. The revenue from credit sales to both public and private developers will be used for the maintenance and monitoring of the Bear Creek Corridor. Surplus revenue from credit sales, beyond the maintenance and monitoring costs of the Bear Creek Corridor, will be used for the design, permitting, and construction of the McCormick Creek Headwaters. The City plans to replicate this model for future bank sites.

The City began working on the Bellingham Mitigation Bank in 2016. The Bellingham City Council has authorized \$3,640,000 to fund the acquisition, design, and permitting of the Bear Creek Corridor and the McCormick Creek Headwaters over multiple budget cycles. The EDI Grant would pay for the cost of constructing the Bear Creek Corridor. The City has already invested heavily to ready this project for construction. Therefore, it is not realistic to consider a loan/grant combination. If such a proposal was the only option for partnering with the County, the City would have had to apply for EDI funding in 2016 and requested the County to share the risk involved in permitting this facility. Moreover, if the City uses the revenue from credit sales to repay the County, it will delay the opening of the McCormick Creek Headwaters. While the City appreciates the County's desire to create a revolving loan program, the City requests the County to reconsider this preference for the creation of the Bellingham Mitigation Bank.

Funding Source	<u>Amount</u>	Planned/Applied For			Secured		
Federal Dollars	\$	Yes	No	Yes		No	
State Dollars	\$	Yes	No	Yes		No	
Local Dollars	\$3,640,000_	Yes	No	Yes	X	No	
EDI Funding	\$1,000,000	Yes X	No	Yes		No	
TOTAL	\$4,640,000						

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2. Describe the amount of outside (private) funding committed to the project (e.g. Plant and equipment).

The Bellingham Mitigation Bank will offer credits for sale to all private and public sector developers, including Whatcom County, whose projects have unavoidable impacts within the service area. Mitigation bank credits can be purchased by individuals, professional developers, utility companies, special districts, Whatcom County, City of Bellingham, WSDOT, or any other developer. By establishing the Bellingham Mitigation Bank, the City aims to promote regional economic development and help Whatcom County developers meet their regulatory mitigation obligations with less time and agency coordination.

The initial revenue generated from Bear Creek Corridor credit sales will be used for the maintenance and monitoring of the Bear Creek Corridor. Credit revenue exceeding the costs of maintaining and monitoring the Bear Creek Corridor will be used for the design, permitting, and construction of the City's second mitigation bank site, the McCormick Creek Headwaters.

3. Describe the public infrastructure being proposed. Include engineering estimates and a site map detailing the proposed improvements as Attachments A and B)

The public infrastructure project proposed for EDI funds is the construction of the City's first mitigation bank site, the Bear Creek Corridor (please see Attachment A for a site map and Attachment B for the engineer's estimate).

Under RCW <u>43.160.020</u> Public Facilities means: a project of a local government or a federally recognized Indian tribe for the planning, acquisition, construction, repair, reconstruction, replacement, rehabilitation, or improvement of: Bridges; roads; research, testing, training, and incubation facilities in areas designated as innovation partnership zones under RCW <u>43.330.270</u>; buildings or structures; domestic and industrial water, earth stabilization, sanitary sewer, storm sewer, railroad, electricity, telecommunications, transportation, natural gas, and port facilities; all for the purpose of job creation, job retention, or job expansion."

While the RCW does not call out mitigation banks specifically, a formal attorney general opinion (AGO 2001 No.5) provides guidance on how the tax can finance costs associated with a public facility if that facility serves an "economic development purpose" and a facility qualifies if it is listed in the economic development section of the county's economic development plan, in this case the Community Economic Development Strategy (CEDS). This project is identified in the CEDS.

The mitigation bank represents a type of man-made public structure which includes earth moving and planting. This type of public infrastructure is essential in preventing adverse impacts to the community's natural resources as our population continues to grow.

The Bear Creek Corridor encompasses four parcels totaling 98.95 acres, located northwest of the City of Bellingham, in the northwest portion of Whatcom County. The parcels are identified as Sites A, B, and C, and are located in unincorporated Whatcom County, Washington, immediately north of Bellingham city limits.

Construction activities will focus on enhancing the existing forested wetland, upland, and riparian corridor through the establishment of native species and the removal of invasive species. Additional construction activities will include:

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- Thinning deciduous trees to support conifer establishment;
- Installing habitat features;
- Installing signs;
- Installing perimeter and deer fencing;
- Removing two dilapidated culverts within a side channel of Bear Creek.

After construction, mitigation bank sites are required to be monitored by a third party to ensure performance standards are being met. A qualified biologist will monitor the Bear Creek Corridor and submit a report to the permitting agencies that includes information on native plant establishment and invasive species cover, photo points that visually map the progress of the mitigation site, and identification of any maintenance issues that need to be addressed. Maintenance tasks will follow the recommendations in the monitoring report and may include replanting native species, removing invasive species, and repairing fences.

4. Describe how these improvements will enhance or encourage community vitality and stimulate other private development in the area.

The City used private development trends in Whatcom County to inform bank site selection and to set goals for credit generation, scaling the Bellingham Mitigation Bank to accommodate projected mitigation needs for the service area during its operational period. The Bellingham Mitigation Bank will offer credits for sale to all private sector developers whose projects have unavoidable impacts in the service area. These development projects could be undertaken by individuals, professional developers, utility companies, special districts, or any other developer. Permitting timelines for developers that purchase mitigation bank credits will be faster than through traditional permittee-responsible mitigation because mitigation bank credits are pre-approved, reducing the time developers spend navigating agency approvals. By supporting private developers in Whatcom County, the Bellingham Mitigation Bank aims to promote economic development in the region and help these developers meet their regulatory mitigation obligations with less time and agency coordination.

5. List all permits and environmental reviews required for the public project and detail their status (completed, in-process, etc.)

	In Process	Date Completed
Preliminary Engineering	X	
Environmental Review	X	
Design Engineering	X	7
Right-of-Way	N/A	
Construction Permits	X	-
Environmental Permits	X	
Bid Documents	X	()————————————————————————————————————
Award Construction Contract	X	
Begin Construction	Initiate after above	
	milestones complete	
Project Operational	(7

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

6. Are any other public jurisdictions involved in this project? If so, in what way?

In 2017, the City undertook an extensive analysis to document projects proposed over the next 10 years with wetland and aquatic resource impacts by watershed and sub-watershed. This impact analysis was not restricted to watersheds just within the City's jurisdiction. Rather, the idea was to understand the full picture of projected impacts within Whatcom County and, based on that analysis, to determine a proposed service area and bank sites that would appropriately offset the identified impacts. The process by which the City identified these projects included reviews of public sector resource documents, such as Capital and Transportation Improvement Project budgets, and consultation with Whatcom County, WSDOT, and other agency staff and private sector development professionals. The City used the results from this analysis to inform bank site selection and to set goals for credit generation, scaling the Bellingham Mitigation Bank to accommodate projected mitigation needs in the service area during its operational period.

Whatcom County is the local jurisdiction with regulatory approval of the Bear Creek Corridor and McCormick Creek Headwaters and is currently reviewing the City's Mitigation Bank Major Project Permit application. Whatcom County is also a member of the Interagency Review Team that provides regulatory review, approval, and oversight of the Bear Creek Corridor. The Army Corps of Engineers, the Department of Ecology, US Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Lummi Nation, Samish Indian Nation, and other local tribes are part of the Interagency Review Team reviewing the technical appendices of the Bear Creek Corridor.

The following government approvals will likely be needed for the Bear Creek Corridor:

- Major Project Permit (Whatcom County)
- Land Disturbance Permit (Whatcom County)
- Hydraulic Project Approval (Washington Department of Fish and Wildlife)
- Clean Water Act Section 404 Approval Nationwide Permit 27 (U.S. Army Corps of Engineers)
- Clean Water Act Section 401 Review (Washington Department of Ecology)

7. Who will maintain the public facility/infrastructure to be completed with EDI funds? Will this project impact utility rates within the jurisdiction?

The City of Bellingham will maintain all wetland bank infrastructure completed with EDI funds including fencing, signage, plantings, and preservation areas. The Bellingham Mitigation Bank will not impact utility rates within the jurisdiction.

After construction, mitigation bank sites are required to be monitored by a third party to ensure performance standards are being met. A qualified biologist will monitor the Bear Creek Corridor and submit a report to the permitting agencies that includes information on native plant establishment and invasive species cover, photo points that visually map the progress of the mitigation site, and identification of any maintenance issues that need to be addressed. Maintenance tasks will follow the recommendations in the monitoring report and may include replanting native species, removing invasive species, and repairing fences. The engineer's estimate for the maintenance and monitoring of the Bear Creek Corridor is \$1.26 million.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

8. Will this project directly generate a revenue stream that could be used to repay an EDI loan? Will this project spur indirect revenues that could be used to repay an EDI loan? If no to either question – why?

The initial revenue from Bear Creek Corridor credit sales will be allocated to maintaining and monitoring the Bear Creek Corridor. The City proposes reinvesting any surplus revenue, beyond the maintenance and monitoring costs of the Bear Creek Corridor, into the design, permitting, and construction of the McCormick Creek Headwaters.

9. What other revenue sources are available for this project and have they been considered. This includes forming a Local Improvement District (LID or ULID), issuing Councilmatic Bonds, Revenue Bonds, or other source(s).

The City of Bellingham began working on the Bellingham Mitigation Bank in 2016 and has invested \$3,640,000 towards the development of the Bear Creek Corridor and McCormick Creek Headwaters from loans from the City's Street and Greenways funds over multiple budget cycles.

10. Describe the private development project that will be supported by this public facility project. If there is a committed private sector partner include Contingency Agreement (Attachment C).

The Mitigation Bank Project Team researched Whatcom County development trends to identify future mitigation needs between 2017-2027. Researchers identified 60 projects and 38 acres of unavoidable aquatic impacts in the service area. Project sponsors with unavoidable impacts included individual landowners, professional developers, utility companies, special districts, the City of Bellingham, Whatcom County, and WSDOT and include housing, commercial, and government infrastructure projects. Although the report is focused on projects from 2017 to 2027, the number of projects and project sponsors with unavoidable impacts in the service area is projected to remain relatively consistent during the operation of the Bellingham Mitigation Bank.

Development projects with unavoidable impacts are offset on a case-by-case basis. For instance, a development project might have a significant economic benefit to the region but only cause minor wetland impacts. In such a case, the development project may only require 1/8 of a mitigation bank credit to offset its unavoidable impacts. On the other hand, a development project with a small economic benefit to the region may still have significant wetland impacts and necessitate 1-2 mitigation bank credits to offset the unavoidable impacts.

Generally speaking, most development projects with unavoidable impacts would be offset by approximately 0.5 mitigation bank credits per project. Which means that 1 credit will offset two development projects. This ratio can be used to estimate the number of projects that will be offset by the Bear Creek Corridor and the McCormick Creek Headwaters. Specifically, the Bear Creek Corridor's projected 15 credits are estimated to offset 30 development projects (15 credits multiplied by 2 projects offset per credit yields an estimate of 30 projects offset). Similarly, the McCormick Creek Headwaters is projected to generate 25 credits, which are estimated to offset 50 development projects (25 credits multiplied by 2 projects offset per credit yields an estimate of 50 projects offset). Collectively, the Bear Creek Corridor and McCormick Creek Headwaters are estimated to offset 80 development projects (30 projects offset by the

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

Bear Creek Corridor plus 50 projects offset by the McCormick Creek Headwaters yields an estimate of 80 development projects offset by both bank sites).

11. Explain why the private development requires the proposed public improvement(s).

Local, State, and Federal jurisdictions require development projects to provide compensatory mitigation when development has unavoidable impacts which results in the loss of wetland and aquatic resource functions. The Bear Creek Corridor and McCormick Creek Headwaters will generate mitigation credits that can be purchased by both public and private developers to offset their projects' unavoidable impacts and meet their regulatory requirements. Currently, there are limited opportunities for mitigation in Whatcom County, and mitigation projects are usually expensive, time-consuming, and developed as one-offs with low ecological benefit. To simplify the process, the City plans to consolidate mitigation efforts into a bank. This will help support developers in Whatcom County to meet their regulatory mitigation requirements with less time and agency coordination and will result in a higher ecological benefit.

12. What is the status of the associated private development review and permits. List all permits required and give the current status (applied for, being reviewed, issued).

There are many private and public developments in various stages of advancement that will be able to utilize the Bellingham Mitigation Bank. So, it is difficult to provide a status reports for each of them.

	In Process	Date completed
Environmental Review:	N/A	
Construction Permits:	N/A	
Environmental Permits:	N/A	

13. Describe the type of industry or economic activity the public development will attract. What is the strategy to attract industry to the project site?

Credits from the Bellingham Mitigation Bank will be available for the full range of development types including single family residential, multi-family residential, commercial, industrial, institutional (schools), public utilities, recreation, and transportation. Private development projects may include those by individual landowners, professional developers, utility companies, special districts, or other developers. Public development projects will include but not be limited to projects from the City of Bellingham, Whatcom County, school districts, and WSDOT.

The City of Bellingham is currently working on a marketing and outreach plan for the Bear Creek Corridor. The main objective of the plan is to increase awareness among public and private developers and ensure they understand how to purchase credits for an approved project. The City will also notify developers, builders, and industry professionals when the Bellingham Mitigation Bank is open for business.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

14. List the number of projected jobs, by type, to be retained and/or created by the private entity.

NOTE: In place of completing the below chart, a new chart has been created showing the local jobs that will be created by the construction, maintenance, and monitoring of the Bear Creek Corridor and McCormick Creek Headwaters. McCormick Creek Headwaters jobs and wages are included because the revenue generated from Bear Creek Corridor credit sales will fund the development of the McCormick Creek Headwaters. The information in the chart provided includes only the numbers relevant to the jobs in hand that are created from construction of the Bear Creek Corridor. It is very challenging to fully quantify all the economic benefits of opening the mitigation bank itself because the development projects that will use the bank span a wide range.

Occupation	Current Jobs Retained* * (In FTEs)	# Of Jobs Created Year 1 (In FTEs)	# Of Jobs Created by Year 10 (In FTEs)***	Hourly Wage of current or new position	Local Occupational Hourly Wages***
Mgmt./Admin*					N/A
Technical/Prof					
Office/Clerical					
Production					
Sales					
Skilled Crafts					
Others					
Totals				N/A	N/A

^{*} Indicate Management positions in annual salary.

- a. Projected annual gross payroll for all job classifications.
- b. Describe fringe benefits the company offers to regular full-time employees.

^{**} Retained jobs are defined as jobs that would otherwise be lost from the county without this project.

^{***} This column will be populated with data from the state before application is distributed and revised annually.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

	\$ Spent on Construction, Maintenance, Monitoring	# of Jobs and \$ in Wages related to Construction, Maintenance, and Monitoring			
		15-20 landscape maintenance jobs @ \$28 +/- per hour			
Bear Creek Corridor	\$2.2m	3-5 monitoring biologist jobs @ \$155 +/- per hour			
		\$1.3m in wages			
		20-25 landscape maintenance jobs @ \$28 +/- per hour			
McCormick Creek Headwaters	\$4m	3-5 monitoring biologist jobs @ \$155 +/- per hour			
		\$2.4m in wages			

Hourly rates were obtained by surveying regional landscape maintenance contractors, monitoring biologists, and reviewing prevailing wages in Whatcom County. The total spent on wages was derived from the Bear Creek Corridor engineer's estimate and recent bids received for similar projects.

In addition to the jobs and wages associated with the construction of the Bear Creek Corridor and McCormick Creek Headwaters (summarized in the table above), the Bellingham Mitigation Bank will indirectly support the jobs and wages of public and private development projects purchasing credits.

Generally speaking, most development projects with unavoidable impacts would be offset by approximately 0.5 mitigation bank credits per project. Which means that 1 credit will offset two development projects. This ratio can be used to estimate the number of projects that will be offset by the Bear Creek Corridor and McCormick Creek Headwaters. Specifically, the Bear Creek Corridor's projected 15 credits are estimated to offset 30 development projects (15 credits multiplied by 2 projects offset per credit yields an estimate of 30 projects offset). Similarly, the McCormick Creek Headwaters is projected to generate 25 credits, which are estimated to offset 50 development projects (25 credits multiplied by 2 projects offset per credit yields an estimate of 50 projects offset). Collectively, the Bear Creek Corridor and McCormick Creek Headwaters are estimated to offset 80 development projects (30 projects offset by the Bear Creek Corridor plus 50 projects offset by the McCormick Creek Headwaters yields an estimate of 80 development projects offset by both the Bear Creek Corridor and McCormick Creek Headwaters).

If each development project employs ten (10) design consultants and 15 construction workers for a total of 25 jobs,* the 80 development projects offset by the Bear Creek Corridor and McCormick Creek Headwaters are estimated to indirectly support the wages of 2,000 jobs after all credits have been sold (25 jobs supported by each offset project multiplied by 80 projects offset yields an estimate of 2,000 jobs indirectly supported by the Bear Creek Corridor and McCormick Creek Headwaters).

^{*}Estimate provided by City of Bellingham Project Engineers.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

15. How does this project support the economy of Whatcom County and how does it fit into a county-wide economic development strategy?

The Mitigation Bank Project Team researched private and public development trends in Whatcom County to identify anticipated natural resource impacts and future mitigation needs. The City used these findings to inform bank site selection and to set goals for credit generation, scaling the Bellingham Mitigation Bank to accommodate the projected mitigation needs for the service area during its operational period. By consolidating mitigation efforts into a bank, the City aims to support developers in Whatcom County to meet their regulatory mitigation requirements with less time and agency coordination while complementing regional restoration goals and ensuring consistency with City and County Comprehensive Plan goals and policies, Shoreline Master Programs, and Regional Parks and Open Space planning efforts.

The development of the Bellingham Mitigation Bank as a mitigation alternative is consistent with the goals and policies of the Whatcom County Comprehensive Plan. Policies 10M-4, 10M-5, and 10M-6 note that impacts to regulated wetlands should be contingent upon full mitigation measures that equitably compensate for wetland impacts on a case-by-case basis; permitting wetland impacts through standardized compensatory mitigation, including offsite mitigation; and the planning and acquisition of wetlands to support their uses, functions, and values.

The City of Bellingham has adopted a Comprehensive Plan policy that encourages the development of a range of mitigation options, including banks. A mitigation bank helps economic development projects meet their regulatory mitigation requirements while complementing regional restoration goals and ensuring consistency with City and County Comprehensive Plan goals and policies, Shoreline Master Programs, and Regional Parks and Open Space planning efforts, including building on recommendations made in the City's Habitat Restoration Technical Assessment. The City believes that mitigation banking is preferable to the standard permittee-responsible mitigation for several reasons:

- Mitigation can be sited in such a way as to complement regional restoration and open space priorities.
- Consolidated mitigation carries the promise of providing ecologically significant and functional mitigation at a cost savings, as compared to the standard permittee-responsible mitigation process.
- Once established, a mitigation bank has the potential to save development projects time and money in meeting regulatory requirements related to mitigation at the local, state, and federal level.

16. What will the effect of this project be on the natural environment – does the project address any issues related to public health, pollution, or quality of life?

The primary ecological goals of the Bellingham Mitigation Bank within the Bear Creek Corridor are:

 Provide permanent protection to ecosystem functions within the Bear Creek Corridor by implementing the bank instrument and providing protection in perpetuity through execution of a conservation easement over the bank area. Preserving the Bear Creek Corridor will protect a 400+ acre contiguous, forested biodiversity corridor and documented Important Wildlife Habitat Area, including forest, streams, and wetlands.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

- 2. Enhance existing forested wetlands and uplands by planting native trees in select areas to increase plant community structure and species richness.
- 3. Enhance the Bear Creek riparian corridor by planting native shrubs to assist in competition with invasive plants, increase vegetative structure, increase stream shade, moderate in-stream water temperatures, and provide overhanging vegetation for aquatic habitat cover and food sources.
- 4. Preserve high-quality headwater wetlands, streams, and interconnected upland habitat along the Bear Creek riparian corridor, and throughout the Bear Creek Corridor.
- 5. Remove existing invasive plants and prevent the establishment of invasive plants throughout the Bear Creek Corridor to reduce competition with native species and increase species diversity.

Following the completion of the maintenance and monitoring term, the Bear Creek Corridor will experience a regeneration in forest stand complexity, transitioning from a single stand deciduous forest to a more complex mix of coniferous and deciduous species. The improved forest complexity will increase forest productivity, improve wildlife habitat, and discourage the spread of invasive species. Additionally, the Bear Creek Corridor riparian corridor will improve through the establishment of woody trees and shrubs and the reduction in invasive plants along the stream banks, which will help moderate and reduce in-stream water temperatures and stabilize the floodplain. Lower stream temperatures and increases in native trees and shrubs will provide improved habitat for the existing resident fish and salmonid species along the mainstem of Bear Creek.

17. Does this project address any existing issues related to public safety and/or does it increase public safety in the future or address a potential future public safety issue?

Construction of the Bear Creek Corridor will include the installation of perimeter fencing along Northwest Drive to deter camping and social trails within the site. Detering foot traffic to and from the Bear Creek Corridor will reduce vehicle-pedestrian interactions on Northwest Drive adjacent to the Bear Creek Corridor.

Enhancing the wetlands and riparian corridor of Bear Creek Corridor has the potential to improve public safety by:

- Increasing water storage capacity
- Reducing downstream flooding during high-flow runoff events
- Increasing climate resilience. Retaining forest cover and functional stream corridors are also critical components for climate resilience and part of the City of Bellingham's climate adaptation strategies.

Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

18. Describe specific quantifiable measures of the outcomes, other than purely jobs, that will demonstrate project success. Describe how you will measure this and explain what you expect to show as progress toward the outcome.

Milestones are based on the City's best estimate of the Mitigation Bank Interagency Review Team review and approval timeline. Staffing shortages at the Army Corps of Engineers and Department of Ecology have resulted in additional delays. The following are milestones for the Bellingham Mitigation Bank:

Milestone 1 Submit Bear Creek Corridor Mitigation Banking Instrument to Interagency Review Team 2025-2026

The Interagency Review Team normally takes one year to review and sign a mitigation banking instrument.

Milestone 2 Signed Bear Creek Corridor Mitigation Banking Instrument 2026-2027

Receiving a signed Bear Creek Corridor Mitigation Banking Instrument is the final agency approval needed before opening a bank for credit sales. City receives initial credit release.

Milestone 3 Construction Permits for Bear Creek Corridor 2027-2028

Permits necessary for mitigation actions are required prior to start of construction.

Milestone 4 Submit Bear Creek Corridor Construction As-Built Report to Interagency Review Team 2028-2029

Submittal of the construction As-Built Report to the Interagency Review Team represents the completion of construction. The permitting agencies will release additional credits to the City upon successful completion of construction.

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Revolving Loan and Grant Program to Encourage Creation or Retention of Private Sector Jobs

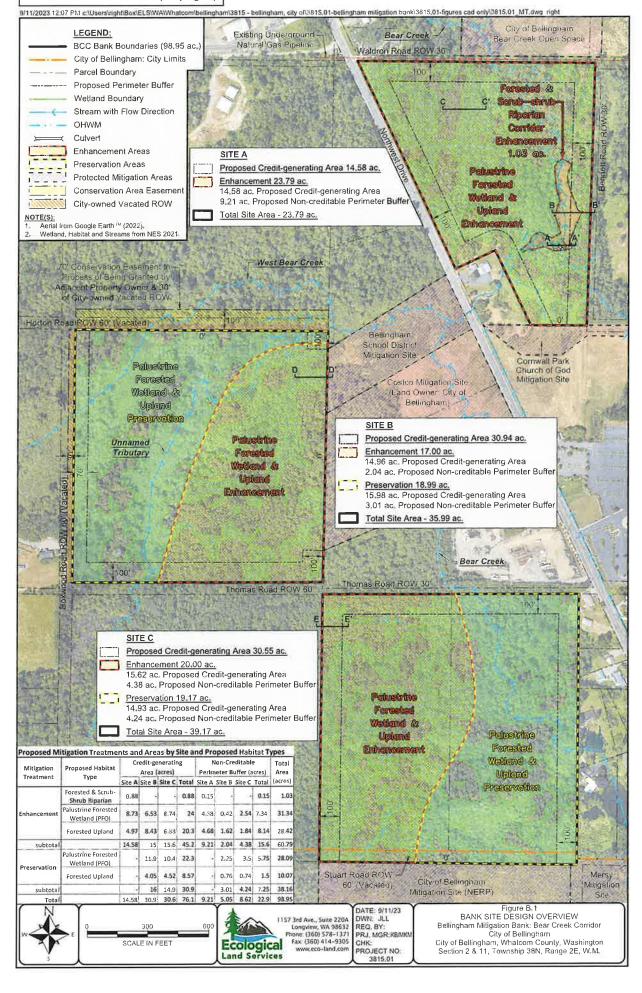
Application for Funding – Certification

I HEREBY CERTIFY THAT THE INFORMATION GIVEN IN THIS APPLICATION TO WHATCOM COUNTY FOR INVESTMENTS IN ECONOMIC DEVELOPMENT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Signature of Responsible Public Official:

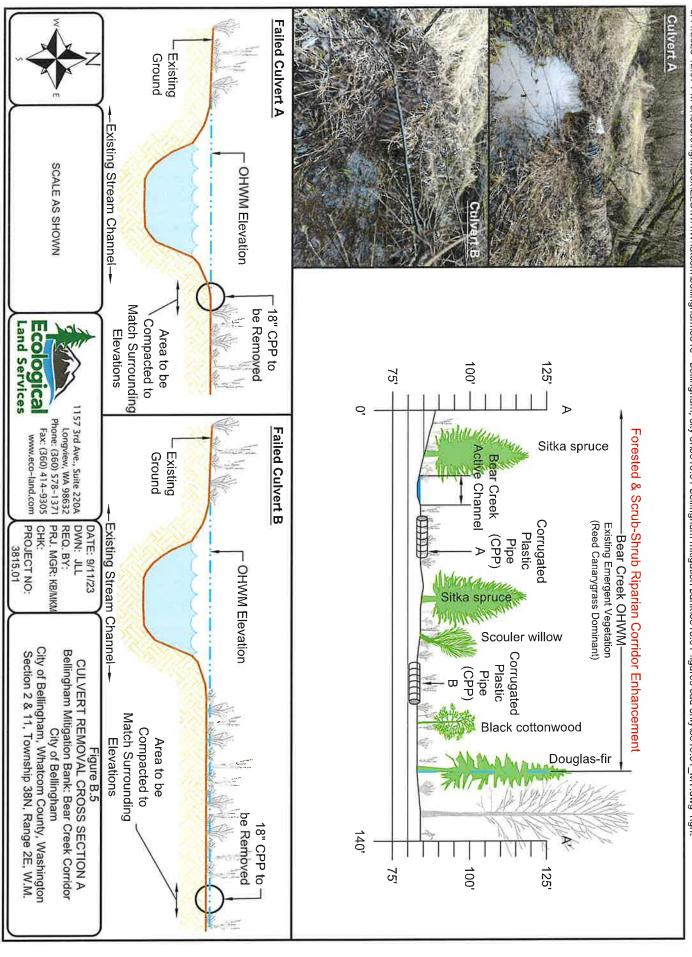
Date 5/3/24

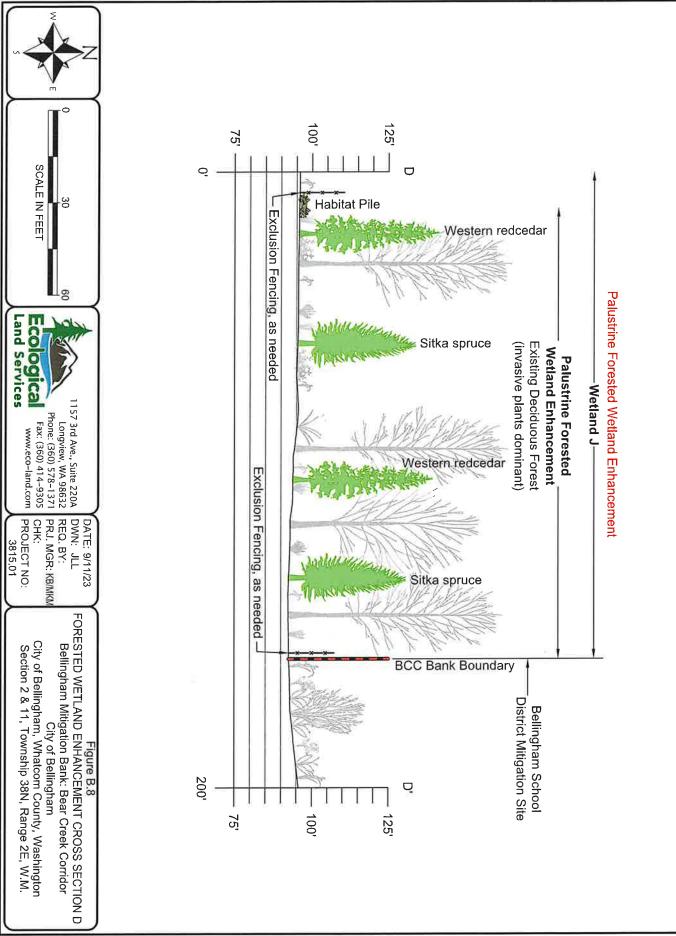
Attachment A. Site Plan (10 pages)

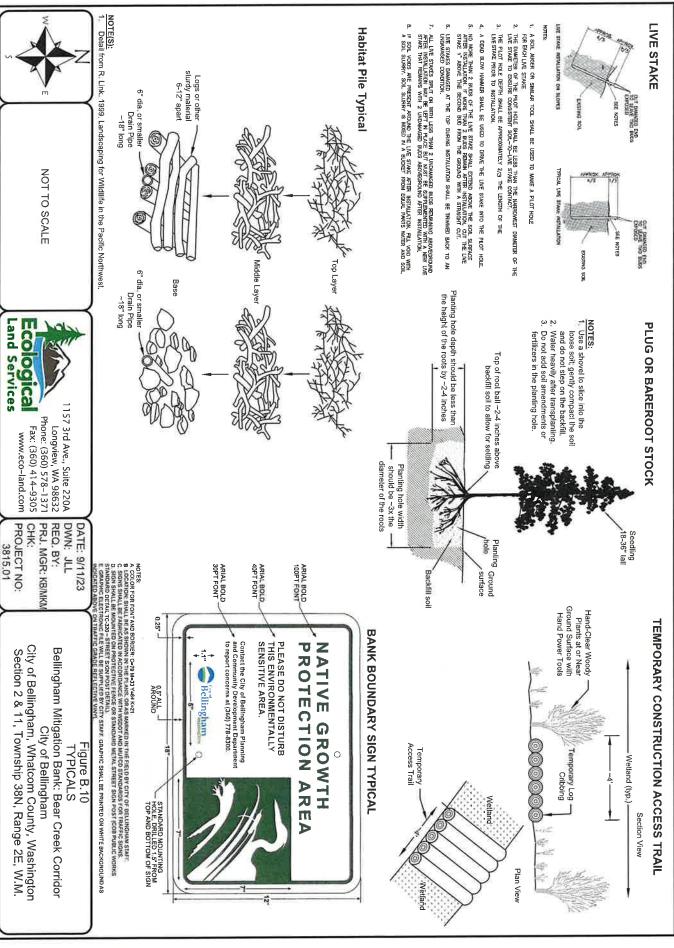


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Attachment B. Engineer's Estimate Bear Creek Corridor

Item	Total Quantity	Unit	11	nit Cost		Subtotal
rtem	Total Qualitity	Onic		iiit Cost		Jubiotal
Site Preparation						
Temporary Access Road - brush cutting and cribbing for						20.45
machinery, materials, and labor	1	LS	\$	28,032.00	\$	32,45
Weed control/thinning alders and trees	6	AC	\$	2,000.00	\$	14,07
Blackberry removal -Round 1 - 100% total area	12	AC	\$	2,000.00	\$	28,149
Blackberry removal -Round 2 - 50% total area	6	AC	\$	2,000.00	\$	14,07
Blackberry removal -Round 3 -25% total area	2	AC	\$	2,000.00	\$	3,51
Disposal - clean green (invasive species)	1	LS	\$	500.00	\$	57
Furnish and install bat boxes - sites A, B & C	12	EA	\$	300.00	\$	4,16
Furnish and install bird boxes - Sites A, B & C	12	EA	\$	300.00	\$	4,16
Furnish and install mitigation area signage Furnish and install 6 ' tall T-post per sign (except in areas	116	EA	\$	31.00	\$	4,16
with adjacent fencing)	77	EA	\$	15.90	\$	1,41
Free Cages	3,917	EA	\$	25.00	\$	113,34
Exclusion fencing around trees (330' per fence bundle)	17	EA	\$	513.00	\$	9,80
Exclusion fence T-post	560	EA	\$	5.30	\$	3,43
Removal of tree cages - year 5	1	LS	\$	9,000.00	\$	10,41
Removal of exclusion fencing - year 10	1	LS	\$	9,000.00	\$	10,41
Garbage removal and disposal	1	LS	\$	6,000.00	\$	6,94
Furnish and install boundary fencing: 3-wire smooth ("New						
Zealand") fencing; 5-feet tall	11,730	LF	\$	20.00	\$	271,57
Furnish and install fencing	391	EA	\$	15.90	\$	7,19
Plastic culvert removal (2 total)	1	LS	\$	3,000.00	\$	3,47
nwater mitigation for culvert removal - silt fence	160	LF	\$	13.00	\$	2,40
Planting						
Procure and install coniferous tree (#15 plug)	5595	EA	\$	6.00	\$	38,86
Procure and install live stakes - 4' x 1"	1250	EA	\$	28.00	\$	40,51
Tocare and motali iive states 4 x 1		Sub	total C	onstruction	\$	625,168
			Mobilia	ation (10%)	\$	62,51
	Su			tion + Mob.	_	687,685
	<u> </u>	Diotai C	Onstru	COOL : INOD.	Ψ	007,000
	Const	ruction (Contino	gency (30%)	\$	206,30
				b.+ Conting.	\$	893,990
				3	_	-
			Sale	s Tax (8.8%)	\$	78,67
	Total Bear Creek Co	rridor Co			\$	972,661
	Total Dear Creek do					
	9	Post-Cor	structi	on Costs		
				ce (10 years)	\$	1,043,800.00
				ng (10 years)	\$	217,000.00
				(, - ,, -, -, -, -, -, -, -, -, -, -,		2 -17.
	Construction +	Mainter	ance +	Monitorina	\$	2.233.500.0

In providing opinions of probable construction cost, the Client understands that the Consultant (Anchor QEA L.L.C.) has no control over the cost or availability of labor, equipment or materials, or over market condition or the Contractor's method of pricing. The Consultant makes no warranty, expressed or implied, that the bids or the negotiated cost of the Work will not vary from the Consultant's opinion of probable construction cost.