

LANGABEER & TULL, P.S.

Attorneys at Law

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JUL 06 2009

City of Bellingham
Planning

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HAND DELIVERED

July 6, 2009

Tim Stewart, Director
City of Bellingham Planning & Development Services
210 Lottie Street
Bellingham, WA 98225

Re: Fairhaven Highlands Site Visit

Dear Mr. Stewart,

We are writing on behalf of our client, Greenbriar Northwest Associates, in response to your letter of June 17, 2009, which requested permission for James Luce to be present onsite during additional data gathering for the Fairhaven Highlands EIS. The only issue arises from the ill-advised and unpermitted "survey" conducted at the direction of the mayor's office earlier this year. You have previously made it clear that document was not appropriate for inclusion in the SEPA process.

We want to support a good EIS, so James Luce's participation in the July 7th site visit is acceptable so long as it is clear the rejected report remains rejected and that his participation has no impact on that rejection; only confusion can result from its utilization.

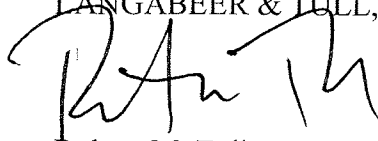
As you know, Jim Barborinas is the arborist who will be performing the work with the assistance of wetland biologists Susan Meyer and Vikki Jackson. Mark Johnson, EIS project manager for ESA Adolfsen and Dannon Traxler from our office will also attend the site visit.

On a related issue, we are concerned about the lack of precise methodology relating to the characterization of wetlands, and we will want to discuss that with you in the near future.

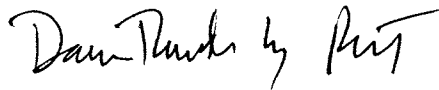
Tim Stewart
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Please contact our office with any questions or if you require additional information.

Very truly yours,
LANGABEER & TULL, P.S.

A handwritten signature in black ink, appearing to read "R. M. Tull", written over the printed name.

Robert M. Tull

A handwritten signature in black ink, appearing to read "Dannon C. Traxler", written over the printed name.

Dannon C. Traxler

DCT: ao
cc: client
Mark Johnson, ESA Adolfson