

**National Endowment for the Humanities  
Condensed Environmental Assessment**

**For**

**Northwest Indian College  
Health and Wellness Center  
2522 Kwina Rd,  
Bellingham, WA 98226**

**CHA 286600**

**August 9, 2022**

# National Endowment for the Humanities Condensed Environmental Assessment

## Project Location:

Facility Name:	Northwest Indian College (NWIC) Health & Wellness Center				
Address:	2522 Kwina Road				
City:	Bellingham	County:	Whatcom	State:	WA

## Recipient Information:

Facility Name:	Northwest Indian College				
Point of Contact:	Jay Conway				
Address:	2522 Kwina Road				
City:	Bellingham	State:	WA	Zip Code:	98226
Telephone Number:	360-392-4347				
Email:	jconway@nwic.edu				

EA Point of Contact:	Desiree Douglass, Douglass Consulting, LLC				
Address:	2300 J Street				
City:	Bellingham	State:	WA	Zip Code:	98225
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Email:	dld@douglassconsulting.net				

## Identify all Attachments to this Condensed EA:

Identify attachments as appendices to the Condensed EA. List the attachments in the order as they appear in the Condensed EA Include aerial photos, maps, plans, correspondence, and completed studies (or executive summaries).

<b>Graphics:</b>	
1.	Vicinity Map
2.	NWIC Campus
3A.	Health and Wellness Center Architectural Rendering
3B.	Health and Wellness Center Black & White
3C.	Site Plan
3D.	Grading Plan
3E.	TESCP
3F.	Road and Stormwater Plan
4.	LNRD Wetland and Streams
5.	Eagle Nests
6.	NES Wetland Determination
7.	Flood Hazards
8.	Coastal Zone

9. Zoning
10. Land Use
11. Soils

**Appendices:**

- A. NWIC Health & Wellness Center Design Packet, dated September 2021
- B. 2015 Critical Areas Assessment Executive Summary
- C. Lummi Land Use Permit and Building Permit
- D. Lummi Nation THPO Cultural Resources communication
- E. US Army Corps Nationwide 39 Permit & Certificate of Compliance
- F. Certificate of Completed Wetland Mitigation & Section 401 Water Quality Certification
- G. Lummi Nation Wetland Mitigation Bank Brochure
- H. USDA NRCS Letter Re: Prime Farmland letter, dated September

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## **Part I - General Project Identification**

### **Proposed Action**

Describe the proposed project (the preferred alternative) in detail. List and briefly describe your proposed action (which must relate to the project purpose and need). Attach drawings/plans for the proposed action.

Northwest Indian College (NWIC) is located on the Lummi Reservation and has expanded their campus under their Master Plan between 2005 and the present (Figures 1 and 2). NWIC proposes to construct a new Health and Wellness Center as an active cultural gathering place focused on programs and practices that promote Indigenous wellbeing. Constructing the 15,600 SF Health and Wellness Center as a cultural gathering space of healing demonstrates NWIC's commitment to create an Indigenized institution by providing a sense of home for our students from over 115 tribes as well as our greater tribal and civic community. NWIC applied for a National Endowment for the Humanities (NEH) Challenge Infrastructure and Capacity Building Grant in September 2021 and received an offer of a \$750,000 grant in April 2022, to construct the Center's shell. See Figures 3A-3C and Appendix A.

The Health and Wellness Center will include the following spaces:

The Multipurpose Space/Open Court is the central gathering space in the Center and will be the largest cultural gathering space on campus. The Open Court will be home for large, informal cultural ceremonies, symposiums and meetings, such as salmon night, pow wows, canoe family nights, cultural dance and drumming, and Weavers Teaching Weavers.

The space also hosts cultural sports such as archery and canoe pulling stations. It is regulation size for competitive athletics, such as men's and women's basketball, and fitness and strengthening programs. It will also host student activities, such as student orientation and student fairs. An indoor walking track offers year-round access to walking, cultural teaching, and jogging.

The Wellness Resource Classroom, located near the entrance of the Center, will be a welcoming destination that offers a culturally appropriate space for one-on-one coaching and small group Talking Circles. These programs will provide information and counseling related to traditional health and foods programming, healthy relationships and other social and family support services, continuing education as well as instruction on prevention of diabetes and blood pressure monitoring. This building will also include office and support spaces for staff and instructors.

The Outdoor Covered Entry provides bonus activity space and access to a lobby/concession sales area, ADA restrooms, and utilities. This is a critical space during the ongoing transition through the COVID-19 pandemic.



Multipurpose Space/Open Court	10,500 sf
Wellness Resource Classroom, Offices, & Support Spaces	5,100 sf
Outdoor Covered Entry	2,150 sf
<b>Health and Wellness Center Total Area:</b>	<b>15,600 sf</b>

The Health and Wellness Center is designed to be integrated into the larger NWIC campus. The east side of Wellness Center connects across a path to a commercial kitchen, dining hall and additional public restrooms inside of the Residence Life Center. The traditional built Outdoor Learning Pavilion and a traditional fire pit further connects the new Wellness Center to the student and cultural life on campus.

### **Purpose and Need**

Describe the problem that the project will address and the goals of the project. You may incorporate by reference information that is reasonably available to the public. Briefly describe the existing conditions on the project site, and the projected future conditions of the area impacted by the project. Identify any known sensitive environmental conditions.

NWIC is committed to a vision of healing and strengthening Indigenous people and communities through access to Indigenous knowledge and programs. In their Strategic Plan, 2004-2009, NWIC outlines four key strategic initiatives. Two of the Initiatives have goals that address the need for a physical space dedicated to physical and mental health and well-being: Strategic Initiative Three, Goal 2) "Build the organizational structures needed to support change and encourage ceremony in the College's daily life."

Strategic Initiative Four, Goal 2) "Promote increased access to more effective health care including mental and physical health services for College community."

Strategic Initiative Four, Goal 4) "Offer a variety of educational services in health and wellness based in cultural knowledge and literacy."

Constructing the 15,600 SF Health and Wellness Center fulfills the NWIC mission and meets important goals set forth in their Strategic Plan. The Center helps NWIC fulfill its commitment to provide a quality Indigenous education through which all student are able to strengthen their personal and tribal identity and ultimately help restore balanced lifestyles and Tribal prosperity in their home communities. The new Health and Wellness Center will engage Native women and men in the practice of programs that are relational and grounded in Indigenous healing-informed care. The Center will provide a sense of home for our students from over 115 tribes as well as our greater tribal and civic community.

*"This is a Center of doing. NWIC's humanities theory work is infused throughout our curriculum. For humanities practice, we need space for all of the doing, working and showing. We learn by doing and putting our cultural teachings into practice."*

... NWIC Administration Team

### **Alternatives Considered**

Describe all reasonable alternatives, including No-Action (or do nothing. alternative.) You need to develop reasonable alternatives to meet project needs (42 U.S.C. § 4332(E)). You have discretion as to the number and breadth of alternatives. For example, the need to use existing infrastructure necessary to support a proposed action can be a basis for identifying a discrete number of alternatives. When an alternative includes mitigation, include a brief discussion of those measures that avoid, minimize, reduce, or eliminate, rectify, or restore, or compensate for the impacts. If there are no other reasonable alternatives to the proposed action, please provide an explanation.

1. No-Action Alternative. Under this alternative, NWIC would not construct a new Health and Wellness Center for. The multipurpose space/open court, wellness classroom, and outdoor covered entry described in the project description, above would not be created and would not be available to the NWIC community.
2. No Outdoor Covered Entry Alternative. Under this alternative, NWIC would not include a 2,150 sf outdoor covered entry as part of the Health and Wellness Center.
3. No Alternative locations were considered as the location for the new Health and Wellness Center was selected to integrate the Center into the larger NWIC campus. The east side of Wellness Center connects across a path to a commercial kitchen, dining hall and additional public restrooms inside of the Residence Life Center. The traditional built Outdoor Learning Pavilion and a traditional fire pit further connects the new Wellness Center to the student and cultural life on campus. The proposed site was chosen because of its proximity to the student dorms, access for student recreation and the Library another community oriented building. In addition, the location includes adequate space for parking and expansion which will be important during larger community events.

Explain in detail the reason for not selecting each non-preferred alternative.

1. The No-Action Alternative was not selected because it does not help meet the NWIC commitment to create programs that are relational, grounded in Indigenous informed healing, and are designed to restore balanced lifestyles. The No-Action Alternative would mean that NWIC would not have a home for their programs to teach and promote Indigenous-informed lifestyle, healing. NWIC has students from Tribes and Nations all over the Pacific Northwest, including Lummi Nation. Under the No-Action Alternative, students would not have access to a learning center focused on restoring Indigenous healing, well-being, and lifestyles. This would be a loss to the students, the NWIC community, and the home Tribes and Nations for the students.

2. The No Outdoor Covered Entry Alternative was not selected because under this alternative, the large outdoor gather area that is critical as an additional gathering space during the Covid-19 pandemic would not be provided.

### **Affected Environment**

Briefly describe the existing conditions on the project site. The description should summarize site-specific conditions identified in Part II. Describe projected conditions of the area impacted by the project. Identify any known sensitive environmental conditions. This information is required for all building renovations and new construction (including building additions, temporary facilities, and trailers). Include the total site acreage and existing land use in the vicinity of the project.

*For example:*

*The area(s) which will be affected by the proposed action are identified in the attached map. This area consists of -[add a brief description of the environmental state of the area that will be affected by the location and operation of the project, focusing on those areas and resources that are potentially sensitive—the goal is to show the utility and need to identify actual place based environmental issues rather than compiling laundry lists of environmental resources that are not at issue by showing which environmental aspects the proposed activity may impact (aquifers, nesting areas, graves, sacred sites etc.)].*

The NWIC campus is located on a large portion of the old Kwina Estate that was dedicated to NWIC for their use by the tribe in 2003. The site for the new Health and Wellness Center is located in the western portion of parcel X139Y075 at the intersection of Kwina Road and Lummi Shore Road on the Lummi Reservation (Section 07, Township 38N, Range 02E).

The site proposed for the Health and Wellness Center is surrounded by the NWIC campus to the east and north; undeveloped, forested land to the south and east; and the original NWIC portable buildings on the north side of Kwina Road. There are also some single-family residences and Lummi Nation government buildings along Kwina Road.

During the initial phases of developing the NWIC South Campus in 2004, Douglass Consulting (DC) prepared an Environmental Assessment (EA) for review under the Tribal Environmental Policy Act (TEPA) and the National Environmental Policy Act (NEPA). This initial EA described the NWIC and surrounding area and documented the habitats and species in the area. In 2015, Northwest Ecological Services, LLC (NES) prepared a critical area assessment (CAA) for the 3.5-acre surrounding the proposed site for the Health and Wellness Center (Appendix B). The review area includes forested upland areas dominated by deciduous species. The area contains no streams and is mostly level, sloping gently and draining to the east. At the time of the CAA, the site included two small wetlands. These wetlands were filled in 2016 under a 2015 US Army Corps of Engineers (Corps) Nationwide 39 permit and Lummi Nation Critical Areas review and mitigation has been provided. At this time, the 3.5-acre site for the Health and Wellness Center

is cleared and filled under Lummi Land Use Permit (LUP) 15-067 and is ready for construction of the new Center under Lummi Building Permit (BUP) 20-016 (Appendix C).

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## **Part II – Environmental Consequences**

### **1.0 Air Quality**

*Consult the EPA Green Book or your State or local government's environmental or natural resources offices to determine if your project site falls within an EPA air quality non-attainment area, with air quality worse than the National Ambient Air Quality Standards as defined in the Clean Air Act*

	<b>Yes</b>	<b>No</b>
Is the project in an air quality nonattainment or maintenance area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, will the project:		
• Exceed net total of threshold level for regulated air pollutants?	<input type="checkbox"/>	<input type="checkbox"/>
• Cause major increase in the number vehicles to the site?	<input type="checkbox"/>	<input type="checkbox"/>
• Increase emissions above applicable <i>de minimis</i> levels?	<input type="checkbox"/>	<input type="checkbox"/>
Does the project require an air quality analysis?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Does the project require an air quality analysis for construction impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

In 2004, the NWIC EA documented the ambient air quality in the vicinity of the NWIC and the proposed Health and Wellness Center as good to excellent. Review of air quality mapping tools provided by the Environmental Protection Agency (EPA) and IQAir show current air quality as “Good” at Sandy Point, located west of NWIC, and “Good” in the City of Bellingham, located east of NWIC. Minor sources of air pollutants include automobile emissions along Kwina Road, Haxton Way, and Lummi Shore Road. Industrial air pollutants from Cherry Point Refinery north of Lummi Reservation, and from the south in Anacortes may at times be blown to the NWIC Campus. Marine winds blow primarily from east to west and dissipate these pollutants.

The ground-disturbing activities associated with site preparation for the new Health and Wellness Center are complete and no temporary impacts to air quality associated with construction of the buildings are anticipated. Measures to protect air quality during construction include: providing a rocked construction entrance; wetting loose soils during construction; and maintaining all construction vehicles and trucks in good working condition.

The new buildings will be constructed to meet the Lummi Nation Code of Laws Title 22, which requires compliance with the Uniform Building Code and all federal requirements for interior air quality. The new buildings will be constructed with adequate ventilation and materials selected for compliance with the Clean Air Act, Sections 176(c) and (d) and 40 CFR 6, 51, and 93.

## 2.0 Water Quality

*You may consult with your State or local government's environmental or natural resources offices for assistance in obtaining water quality information for your project.*

### Streams, Rivers, Watercourses & Jurisdictional Ditches

Are there streams, rivers, watercourses, or ditches in/near the project area?

Yes

No

Does the proposed action have the potential to impact water quality (including groundwater, surface water, or public water supply)?

Will there be an increase in stormwater?

Is there any [National Park Service listed wild and scenic rivers](#) on or near the project area?

Is there a sole source aquifer in/near the project area?

	X
	X
X	
	X
	X

### Other Waters

Are there any lakes or ponds in/near the project area?

Are there other surface/below surface waters in/near the project area?

	X
	X

Remarks:

The 2015 CAA for the 3.5-acre area that surrounds the site for the new Health and Wellness Center. The review area is mostly level, sloping gently and draining to the east. The area contains forested upland areas dominated by deciduous species. The CAA documented Lummi Natural Resource Department (LNRD), Washington Department of Fish and Wildlife (WDFW), and Washington Department of Natural Resource (WDNR) mappings that show the review area contains no streams, lakes, or ponds.

The nearest stream is mapped south of the review area and flows south to Scott Road and then northeast to S Slater Road. This stream is mapped as a Type "N" stream, indicating the absence of fish presence.

Another stream is mapped about 800 feet to the east of the review area begins east of Lummi Shore Road and flows east toward S Slater Slough. This stream has reaches mapped as Type "N" and reaches mapped as Type "F" (fish-bearing). NES site visits confirmed the stream mapping. See LNRD mapping of streams and wetlands (Figure 4).

The new Health and Wellness will result in increases in stormwater from the additional impervious surfaces of the new Multipurpose Space/Open court (10,500 sf); the Wellness Resource Classroom with offices and support spaces (5,100 sf); and the Outdoor Covered Entry (2,150 sf) equaling 15,600 sf (0.36 acres) of additional roof impervious surface and 13,070 sf (0.30 acres) of additional impervious pavement for the driveway, parking, and sidewalks. See Figure 3C Site Plan and Figure 3D Grading Plan. A Stormwater Pollution Prevention Plan

(SWPPP) was prepared for the project, in compliance with Lummi Nation Code of Laws Title 17. The SWPPP includes a Temporary Erosion and Sedimentation Control Plan (TESCP) with Best Management Practices (BMPs) to avoid and minimize impacts to stormwater runoff during and after construction (See Figure 3E). BMPs include but are not limited to the following:

- a. Equipment used in the work shall be maintained such that no visible sheen from petroleum products appears within the project site or adjacent water.
- b. Fuel hoses, oil drums, oil, fuel transfer valves, fittings, and similar materials and conveyance lines shall be checked for drips or leaks prior to deployment, and shall be maintained and/or stored properly to prevent spills onto the project site or into Lummi Nation Waters. All mechanized equipment used adjacent to and on the project site shall be checked at the beginning of each workday for oil, fuel, and hydraulic fluid leakage. If a leak is observed, the equipment shall be removed off-site where any accidental spill will not flow into Lummi Nation Waters and all leaks shall be corrected and the equipment washed clean prior to entering the work area.
- c. Oil spill containment devices (e.g., absorbent pads, absorbent boom, disposal bags) shall be readily available at the project site to contain any accidental leaks of petroleum products to Lummi Nation Waters.
- d. Any discharge of oil, fuel, or chemicals onto the project site and/or into adjacent waters is prohibited. If a spill occurs, containment and clean-up efforts shall begin immediately and be completed as soon as possible, taking precedence over all other work. Clean-up shall include proper disposal of any spilled material and used clean-up supplies.
- e. No cleaning solvents or chemicals used for tool or equipment cleaning may be discharged to the ground or to surface waters.
- f. When possible, vegetable base hydraulic fluid will be used in construction equipment.
- g. Erosion and sediment from areas disturbed during construction must be controlled on-site. Disturbed areas should be revegetated as soon as practicable.

Under the SWPPP, the rooftop stormwater will be collected and used for irrigation of the landscaping around the Health and Wellness Center. The stormwater from the pavement will be collected and treated into rock infiltration beds, located to the northeast and southeast of the Health and Wellness Center. See Figure 3F.

### **3.0 New/Unproven Technology**

Will action involve the use or purchase of new equipment/technology (such as new restoration techniques)?

Are the environmental impacts known?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

No new or unproven technologies are proposed for the construction of the Health and Wellness Center.

#### 4.0 Cultural Resources

##### Results of Section 106 Research

Eligible or listed resources present:

Archaeology

History/Architecture

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

##### Project Effect

No Historic Properties Affected

No Adverse Effect

Adverse Effect

Yes	N/A	SHPO/ NEH Approval Dates
<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LNTHPO June 2022
<input type="checkbox"/>	<input type="checkbox"/>	

##### Completed Documentati

Historic Properties Short Report

Historic Property Report

Archaeological Records Check/ Review

Archaeological Phase I Survey Report

Archaeological Phase II

Investigation Report

Archaeological Phase III Data Recovery

Eligibility and Effect Determination

Memorandum of Agreement

Yes	N/A	SHPO/ NEH Approval Dates
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LNTHPO 2022
<input checked="" type="checkbox"/>	<input type="checkbox"/>	LNTHPO 2004
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	

Describe all efforts to document cultural resources using the categories outlined in the remarks box. Include any additional Section 106 work required, such as mitigation or deep trenching.

A previous Section 106 review covering the project area was completed in 2004 in association with development of the NWIC Campus south of Kwina Road. The Lummi Cultural Contract Services Department (LCCSD) prepared a Report on Archaeological Survey and Assessment Activities for the 30-acre NWIC South Campus. The survey identified five archaeological resources and one cultural resource. The assessment determined that three of the resources would not be impacted by development of the 30-acre site; two resources which will be impacted but were not significant enough to warrant inclusion on the NRHP or mitigation; and one cultural resource which could be impacted in the first phase of the South Campus construction.

Mitigation measures to protect the identified cultural resource included establishing a buffer around the resource during and after construction.



The Lummi Nation Tribal Historic Preservation Office (LNTHPO) concurred with the findings and recommendations of the Assessment, including the recommended mitigation to protect the cultural resource in Phase 1 of the construction of the South Campus and the included the “inadvertent discovery” language in any permit conditions. Construction work proceeded and with the completion of Phase 1 by 2009, there are no remaining mitigation measures related to the development of the 30-acre NWIC campus, including the site of the new Health and Wellness Center.

In May 2022, NWIC contacted the LNTHPO to review the proposed Health and Wellness Center project for potential impacts to cultural resources (Appendix D). The LNTHPO coordinated an internal review using records on file with the Lummi Nation's Cultural Resource Management Program. Based on the review, in an email dated June 7, 2022, the LNTHPO indicated that an archaeological assessment would not be necessary. While LNTHPO does not anticipate the presence of cultural resources, they require the following inadvertent discovery language to be included in the Land Use Permit

(LUP):

“Should archaeological materials (e.g. shell midden, faunal remains, stone tools) or human remains be observed during project activities, all work in the immediate vicinity shall stop, and the area shall be secured. The Lummi Nation Tribal Historic Preservation Office 360.312.2257 shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required.”

With the above described documentation, reviews, and mitigation measures, the Health and Wellness Center project complies with the requirements of the National Historic Preservation Act (36 CFR 800, Section 106) and Title 40 of the Lummi Nation Code of Laws (Lummi Cultural Resource Preservation Code).

## **5.0 Ecological Resources**

### **Biotic Resources**

Describe the various types of flora (plants), fauna (fish, birds, reptiles, mammals, etc.), and habitat located in the project area. Indicate if the project will have any impact on these species or their habitat.

Remarks:

The 2015 NES CAA documents habitats and plant and animal species in the 3.5-acre review area. As discussed previously, the area includes forested upland areas dominated by deciduous species. At the time of the NES site investigation, the site included two small wetlands. Plant species observed by NES include: paper birch (*Betula papyrifera*), red alder (*Alnus rubra*), black cottonwood (*Populus balsamifera*), red osier dogwood (*Cornus sericea*), vine maple (*Acer circinatum*), salmonberry (*Rubus spectabilis*), sword fern (*Polystichum munitum*), Lady fern

(*Anthyrium felix-femina*), and Himalayan blackberry (*Rubus armeniacus*). The review area provides suitable nesting and breeding habitat for a variety of bird species and suitable habitat for wildlife that occupy mixed forested habitats.

The review area contains no streams. The CAA identified two streams outside of the review area. These two streams are shown on the WDFW SalmonScape mapping as having coho (*Onchorhynchus kisutch*), winter steelhead (*O. mykiss*), fall chum (*O. keta*), and Dolly Varden/bull trout (*Salvelinus malma*/*S. confluentus*).

The 3.5-acre project site area was cleared and graded in 2016 and the wooded habitats in this area are no longer available for use by wildlife. The adjacent forested habitats continue to provide habitat for wildlife, birds, and amphibians. The two wetlands have been filled under a Corps Nationwide 39 permit and Lummi Nation Critical Areas review and mitigation has been provided at the Lummi Wetland Mitigation Bank. No further impacts to habitats or wetlands will occur and no impacts to the two streams or the salmonid species will occur as a result of the project.

### Threatened or Endangered Species

Are there listed species and/or designated critical habitat present in areas affected directly or indirectly by the project? Please review the [FWS Critical Habitat resources](#).

Is the project within the known range of any federal species?

Does the project area contain any critical habitat?

Is Section 7 formal consultation required for this action (16 U.S.C. Sections 1536)?

Are there any State designated threatened or endangered species in the area?

Did you consult with USFWS (attach letter)?

Did you consult with the responsible state agency (attach letter)

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

As part of the 2004 EA prepared for the 30-acre NWIC S Campus development, DC prepared a Biological Assessment. The 2004 BA found no impacts to Priority Habitats or Threatened or Endangered (T&E) species. In addition, the 2015 NES CAA documented that no Priority Habitats or T&E animal or plant species are mapped in the 3.5 acre review area. There are multiple wetlands approximately 1,500 feet to the west and northwest of the review area. WDFW maps Peregrine falcon (*Falco peregrinus*) as occurring approximately 700 feet to the east of the review area. An eagle nest is located approximately 5,000 linear feet to the east and southeast from the review area. Eagle nests are protected under the Lummi Code of Laws. See Figure 5.

As noted above, the WDFW SalmonScape maps the two streams located outside of the review area as containing coho (*Onchorhynchus kisutch*), winter steelhead (*O. mykiss*), fall chum (*O.*

keta), and Dolly Varden/bull trout (*Salvelinus malma*/*S. confluentus*). No Priority Fish species are mapped in these two streams.

Based on the absence of Priority Habitats or T&E species in the review area and the distance of the streams, salmonid habitats and Peregrine Falcon mapping from the review area, the new NWIC Health and Wellness Center is not anticipated to have any adverse impacts on T&E species or Priority Habitats and will comply with all requirements of the Endangered Species Act (ESA)(50 CFR 402).

## 6.0 Wetlands

Are there [wetlands](#) in/near the project area?

**Yes**

**No**

☐
☒

Total wetland area: 0.435 acre(s)

Total wetland area impacted: 0.435 acres(s)

Wetland No.	Classification	Total Size (Acre)	Impacted Acres	Jurisdictional	Non-Jurisdictional	Comments
A	PFO	0.327	0.327	X		Filled in 2016 under NWP39
B	PFO	0.008	0.008	X		Filled in 2016 under NWP39

### Completed Documentation

Wetland Delineation Report

Conceptual Mitigation Plan (see remarks)

Mitigation Available

**Yes**

**No**

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☐
☒
☐
☒
☐

### Individual Wetland Finding

Alternatives that will not result in any wetland impacts are not practicable because such avoidance would result in (Mark all that apply and explain):

Substantial adverse impacts to adjacent homes, businesses, or other improved properties

Substantially increased project costs

Unique engineering, maintenance, or safety problems

Substantial adverse social, economic, or environmental impacts

The project not meeting the identified needs

**Yes**

**No**

☐
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Describe all wetlands identified adjacent or within the project area. Include whether or not impacts (both permanent and temporary) will occur to the features identified. Include if features

are subject to federal or state jurisdiction. Discuss measures to avoid, minimize, and mitigate if impacts will occur.

Remarks:

There are presently no wetlands within of adjacent to the project site. In the 2015 CAA, NES identified two small wetlands on the project site (Figure 6). Both wetlands were palustrine forested depressional wetlands. Both wetlands were determined to be Category IV under the Washington Department of Ecology Rating System. The wetlands are located in the center of the proposed Health and Wellness Center site. The project designers and engineers determined that the wetlands would need to be filled in order to fit the elements of the Health and Wellness Center at the site. These wetlands have been filled under a Corps Nationwide 39 permit and Lummi Nation Critical Areas review and Clean Water Act, Section 401 permit (Appendices E and F). Mitigation was provided at the Lummi Nation Wetland Mitigation Bank (WHMB) (Appendix G). The Lummi Nation WHMB includes design elements that increase water quality improvement, hydrologic, and wildlife functions in the WRIA 1 watershed, including traditional mitigation such as wetland re-establishment and re-habilitation. The WHMB wetlands serve these functions at moderate to high levels, which is higher than the water quality improvement, hydrologic, and wildlife functions currently provided at the Mackenzie Road sidewalk project site. Mitigation activities that are accomplished within the Lummi Nation WHMB sites that result in improvements to water quality, hydrologic, and habitat functions are summarized from the Lummi Nation Bank Prospectus (Lummi Nation WHMB, 2008):

- Increased water quality function is anticipated at the Bank sites due to enhancement planting of native tree species, improving thermal protection for streams, rivers, and fish habitats. Adding an expanded conifer component to Bank sites will increase species richness and will provide additional water quality function to areas that were previously limited due to the lack of woody material.
- Enhancement plantings in all Lummi Nation WHMB sites. Adding an expanded conifer component to the Bank sites will add structural complexity and a multi-layered canopy, which will increase the degree of rainwater interception and year round water uptake within the biomass of woody plants. Woody plants will also add increased friction to decrease the runoff velocity of surface waters.
- Protection in perpetuity of a regionally and ecologically significant river delta area.
- Removal, management, and monitoring of invasive species will increase biodiversity and species richness, ultimately resulting in wide ranging habitat benefits and functional improvements.
- Adding an expanded conifer component to the forests in the Nooksack Delta Site will increase species richness, which is important to supporting diverse fish and wildlife populations. Conifer species will add structural complexity to a multi-layered canopy, which will provide thermal and disturbance cover for all species.
- Habitat within the Lummi Nation WHMB sites provides fish and wildlife habitat functions at similar or higher levels than the impact site.

Based on the findings of the CAA and the approved wetland mitigation provided at the Lummi Nation WHMB, the project is found to comply with Lummi Nation Title 17, the Clean Water Act, Executive Order 11990.

## **7.0 Floodplains**

Is the project located in a [FEMA designated floodplain](#)?

**Yes**

☐

**No**

X

Based on the Flood Insurance Rate Maps (FIRM) for the project area, the site for the new Health and Wellness Center is located outside of the 100-year floodplain and floodway for the Nooksack and Lummi Rivers. The proposed project complies with the requirements of the Floodplain Management Act (24 CFR 55, Executive Order 11988). See Figure 7).

## **8.0 Coastal Areas**

Is the project located in a Coastal Barrier Resource System?

**Yes**

☐

**No**

☒

Is the project located in a Coastal Zone?

Is the project consistent with the State's CZMP (Attach coordination with State Agency to appendix)?

n/a

☐
☐

Remarks:

The Lummi Coastal Zone Management Plan as prepared to implement the Coastal Zone Management Program and to plan for appropriate uses along the shorelines of the Lummi Reservation. In accordance with the Shoreline Use and Coastal one Designation Element, the Health and Wellness Center is located approximately 1.5 to 2.0 miles inland of the shoreline on the Lummi Reservation and is not within the Lummi Nation designated Coastal Zone. For the above reasons, the project is found to be in compliance with the Coastal Zone Management Act (Section 307c and d). See Figure 8.

## **9.0 Energy and Natural Resources**

Will the project result in energy impacts during or after construction?

Will energy and natural resource demand exceed supply?

Are scarce or unusual materials required for the proposed project?

Are there parts of your project that are sustainable (if yes, describe below)?

**Yes**

☐

**No**

☒
☐
☒
☒
☐

Remarks:

Stormwater will be collected from rooftops and infiltrated into designed rock infiltration garden. Stormwater from the paved driveway, parking lot, and walkways will be collected and treated in biofiltration swales and then infiltrated into the same rock infiltration garden. The stormwater treatment system supports groundwater recharge.

## **10.0 Noise**

	<b>Yes</b>	<b>No</b>
Will the project change the current noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project create temporary (less than 180 days) noise impacts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are there any sensitive noise receptors near and/or adjacent to the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

Current ambient noise levels are consistent with a small college campus surrounded by Lummi Nation community buildings in a rural setting. The primary sources of noise at the project site are the NWIC campus and traffic along Kwina Road and Lummi Shore Road.

Noise associated with filling and grading activities during the ground disturbing activities to prepare the building site has already occurred. There will be some temporary minor noise produced during the construction of the buildings. Noise levels during construction minimized by will be maintaining all construction vehicles in good working conditions and restricting construction to normal daylight hours (7:00 am to 7:00 pm).

Noise associated with operation with the Health and Wellness Center will be minor and consistent with the surrounding NWIC campus. There will be temporarily higher sound levels during larger gatherings and cultural events at the Center.

## **11.0 Compatible Land Use**

	<b>Yes</b>	<b>No</b>
Will proposed action comply with local/regional development patterns for the area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the proposed action in or adjacent a <u>Wildlife Refuge or Wilderness Area</u> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Will the project affect a Wildlife Refuge or Wilderness Area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Remarks:

The NWIC is located in an area zoned Mixed Use, which permits a variety of uses including commercial, institutional, and multiple residential development (Figure 9). Lummi Nation zoned this area as Mixed Use in 2004 in anticipation of future development along Kwina Road,

including an expanded NWIC campus, the new Tribal Government Center, multi-family apartments, and some commercial development (Figure 10). Construction of the new Health and Wellness Center is consistent with the Lummi Nation Mixed Use zoning and the overall NWIC Master Plan.

## **12.0 Construction Impacts**

Will construction of the proposed project:

Increase ambient noise levels due to equipment operation

Degrade local air quality due to dust, equipment exhaust, or burning debris

Deteriorate water quality when erosion or pollutant runoff occur

Disrupt off-site and local traffic patterns

**Yes**

**No**

X

X

X

X

Remarks:

Filling and grading activities during the ground disturbing activities to prepare the building site has already occurred at the site for the new Health and Wellness Center. There will be some temporary minor noise produced during the construction of the buildings. Noise levels during construction will be minimized by restricting construction to normal daylight hours (7:00 am to 7:00 pm). Potential impacts to air quality during construction of the buildings will be negligible. Implementation of the Storm Water Pollution Prevention Plan (SWPPP) for the project will minimize any potential impacts to water quality during construction and operation of the new Health and Wellness Center. Any impacts to off-site and/or local traffic patterns during construction of the new Health and Wellness Center will be minimal. Staging of the construction will be located on-site. Additional traffic over the long term operation of the Health and Wellness Center will be minimal. The periods of the highest additional traffic generated will be during cultural and teaching events.

## **13.0 Solid and Hazardous Waste**

Is there an Environmental Due Diligence Audit (EDDA) for the Environmental Site Assessment (ESA) Phase I Report?

• If yes, is a ESA Phase II required/completed?

• If yes, is a ESA Phase III required/completed?

What is the date of any building on the site \_\_\_\_\_

Does the project require the use of land that may be contaminated?

Will the proposed project generate solid waste?

• If yes, are local disposal facilities capable of handling the additional waste?

**Yes**

**No**

X

X

n/a

X

X

X

Remarks:

BEK conducted a Phase 1 Environmental Assessment in 2002 covering an area of 196 acres along Kwina Road, including the NWIC and the Health and Wellness Center site. Based on the BEK Phase 1 site assessment, no sites with environmental contamination were identified on the NWIC and Health and Wellness Center site. BEK also did not identify any off-site contaminant sources that could present a risk of contamination to the Health and Wellness Center site. Based on BEK's findings, no ESA Phase II or ESA Phase III reports were required. The Health and Wellness Center will produce a slight increase of solid waste including trash and recyclables, such as glass, metal, and paper. Solid waste produced by the Health and Wellness Center will be collected, disposed, or recycled along with other NWIC solid waste.

#### **14.0 Socioeconomic Impacts**

Will the proposed action result in the relocation people, businesses, or farms? 

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Number of relocations:      Residences: \_\_\_\_\_ Businesses: \_\_\_\_\_  
    Farms: \_\_\_\_\_ Other: \_\_\_\_\_

Will the proposed action result in:

	Yes	No
• A change in business or economic activity in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• An impact on local public service demands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Induced/secondary impacts on the surrounding community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Remarks:

The new Health and Wellness Center will not result in any relocation of residences, business, or farms. The project will not result in any loss of jobs or other socioeconomic impacts. The new Health and Wellness Center is anticipated to have only beneficial induced or secondary impacts on the surrounding community, including:

1. New temporary jobs for construction and permanent jobs for operation of the Center, providing a socio-economic benefit to the Lummi Nation.
2. Health and wellness education grounded in Indigenous knowledge and teachings will promote increased well-being in the NWIC and Lummi Nation communities.
3. Opportunities for community gatherings will strengthen the NWIC and Lummi Nation communities.

#### **15.0 Environmental Justice (EJ)**

Are any low income or minority populations located within the project area? 

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>



Will the project result in adversely high or disproportionate human health or environmental impacts to the low income or minority populations population?

	X
--	---

Remarks:

The new Health and Wellness Center will provide educational opportunities for the NWIC and surrounding Lummi Nation communities and will engage students and the larger community in the practice of programs that are grounded in Indigenous healing-informed care. The new NWIC Health and Wellness Center also creates a cultural gathering space of healing and provides a sense of home for NWIC students from over 115 tribes as well as the greater tribal and civic community. The Center is designed to promote wellness, balanced lifestyles, and Tribal prosperity in the NWIC community and to support students as they share their knowledge with their home communities. The new Health and Wellness Center will strengthen health and well-being in the NWIC and larger Lummi Nation community. The project will comply with the requirements for Environmental Justice (Executive Order 12898).

## 16.o Farmland

If your new construction or expansion project site will convert undisturbed ground in an area that with prime farmland soils or is identified as non-urban land, regardless of whether it is zoned for development, NEH will assist you with consulting the Natural Resource Conservation Services (NRCS) field offices for further designation in accordance with the Farmland Protection Policy Act. If your project site is identified as an urban area on a Census Bureau, USDA Important Farmland, or USGS Topographic map, no further review under this section is required.

Is this a new construction or expansion project that will convert undisturbed ground?

Will the project affect any agricultural lands?

Is there any Prime Farmland (per NRCS) in the project area?

NRCS-AD-1006 Form score:

Yes	No
	X
	X
	X

Remarks:

The Natural Resource Conservation Area (NRCS) Soil Survey of Whatcom County Area maps two soil units within the project area:  
Laxton loam, 0 to 3 percent slopes (Unit 96); and  
Laxton loam, 8 to 15 percent slopes (Unit 98) (Figure 11).

Per review of the United States Department of Agriculture (USDA) Soil Survey mapping, the Laxton loams are designated as Prime Farmland. During the preparation of the EA for the initial

phases of the NWIC South Campus in 2004, DC consulted with USDA NRCS field office in Lynden WA (Appendix H). The USDA NRCS determined that while the Laxton soil series is characterized as Prime Farmland, the soils at the NWIC site have supported forested habitats and have never been utilized for agriculture. Further, the USDA NRCS determined that "...since the site is designated to be used for college, it is not available for agricultural use." Based on these findings, no impacts to Prime Farmland are expected to result from the construction of the Health and Wellness Center. The project complies with the requirements of the Farmland Protection Policy Act (7 CFR 658).

## **17.0 Cumulative Impacts**

When considered together with other past, present, and reasonably foreseeable future development projects on or off the airport, would the proposed project produce a cumulative effect on any of the environmental impact categories above?

**Yes**

☐

**No**

☒

Remarks:

The construction of the NWIC Health and Wellness Center is not anticipated to produce any cumulative adverse impacts on any of the elements of the natural or human environments discussed above. Mitigation measures for the minor, construction-related potential impacts are summarized under "Mitigation Measures", below.

## **Part III – Permits, Mitigation, Coordination and Public Involvement**

### **Permits/Mitigation**

#### **Permits**

List all required permits, for the preparing the proposed project site and any zoning variances or changes. Indicate if any problems are anticipated in obtaining the permit.

Remarks:

The following permits have been obtained for the filling of the two wetlands, filling and grading the site to prepare for construction of the Health and Wellness Center.

1. US Army Corps of Engineers Clean Water Act Nationwide Permit 39 - NWS-2015-619
2. Lummi Nation Clean Water Act Section 401 Water Quality Certification – LUP No. 15-067
3. NPDES General Permit for Stormwater Discharges from Construction Activities – WAR12B541
4. Lummi Nation Mitigation Bank Use Credit
5. Lummi Nation Land Use Conditional Permit, LUP 15-067
6. Lummi Nation Building Permit, BUP 20-016

#### **Mitigation**

Describe all mitigation measures for the proposed project. Include any impacts that cannot be mitigated or those that cannot be mitigated below threshold levels. Also, provide a description of any resources that must be avoided during construction.

Remarks:

1. Provide wetland mitigation to compensate for filling of 0.335 acres of Category IV wetlands at the Lummi Nation WHMB – completed.
2. Implement the Stormwater Pollution Prevention Plan and BMPs to minimize impacts to stormwater during construction and operation of the Health and Wellness Center.
3. Implement “Inadvertant Discovery” measures to protect any unforeseen discovery of cultural and/or archaeological resources during construction.
4. Limit construction hours to 7:00 am to 7:00 pm to minimize noise impacts on the surrounding campus.
5. Provide a rocked construction entrance; wet loose soils during construction; and maintain all construction vehicles and trucks in good working condition to protect air quality during construction.

## **Coordination**

List each agency coordinated with, the date coordination was sent, and if a response was received in the following table. Make sure to include a copy of the response in the appendix. For Instance, State Historic Preservation Office for Section 106 consultation, USDA Extension office for the NRCS-AD-1006, etc.

<b>Resource Agency</b>	<b>Date Letter Sent</b>	<b>Date Response Received</b>	<b>Date Draft EA Sent</b>	<b>Date Response Received</b>
USDA NRCS	2004	9/28/04	n/a	n/a
Lummi Nation THPO	May 2022	6/7/22	n/a	n/a
Lummi Natural Resource Dept	6/16/22	7/11/22	pending	pending
Lummi Planning Dept	Phone calls	Phone calls	pending	pending
National Endowment of Humanities	Multiple phone calls and emails	Multiple phone calls and emails	pending	pending

Remarks:

[insert—this cell will automatically expand]

## **Public Involvement**

Some level of public involvement is encouraged for every Federal Action. **The level of public involvement should be commensurate with the proposed action.** Discuss any public involvement activities (legal notices, letters to affected property owners and residents, meetings, special purpose meetings, local papers newspaper articles, etc.), including the number of notices and the dates that have been or will be posted for this project.

Remarks:

NEH will post the project and EA for public comment for a period of 30 days.

## **Public Controversy on Environmental Grounds**

Is the project anticipated to involve substantial controversy concerning community and/or natural resource impacts?

**Yes**

☐

**No**

X

☐

Remarks:

The NWIC Health and Wellness Center project has been planned since 2015, when NWIC retained Zervas Group Architects to start conceptual planning. The new Center has been very well-received by and has not received any controversial or adverse responses from the NWIC or the larger Lummi community.

*Preparer Certification*

I hereby certify that the information I have provided is complete and accurate, to the best of my knowledge:

Desiree Douglass

Name

August 8, 2022

Date

Principal, Senior Environmental Planner

Title

Douglass Consulting, LLC

Organization

**Recipient Certification (must be signed by an authorized official; may not be delegated to consultant)**

I hereby certify that the information provided is complete and accurate to the best of my knowledge. I also recognize and agree that construction activity, including but not limited to site preparation, demolition, or land disturbance, is limited by 40 CFR §1506.1 - Limitations on actions until the NEH issues a final environmental decision for the proposed project(s) and until compliance with all other applicable NEH approval actions (e.g., all conditions of the grant award have been met) have occurred. All applicable Federal, State, and local permits required shall be obtained before proceeding with the proposed action.



Jay Conway, Construction Manager, Northwest  
Indian College

August 9, 2022

**NEH Decision**

Having reviewed the above information, certified by the responsible official, the proposed projects warrant environmental processing as indicated below:

- The proposed action has been found to qualify for a Condensed Environmental Assessment.
- The Finding of No Significant Impact is attached.
- The proposed development action exhibits conditions that require the preparation of a detailed Environmental Assessment.
- The proposed development action requires preparation of an Environmental Impact Statement.

This Environmental Assessment becomes a federal document when approved by the Responsible NEH Official.

[insert]

Name

[insert]

Date

Environmental Officer

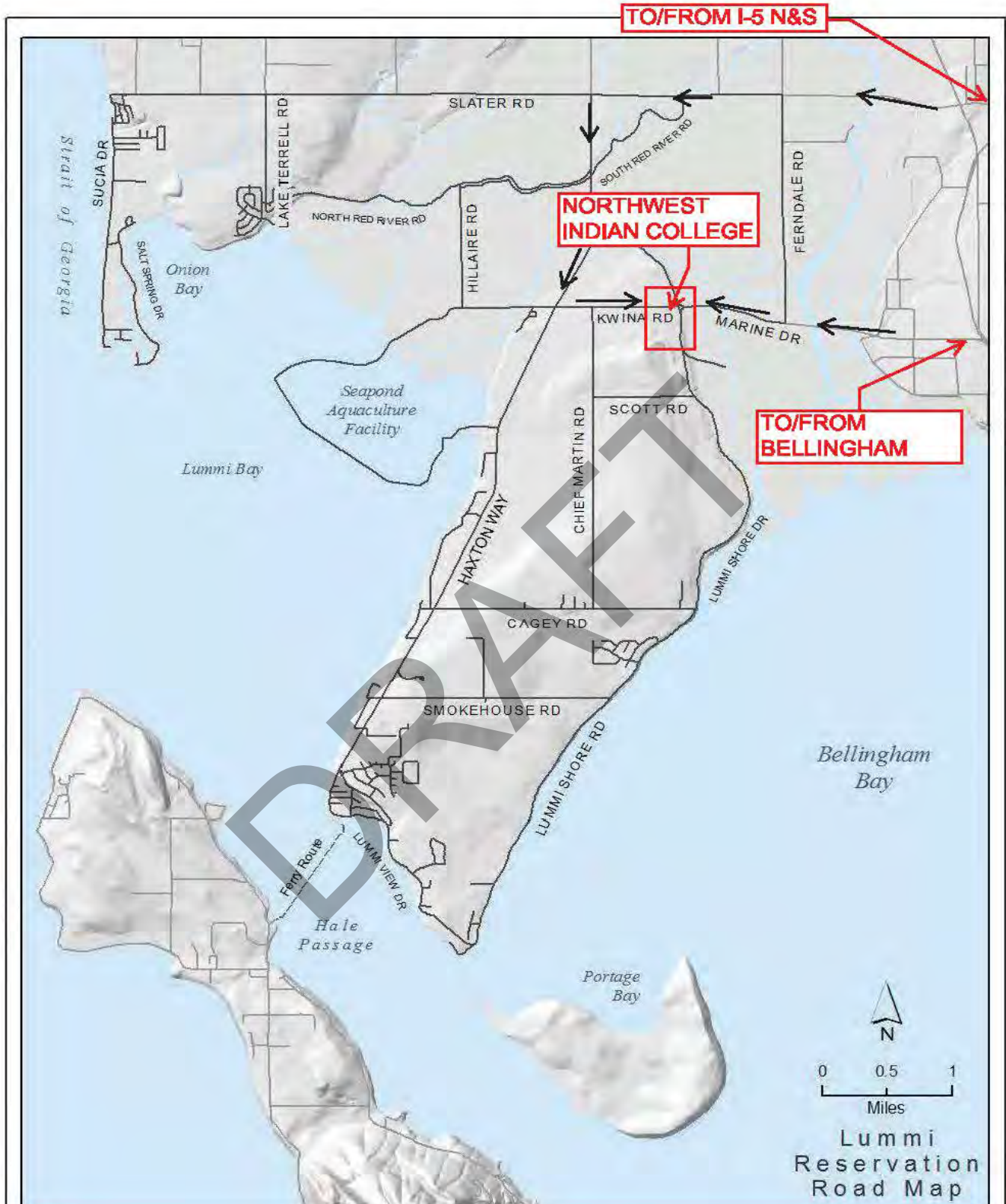


FIGURE 1. VICINITY MAP

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

DATE: 7/15/22



APP. BY: NORTHWEST INDIAN COLLEGE  
AT: LUMMI RESERVATION WA, T38N, R02E, SECTION 7





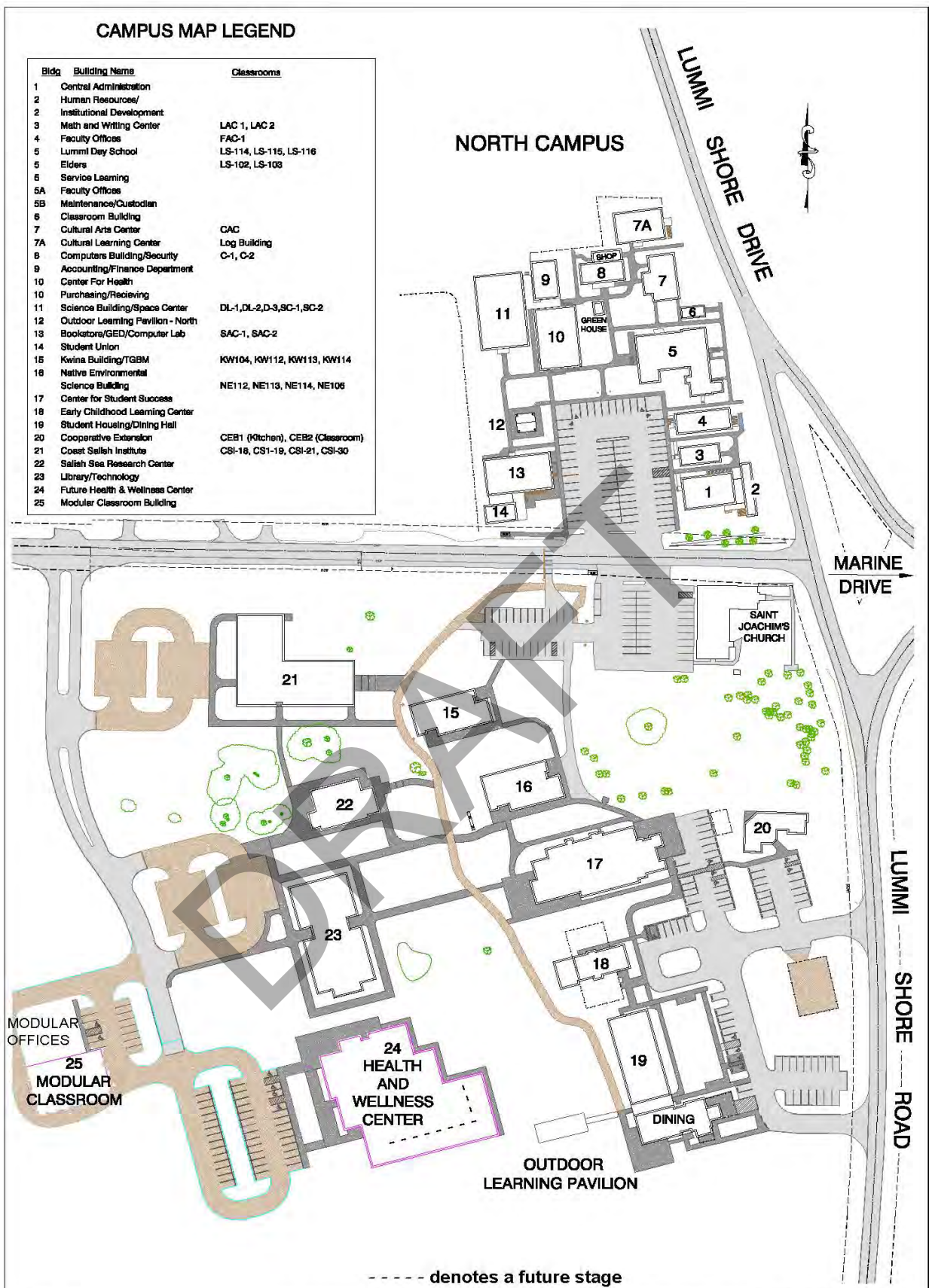


FIGURE 2. NWIC CAMPUS

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

DATE: 7/15/22





**An active cultural gathering place to heal the Indigenous spirit of learning through wellness and life balance:  
Northwest Indian College's Health and Wellness Center**



**Architectural rendering of *Salmon Night* as viewed from the N.W. (Graphic by Zervas Architects)**

Salmon have provided an important food source for Coast Salish peoples for thousands of years. They also play a central role in many ceremonial activities. In addition to learning about the life cycle of the salmon and its habitat needs, NWIC biology students in our four-year Native Environmental Science Program (BSNES), for example, learn about and participate in activities related to the spiritual and ceremonial role of salmon. The First Salmon ceremony is practiced throughout our region. While the ceremony differs from place to place, it honors the first salmon to return each year. On this day, a canoe carving demonstration takes place under the covered outdoor entry to the Wellness Center. (This covered entry offers 2,150 SF of bonus outdoor learning space.)\*

**Note regarding intentional connectivity to other campus facilities:** The east side of Wellness Center (back) connects across a path to a commercial kitchen, dining hall and additional public restrooms inside of our Residence Life Center. Also, an additional traditional built Outdoor Learning Pavilion, 1,152 SF, opens in fall 2021 (not pictured around back) and a traditional fire pit further connects the new Wellness Center to the student and cultural life on campus.

\* Final design of covered entry is square versus rectangular.

**FIGURE 3A. HEALTH & WELLNESS CENTER  
RENDERING BY ZERVAS ARCHITECTS**

**PROPOSED: NWIC HEALTH AND WELLNESS CENTER**

**DATE: 7/15/22**



NWIC is building only Phase 1 (as shown in Attachment 7: Design). The 15,600 SF Phase 1 Design (as presented with the NEH application) has been submitted to the State of WA as an initial step in our contracting process for our State grant. Phase 1 Design Documents are at 95% completion.

For the NEH application, we have selected the structural portions from our larger set of architectural designs to illustrate the anticipated materials for the Center's shell. These structural designs accompany the Phase 1 floor plans and elevations as contained in Attachment 7. They were also used to inform the cost estimation work of The Woolsey Company.

Note: While NWIC is only building Phase 1 at this time, this set of designs is for both Phase 1 and 2 and allows for future build out in the future.

#### DRAWING INDEX

##### GENERAL

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00.02 CODE ANALYSIS / LIFE SAFETY PLAN  
00.03 ASSEMBLY TYPES  
00.04 U.I. PENETRATIONS  
01.01 COVER SHEET & EXISTING SITE PLAN  
1.01.01 TESS, CLEARANCE & TEMPORARY STORAGE PLAN  
2.01 COMPOSITE UTILITY PLAN & DEMOLITION PLAN  
3.01 ROAD AND STORM PLAN & PROFILE  
4.01 GRADING PLAN  
5.01 SEWER & WATER PLAN, PROFILE & DETAILS  
6.01 COMMON UTILITY PLAN & DETAILS

##### ARCHITECTURAL

A1.01 ARCHITECTURAL SITE PLAN  
A1.02 LANDSCAPE PLAN  
A2.01 FLOOR PLAN  
A2.02 ROOF PLAN  
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A5.01 MOUNTING HEIGHTS  
A5.02 INTERIOR FINISH PLAN  
A5.03 INTERIOR ELEVATIONS  
A5.04 INTERIOR ELEVATIONS  
A5.05 INTERIOR ELEVATIONS  
A5.06 INTERIOR ELEVATIONS  
A5.07 INTERIOR ELEVATIONS  
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A6.01 DOOR SCHEDULE AND TYPES  
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A7.02 EXTERIOR DETAILS  
A8.01 CDM FLOOR WARMING PLAN

##### STRUCTURAL

S1.01 STRUCTURAL NOTES  
S1.02 SNOW DROFF / C&C WIND UPLIFT KEY PLANS  
S2.01 FOUNDATION PLAN  
S2.02 MAIN FLOOR FRAMING & SLAB JOINTING PLAN  
S2.03 MEZZANINE & CANOPY FRAMING PLANS  
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S4.01 FOUNDATION DETAILS  
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##### PLUMBING

P1.01 COVER SHEET  
P2.01 FLOOR PLAN BELOW SLAB  
P2.02 FLOOR PLAN PLUMBING  
P3.01 DETAILS PLUMBING



## HEALTH AND WELLNESS CENTER

NORTHWEST INDIAN COLLEGE

2522 KWINA RD BELLINGHAM, WA 98226

ZERVAS

209 PROSPECT STREET - BELLINGHAM, WA 98225  
p.360.734.4744 - zervasgroup.com

FIGURE 3B. HEALTH & WELLNESS CENTER  
B/W RENDERING BY ZERVAS ARCHITECTS

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

DATE: 7/15/22













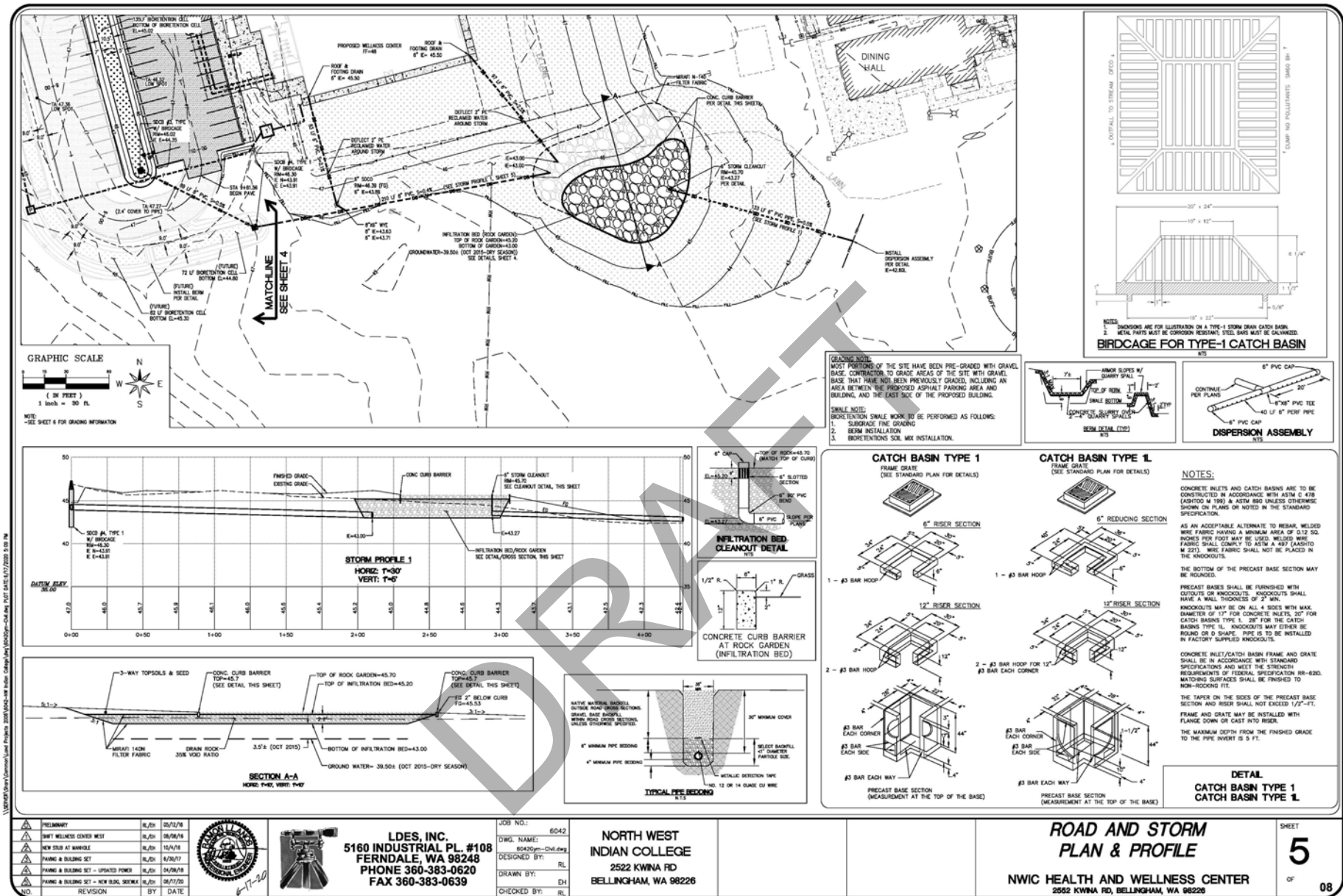
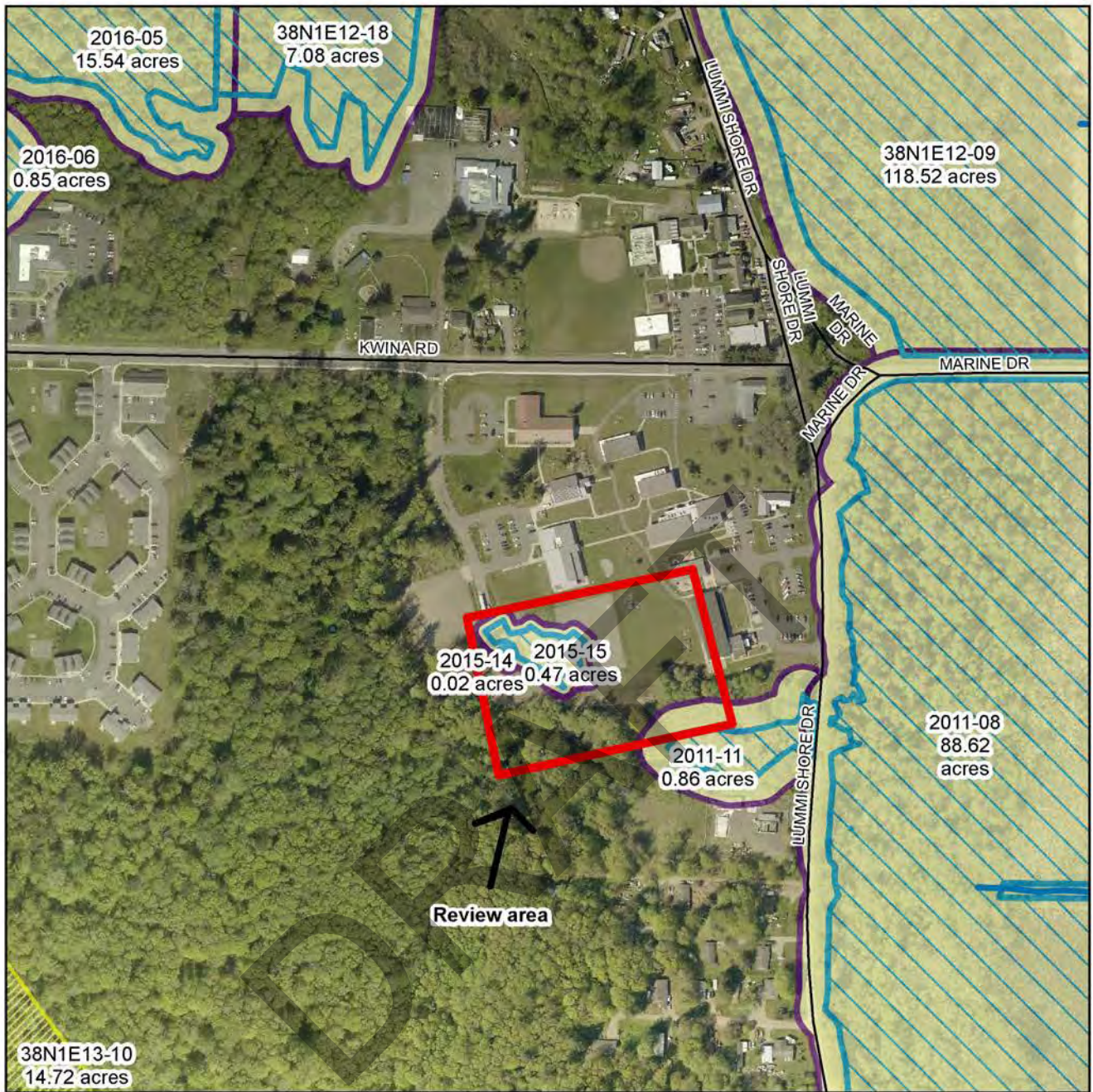


FIGURE 3F. ROAD AND STORMWATER PLAN

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

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### Legend

- Streams
- Wetland (Field Verified)
- Wetland (Not Verified)
- Wetland Buffer

FIGURE 4. LNRD STREAMS & WETLANDS

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

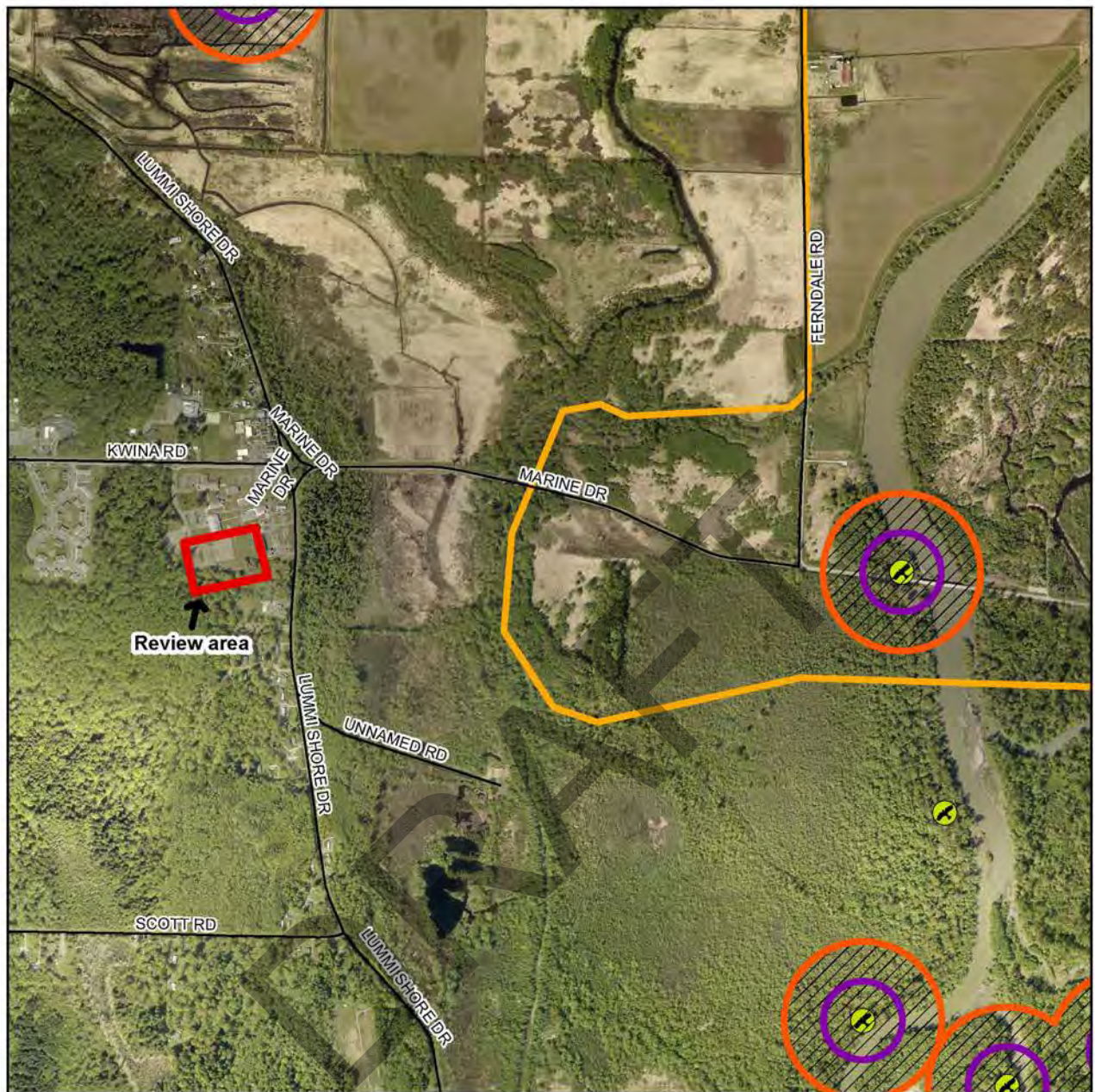
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AT: LUMMI RESERVATION WA, T38N, R02E, SECTION 7







### Legend

- LummiReservationFullBoundary
- BaldEagleNestsBuffer\_330\_660ft distance**
- 330
- 660
- X Bald Eagle Nests

FIGURE 5. BALD EAGLE NESTS

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

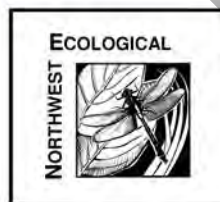
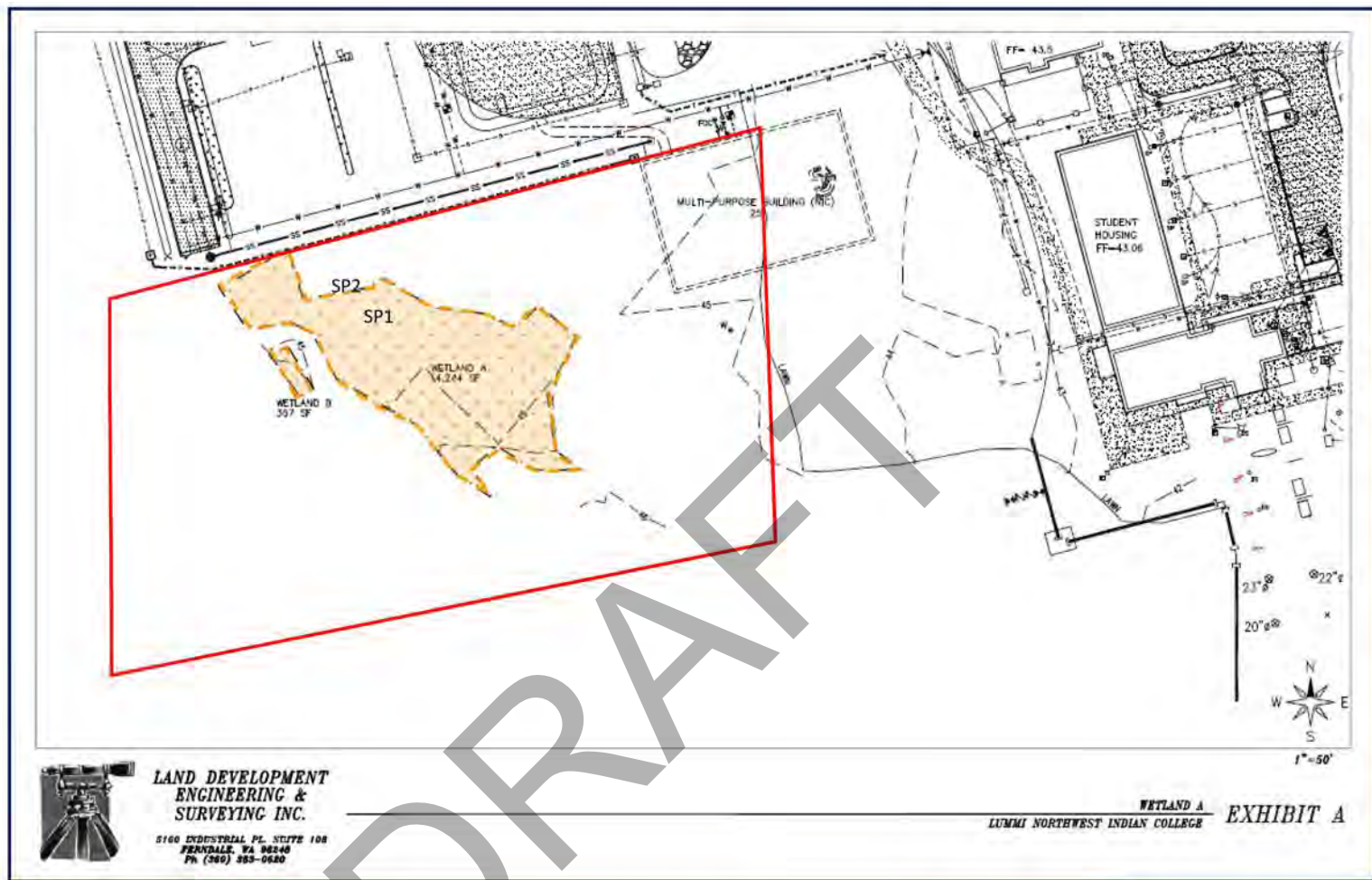
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**Wetland Map**  
LDES, Inc.

Northwest Indian College Expansion  
Critical Areas Assessment

**Figure 3**

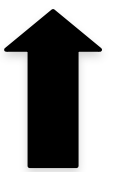
**MAY 2015**

SP1	Sample Plot
	Wetland
	Review Area

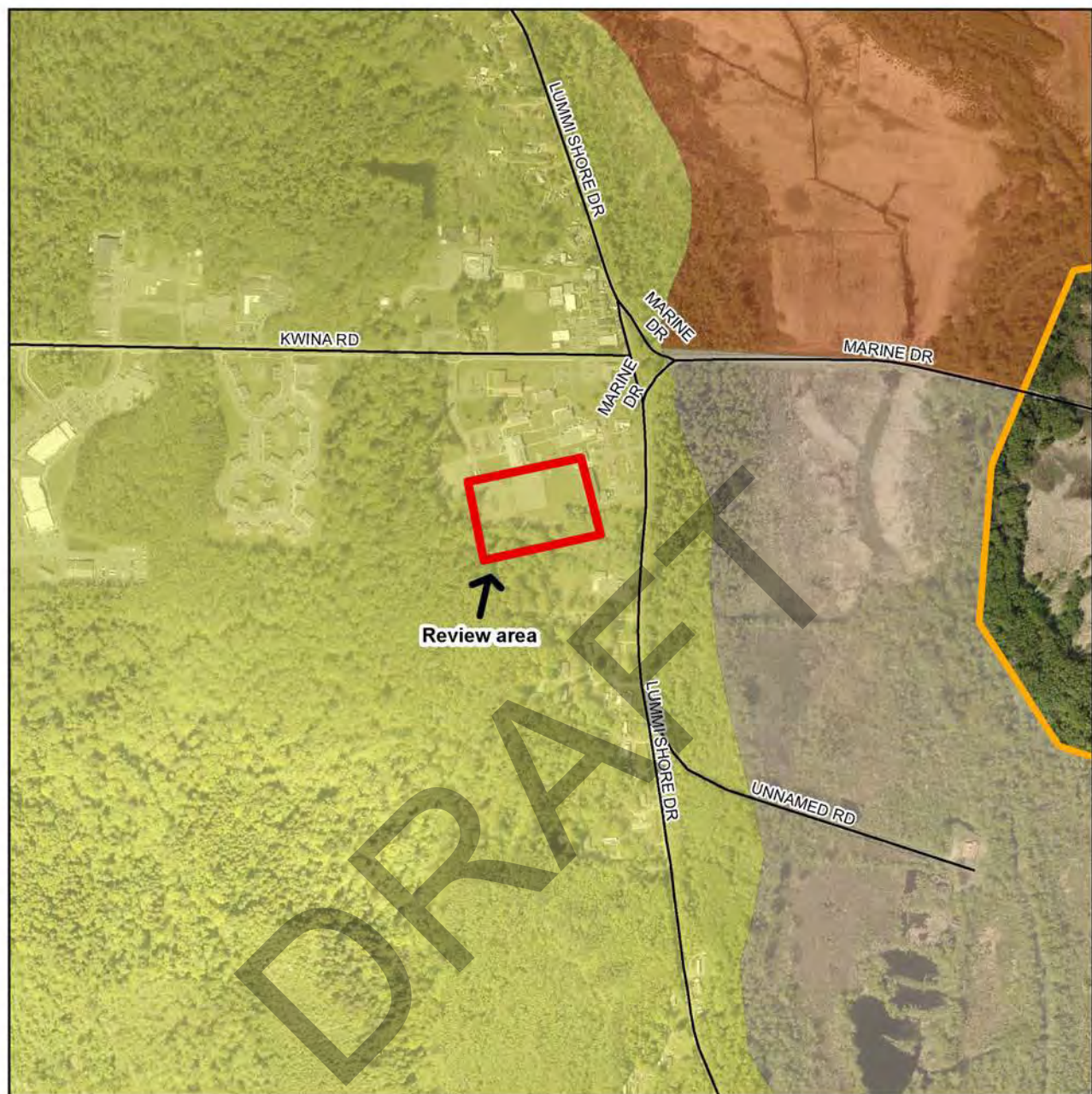
**FIGURE 6. NES 2015 WETLAND DETERMINATION**

**PROPOSED: NWIC HEALTH AND WELLNESS CENTER**

**DATE: 7/15/22**







#### Legend

Lummi Reservation Full Boundary

#### FEMA Flood Hazard (2019)

##### Flood Zone

A No Base Flood Elevations Determined

AE Base Flood elevations determined

AO Flood Depths of 1 to 3 feet

D' Areas in which flood hazards are undetermined, but possible

V Coastal flood zone with velocity hazard (wave action)

VE Coastal flood zone with velocity hazard (wave action)

X Areas determined to be outside the 0.2% annual chance floodplain

Open Water

No base flood elevations determined

Base flood elevations determined

Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain), average depths determined. For areas of silty fan flooding, velocities also determined

Areas in which flood hazards are undetermined, but possible

Coastal flood zone with velocity hazard (wave action), no base flood elevations determined

Coastal flood zone with velocity hazard (wave action), base flood elevations determined

Areas determined to be outside the 0.2% annual chance floodplain

FIGURE 7. FLOOD HAZARDS

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

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AT: LUMMI RESERVATION WA, T38N, R02E, SECTION 7







### Legend

- LummiReservationFullBoundary
- Coastal Zones

FIGURE 8. COASTAL MANAGEMENT ZONE

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

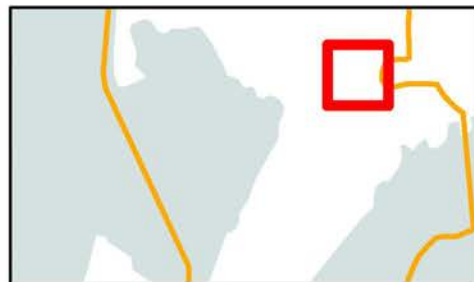
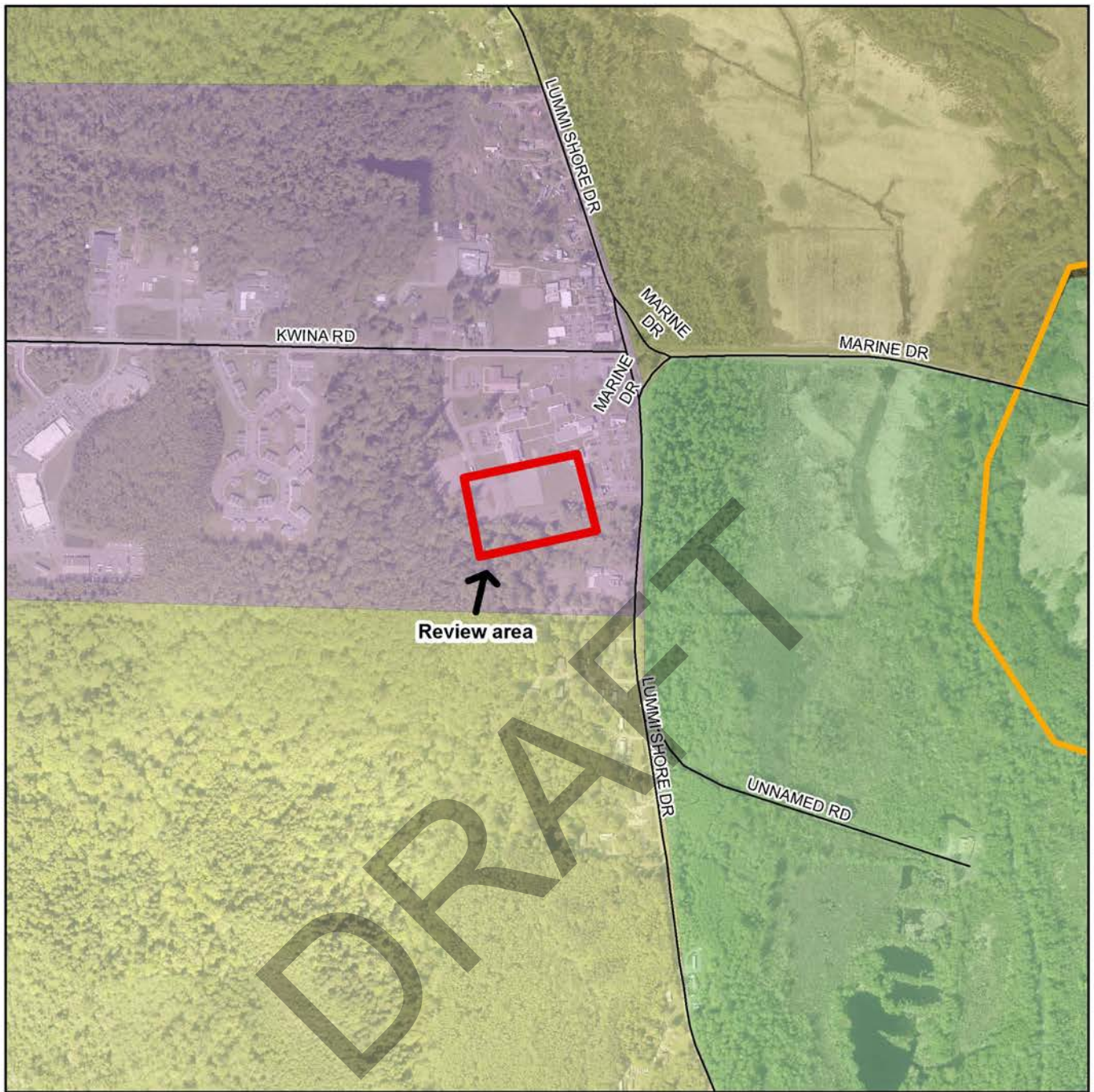
DATE: 7/15/22



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#### Legend

LummiReservationFullBoundary

Zoning\_OfficialLummi.lyr

#### Zone

Agricultural

Commercial

Forest

Marine

Mixed Use

Open Space

FIGURE 9. ZONING

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

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AT: LUMMI RESERVATION WA, T38N, R02E, SECTION 7





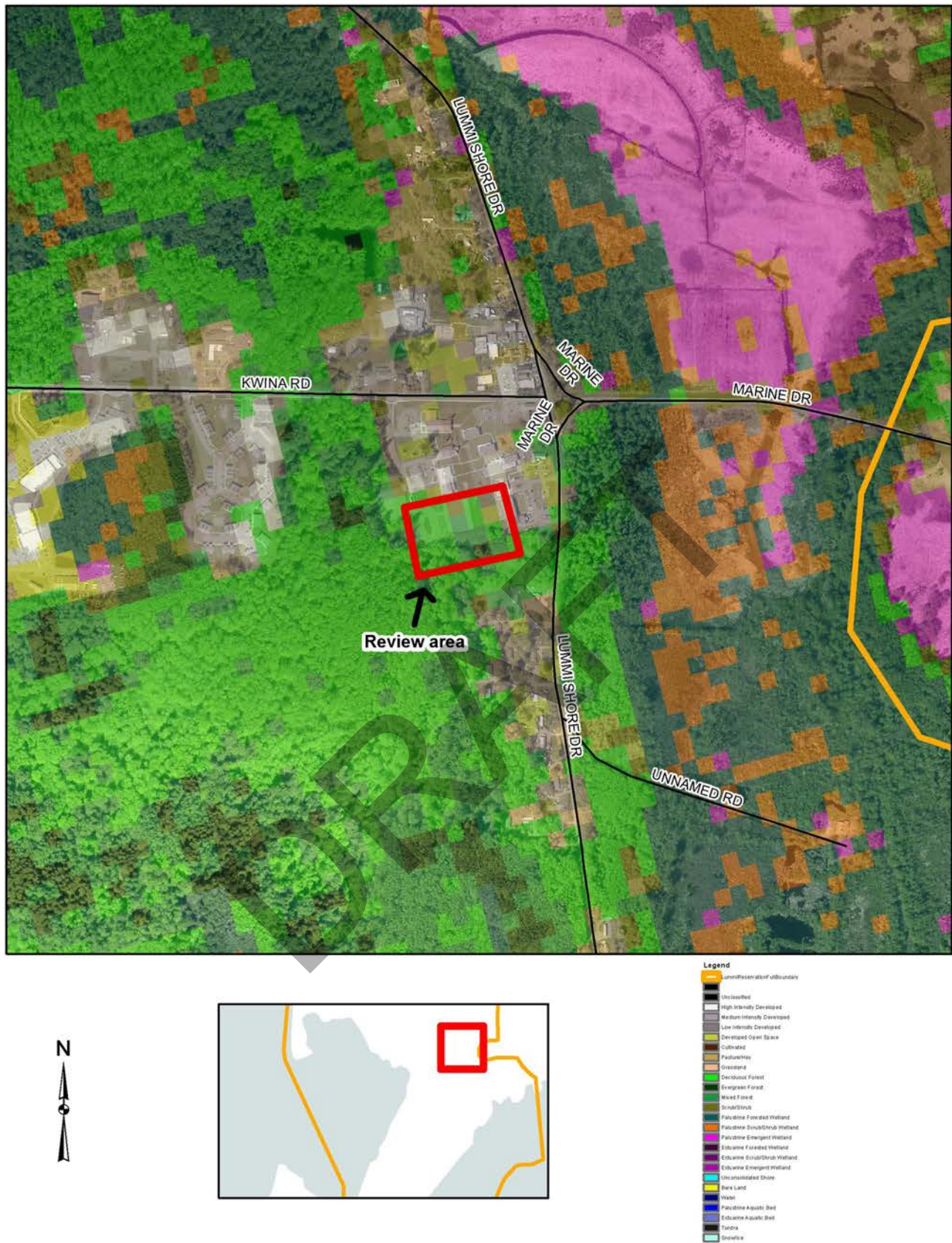


FIGURE 10. LAND USE

PROPOSED: NWIC HEALTH AND WELLNESS CENTER

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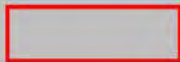




**Soil Units:**


96 = Laxton loam, 0 to 3% slopes

98 = Laxton loam, 8 to 15% slopes



Review Area



<p>ECOLOGICAL</p> 	<p><b>Soils Map</b></p> <p>Northwest Indian College Expansion Critical Areas Assessment</p>	<p><b>Figure 4</b></p> <p><b>MAY 2015</b></p>
---	---	---

**FIGURE 11. SOILS**

**PROPOSED: NWIC HEALTH AND WELLNESS CENTER**

**DATE: 7/15/22**



**APP. BY: NORTHWEST INDIAN COLLEGE**  
**AT: LUMMI RESERVATION WA, T38N, R02E, SECTION 7**



**APPENDIX A.**  
**NWIC Health & Wellness Center Design Packet**  
**dated September 2021**

DRAFT

## Attachment 7: Planning and Design Documents

**An active cultural gathering place to heal the Indigenous spirit of learning through wellness and life balance:  
Northwest Indian College's Health and Wellness Center**



**Architectural rendering of *Salmon Night* as viewed from the N.W. (Graphic by Zervas Architects)**

Salmon have provided an important food source for Coast Salish peoples for thousands of years. They also play a central role in many ceremonial activities. In addition to learning about the life cycle of the salmon and its habitat needs, NWIC biology students in our four-year Native Environmental Science Program (BSNES), for example, learn about and participate in activities related to the spiritual and ceremonial role of salmon. The First Salmon ceremony is practiced throughout our region. While the ceremony differs from place to place, it honors the first salmon to return each year. On this day, a canoe carving demonstration takes place under the covered outdoor entry to the Wellness Center. (This covered entry offers 2,150 SF of bonus outdoor learning space.\*)

**Note regarding intentional connectivity to other campus facilities:** The east side of Wellness Center (back) connects across a path to a commercial kitchen, dining hall and additional public restrooms inside of our Residence Life Center. Also, an additional traditional built Outdoor Learning Pavilion, 1,152 SF, opens in fall 2021 (not pictured around back) and a traditional fire pit further connects the new Wellness Center to the student and cultural life on campus.

\* Final design of covered entry is square versus rectangular.



## Color Block of Spaces

**An active cultural gathering place to heal the Indigenous spirit of learning through wellness and life balance:  
Northwest Indian College's Health and Wellness Center**

<b>TOTAL SQUARE FEET (SF)</b>	<b>15,600 SF</b>
<b>Multipurpose Space / Regulation Size Open Court</b> The largest cultural gathering space on campus. (The Coast Salish Institute Performance Space is 3,500 SF/170 seats.)	<b>10,500 SF</b>
<b>Wellness Resource Classroom (★) ; Offices, &amp; Support Spaces</b>	<b>5,100 SF</b>
<b>Also: Bonus Outdoor Covered Entry</b>	<b>2,150 SF</b>

See below for  
connectivity to  
other support  
spaces

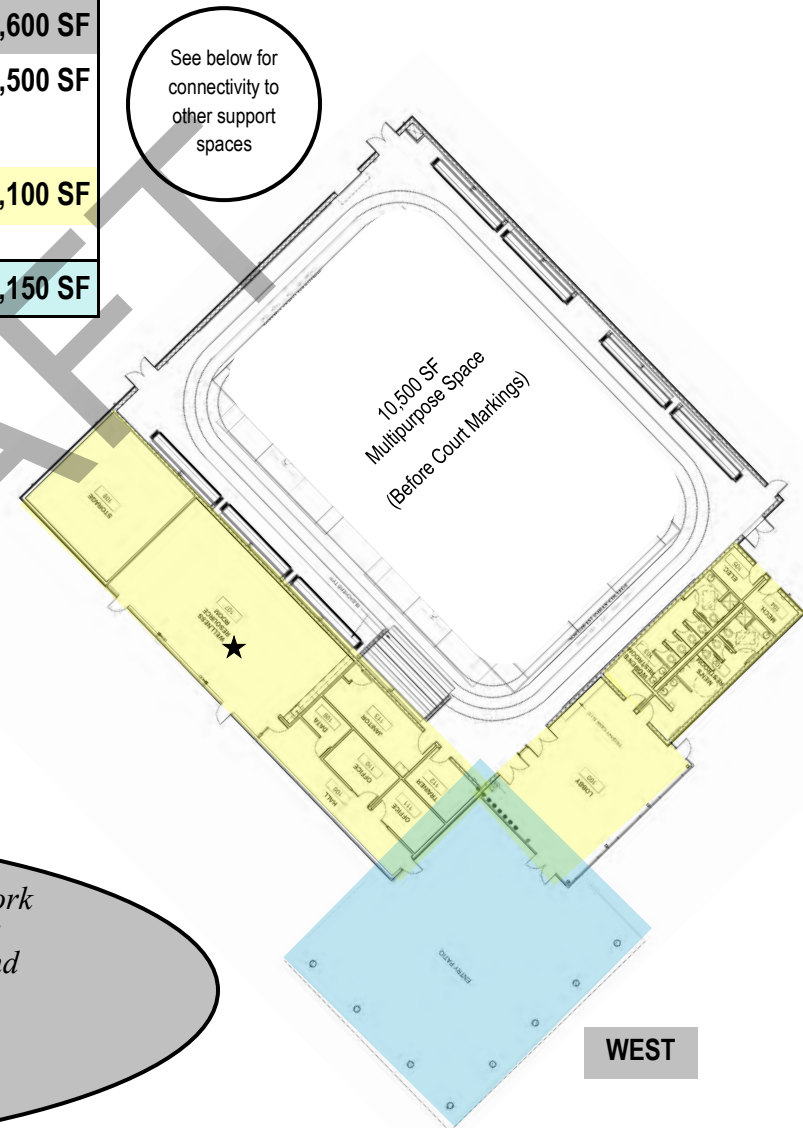
### About the Bonus Outdoor Covered Entry:

The western facing covered outdoor entry provides bonus activity space and access to a lobby/concession sales area, ADA restrooms, and utilities (as well as the rest of building). This is critical space during the ongoing transition through the COVID-19 pandemic.

**Other available support spaces:** The east side connects via pathways to a new Outdoor Learning Pavilion, 1,152 SF, and an adjacent traditional fire pit as well as to a commercial kitchen, dining hall, and additional public restrooms in our existing Residence Life Center. This connects the campus to the Wellness Center and provides additional public support spaces for large cultural gatherings (such as Salmon Night).

*"This is a Center of doing. NWIC's humanities theory work is infused throughout our curriculum. For humanities practice, we need space for all of the doing, working and showing. We learn by doing and putting our cultural teachings into practice."*

... NWIC Administration Team Member



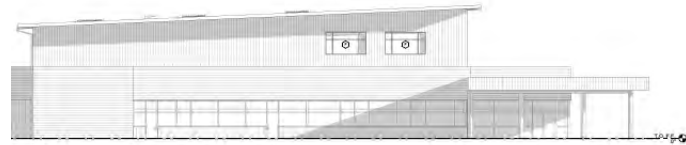




## Northwest Indian College

**An active cultural gathering place that heals the Indigenous spirit of learning through wellness and life balance — Introducing The Health and Wellness Center**

## Space Programing Overview



**Summary:** Northwest Indian College is committed to advancing the vision of our ancestors by providing a place based, quality Indigenous education through which every student is able to strengthen their personal and tribal identity. The new Center heals the Indigenous learning spirit and lets it soar by engaging our Native women and men in the practice of programs that are intentionally relational, grounded in Indigenous healing-informed care, and designed to restore balanced lifestyles and Tribal prosperity

Constructing the 15,600 SF Health and Wellness Center as a cultural gathering space of healing demonstrates NWIC's commitment to create an Indigenous institution by providing a *sense of home* for our students from over 115 tribes as well as our greater tribal and civic community.



**Heartbeat of Culture and Wellness**

(See below)



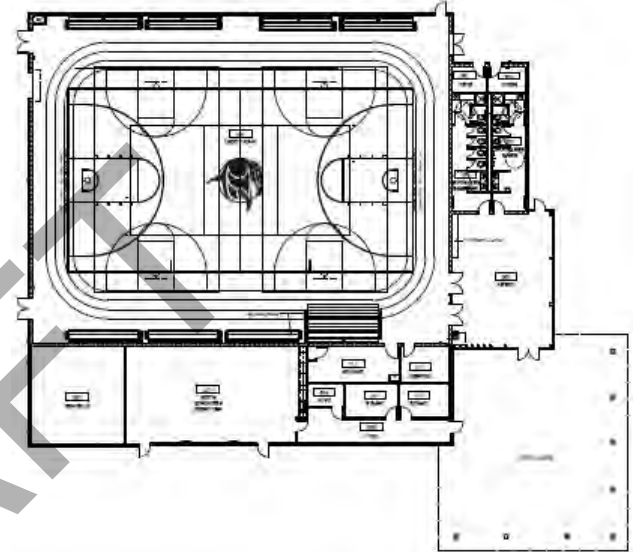
**Mind, Body & Spirit**

(See below)

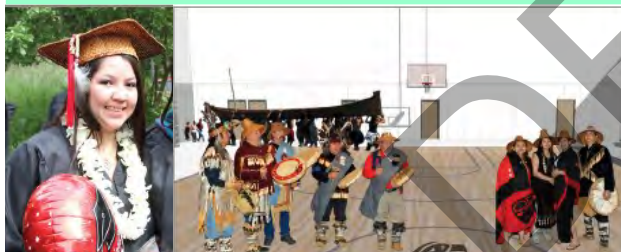


**Access to Sports and Fitness (Cultural & Competitive)**

Michael Schjang, Athletics Director  
B.A. Native Studies Leadership



**We are seeking a \$750,000 Challenge Grant from the National Endowment for the Humanities to construct the Center's shell and ultimately open the facility by fall 2023 (in celebration of NWIC's 40th Anniversary).**



**Featured Student:** Akesha Martin-James, Lummi, Washington BA, Tribal Governance & Business Administration 2012  
"Canoe pulling is not only about getting fit and living healthy. It's about the feeling I get when I am out on the water knowing this was something my family and ancestors did before me..."



**Featured Student:** Vina Brown, Bella Bella, British Columbia BA, Native Studies & Leadership 2014  
"A health and wellness center can help us be successful. Being a college student can be challenging. We need a place to go to unwind, to take care of ourselves, and to keep our mind, body and spirit centered."

*Zervas Group Architects. Web images for conceptual design only.*

## What you will find inside:

**The Multipurpose Space/Open Court** is the central gathering space in the Center. For the first time, we will have a home for large, informal cultural ceremonies, symposiums and meetings (such as salmon night, pow wows, canoe family nights, cultural dance and drumming, and Weavers Teaching Weavers). The space also hosts cultural sports (such as archery and canoe pulling stations). It is regulation size for competitive athletics (such as men's and women's basketball) and fitness and strengthening programs. It will also host student activities (such as student orientation and student fairs).

**An indoor walking track** offers year-round access to walking, cultural teaching, and jogging in our Northwest climate near the Canadian border.

**The Wellness Resource Classroom**, located near the entrance of the Center, will be a welcoming destination that offers a culturally appropriate space for one-on-one coaching and small group Talking Circles that provide information and counseling related to traditional health and foods programming, healthy relationships and other social and family support services, and continuing education as well as instruction on prevention of diabetes and blood pressure monitoring.

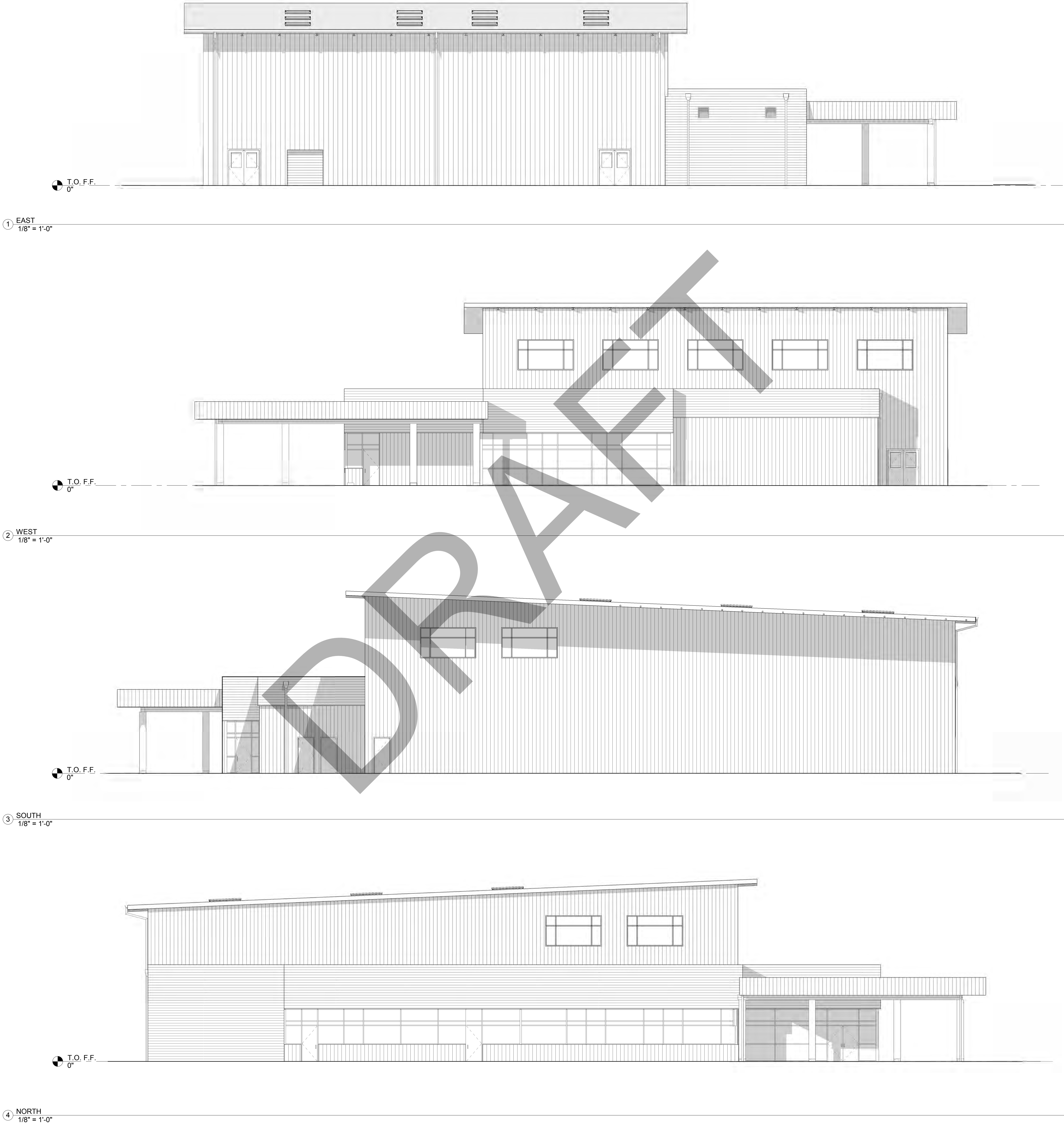
**Support and bonus spaces** include a lobby concession/sales area, restrooms, storage, and offices. Our bonus, 2,150 SF Covered Entry creates new outdoor educational/activity space (critical to pandemic needs).

**Connection to the larger campus:** The pathways outside of the Center lead directly to other educational programs on campus and encourage student participation by offering coordinated access to all programs. Its proximity to Residential Life Center's dining hall allows for access to food service needs for events involving local and regional tribes and community groups.

**Stage 1 (15,600 SF) \$5.850M**  
**Raised:** \$3.536M 60%  
**To Raise:** \$2.314M 40%



**For information:** Justin Guillory, NWIC President (360.392.4328 or jguillory@nwc.edu)  
Northwest Indian College, 2522 Kwina Road, Bellingham, WA, 98226-9217. (www.nwic.edu)



BID SET

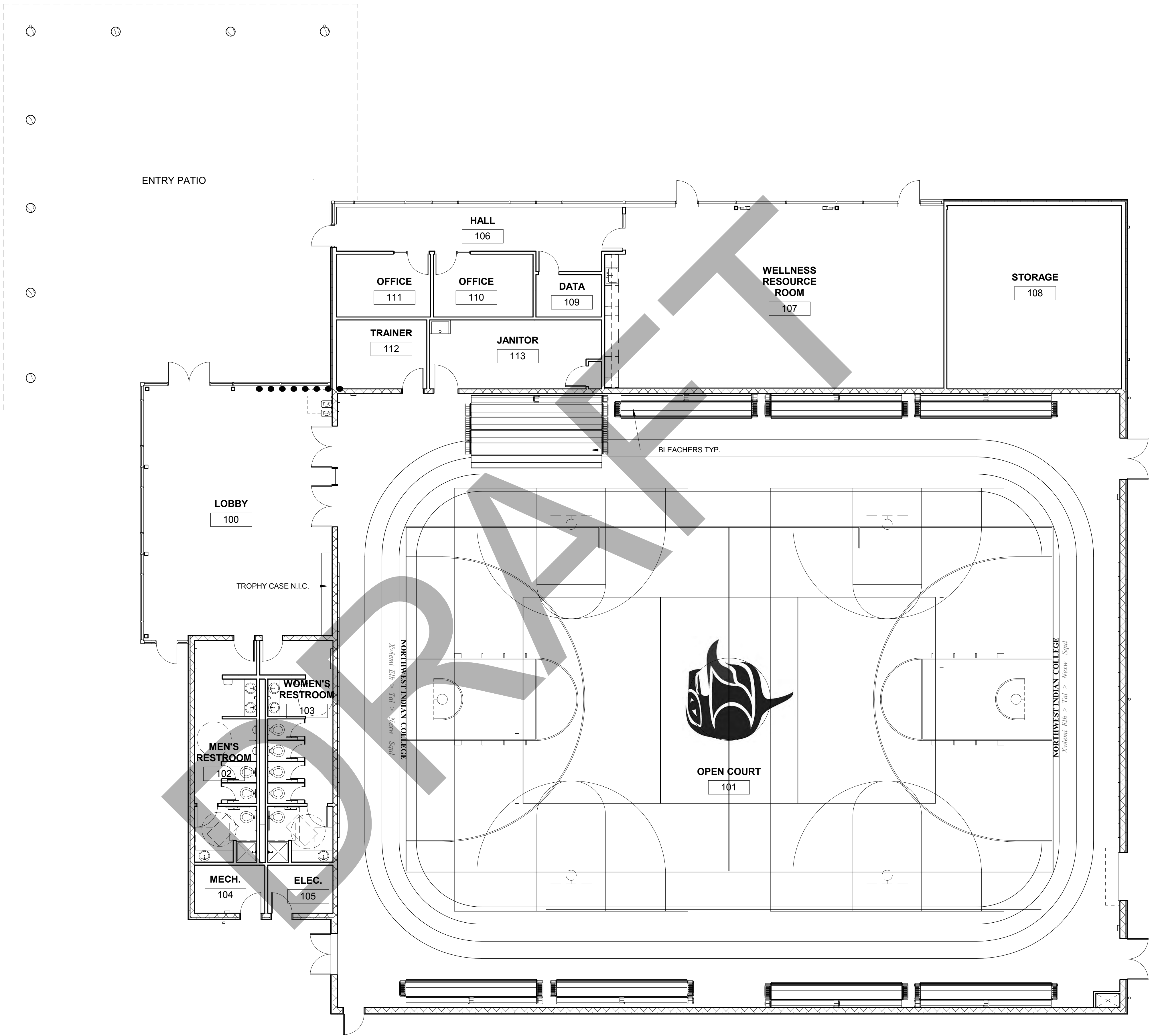
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HEALTH AND WELLNESS CENTER			
Northwest Indian College			
EXTERIOR ELEVATIONS			
PROJECT:	TS	CHECK:	201401.04
DRAWN:		ISSUED:	02/22/19
A3.01			

ZERVAS

ARCHITECTURE | INTERIOR DESIGN  
zervasgroup.com

209 PROSPECT STREET  
BELLINGHAM, WA 98225  
360.734.4744

6455 REGISTERED  
ARCHITECT



1 FLOOR PLAN  
1/8" = 1'-0"

BID SET

NORTH

PLAN

SCALE:  
1/8" = 1'-0"

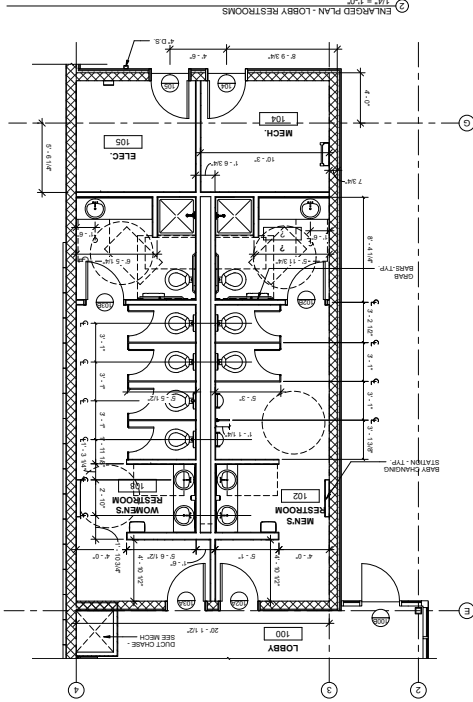
HEALTH AND  
WELLNESS  
CENTER

Northwest Indian College

FLOOR PLAN

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DRAWN: Author | CHECK: Checker  
ISSUED: 05/04/10

A2.01



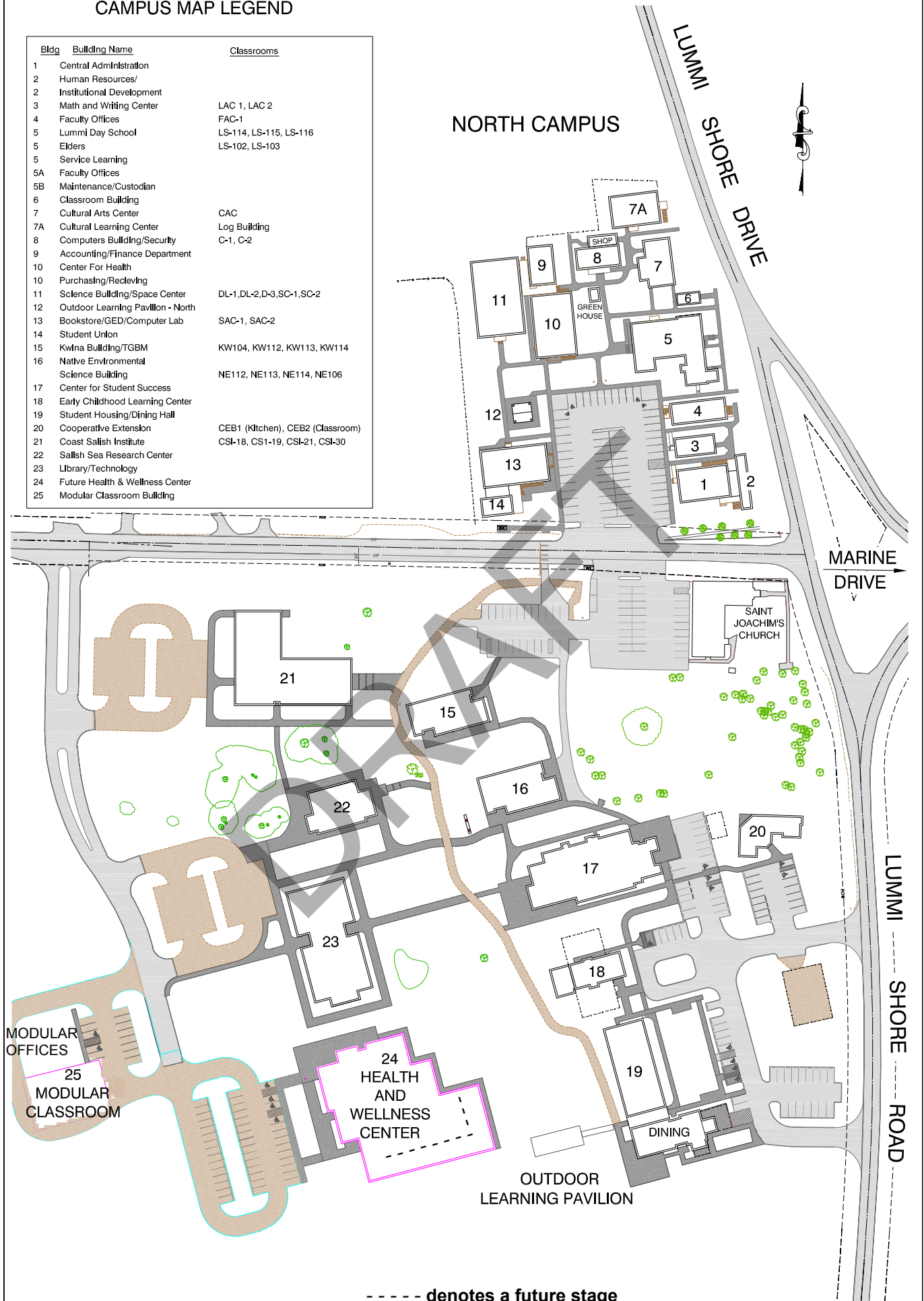
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# CAMPUS MAP LEGEND

Bldg	Building Name	Classrooms
1	Central Administration	
2	Human Resources/	
2	Institutional Development	
3	Math and Writing Center	LAC 1, LAC 2
4	Faculty Offices	FAC-1
5	Lummi Day School	LS-114, LS-115, LS-116
5	Elders	LS-102, LS-103
5	Service Learning	
5A	Faculty Offices	
5B	Maintenance/Custodian	
6	Classroom Building	
7	Cultural Arts Center	CAC
7A	Cultural Learning Center	Log Building
8	Computers Building/Security	C-1, C-2
9	Accounting/Finance Department	
10	Center For Health	
10	Purchasing/Receiving	
11	Science Building/Space Center	DL-1, DL-2, D-3, SC-1, SC-2
12	Outdoor Learning Pavilion - North	
13	Bookstore/GED/Computer Lab	SAC-1, SAC-2
14	Student Union	
15	Kwina Building/TGBM	KW104, KW112, KW113, KW114
16	Native Environmental Science Building	NE112, NE113, NE114, NE106
17	Center for Student Success	
18	Early Childhood Learning Center	
19	Student Housing/Dining Hall	
20	Cooperative Extension	CEB1 (Kitchen), CEB2 (Classroom)
21	Coast Salish Institute	CSI-18, CSI-19, CSI-21, CSI-30
22	Salish Sea Research Center	
23	Library/Technology	
24	Future Health & Wellness Center	
25	Modular Classroom Building	

## NORTH CAMPUS



----- denotes a future stage

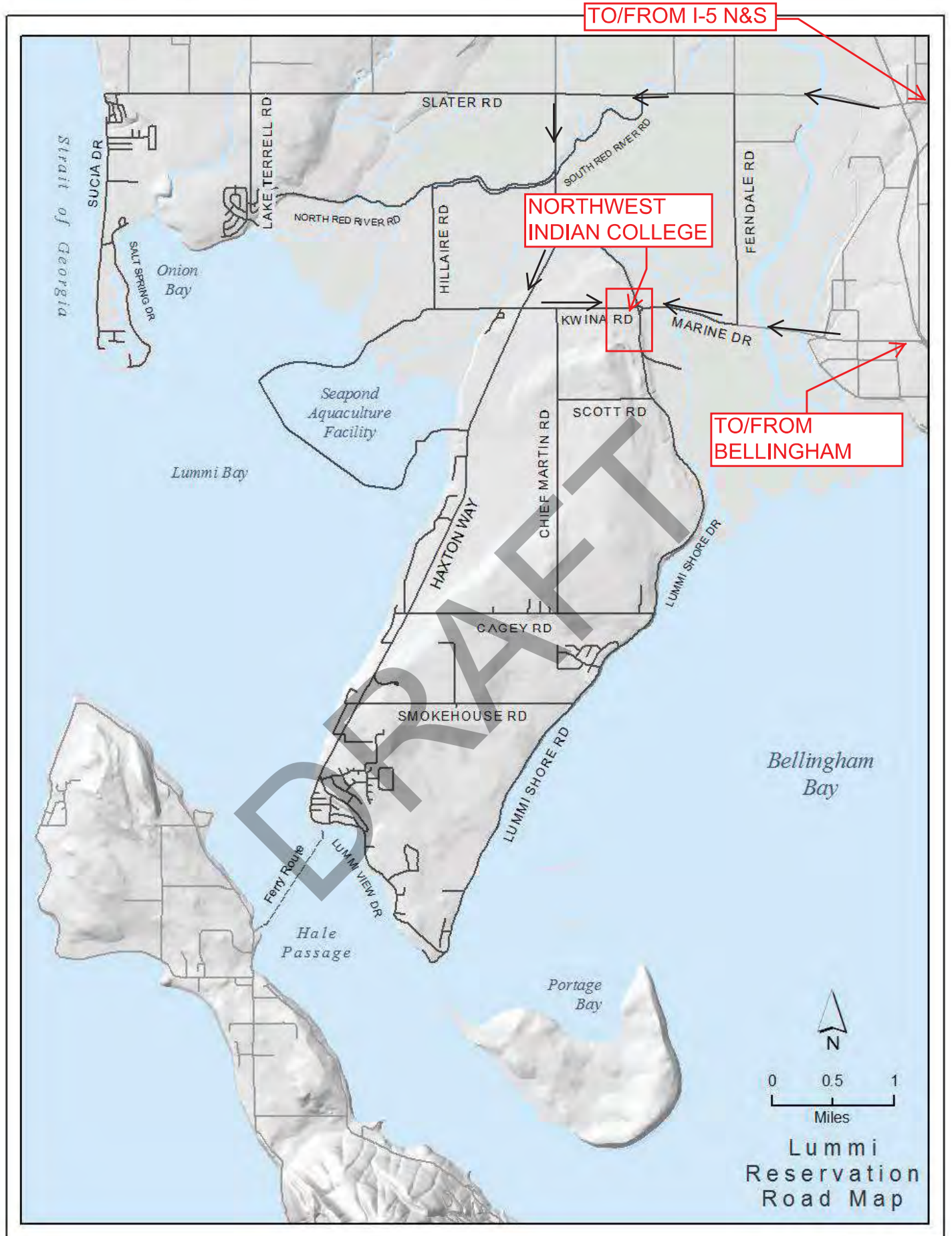
THIS DRAWING DOES NOT REPRESENT A PROPERTY SURVEY

PROJECT  
DRAWN BY  
CHECKED BY

Fall 2021

NORTH AND SOUTH CAMPUS  
NWIC BUILDING MAP  
2522 KWINA ROAD, BELLINGHAM, WA 98226

DATE  
SHEET  
1 OF 1



Map 6. Lummi Indian Reservation Road Map





**Next building: An active cultural gathering space to heal the Indigenous spirit of learning though wellness and life balance: The Health and Wellness Center.**

**The Center is pad ready for construction and slated to open in AY 2023-2024 (NWIC's 40th Anniversary)**



NWIC is building only Phase 1 (as shown in Attachment 7: Design). The 15,600 SF Phase 1 Design (as presented with the NEH application) has been submitted to the State of WA as an initial step in our contracting process for our State grant. Phase 1 Design Documents are at 95% completion.

For the NEH application, we have selected the structural portions from our larger set of architectural designs to illustrate the anticipated materials for the Center's shell. These structural designs accompany the Phase 1 floor plans and elevations as contained in Attachment 7. They were also used to inform the cost estimation work of The Woolsey Company.

Note: While NWIC is only building Phase 1 at this time, this set of designs is for both Phase 1 and 2 and allows for future build out in the future.

DRAWING INDEX

<b>GENERAL</b> G0.01 : PROJECT INFORMATION G0.02 : CODE ANALYSIS / LIFE SAFETY PLAN G0.03 : ASSEMBLY TYPES G0.04 : U.L. PENETRATIONS <b>CIVIL</b> 1: COVER SHEET & EXISTING SITE PLAN 2: TESC, CLEARING & TEMPORARY SIGNAGE PLAN 3: COMPOSITE UTILITY PLAN & DEMOLITION PLAN 4: ROAD AND STORM PLAN & PROFILE 5: ROAD AND STORM PLAN & PROFILE 6: GRADING PLAN 7: SEWER & WATER PLAN, PROFILE & DETAILS 8: COMMON UTILITY PLAN & DETAILS <b>ARCHITECTURAL</b> A1.01 : ARCHITECTURAL SITE PLAN A1.02 : LANDSCAPE PLAN A2.01 : FLOOR PLAN A2.02 : ROOF PLAN A2.03 : ENLARGED PLANS A2.04 : REFLECTED CEILING PLAN A3.01 : EXTERIOR ELEVATIONS A3.02 : EXTERIOR ELEVATIONS A4.01 : BUILDING SECTIONS A4.02 : BUILDING SECTIONS A4.03 : WALL SECTIONS A4.04 : WALL SECTIONS A4.05 : WALL SECTIONS A4.06 : WALL SECTIONS A5.02 : MOUNTING HEIGHTS A5.03 : INTERIOR FINISH PLAN A5.04 : INTERIOR ELEVATIONS A5.05 : INTERIOR ELEVATIONS A5.06 : INTERIOR ELEVATIONS A5.07 : INTERIOR ELEVATIONS A5.08 : INTERIOR ELEVATIONS A5.09 : INTERIOR ELEVATIONS A6.01 : DOOR SCHEDULE AND TYPES A6.02 : WINDOW TYPES A7.01 : EXTERIOR DETAILS A7.02 : EXTERIOR DETAILS A8.01 : GYM FLOOR MARKING PLAN	<b>STRUCTURAL</b> S1.0: STRUCTURAL NOTES S1.1: SNOW DRIFT/ C&C WIND UPLIFT KEY PLANS S2.1: FOUNDATION PLAN S2.2: MAIN FLOOR FRAMING & SLAB JOINTING PLAN S2.3: MEZZANINE & CANOPY FRAMING PLANS S2.4: ROOF FRAMING PLAN S4.1: FOUNDATION DETAILS S4.2: CMU/MASONRY DETAILS S4.3: STEEL DETAILS S4.4: ROOF/FLOOR DECK DETAILS S4.5: OWSJ & MUSIC DETAILS <b>MECHANICAL</b> M1.0: COVER CHEET M1.1: SCHEDULES M1.2: CALCS - FORMS M2.0: HVAC FLOOR PLAN M2.1: HVAC ROOF PLAN M2.2: HVAC PIPING PLAN M3.0: DETAILS <b>PLUMBING</b> P1.0: COVER SHEET P2.0: FLOOR PLAN BELOW SLAB P2.1: FLOOR PLAN PLUMBING P3.0: DETAILS PLUMBING
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HEALTH AND WELLNESS CENTER

NORTHWEST INDIAN COLLEGE

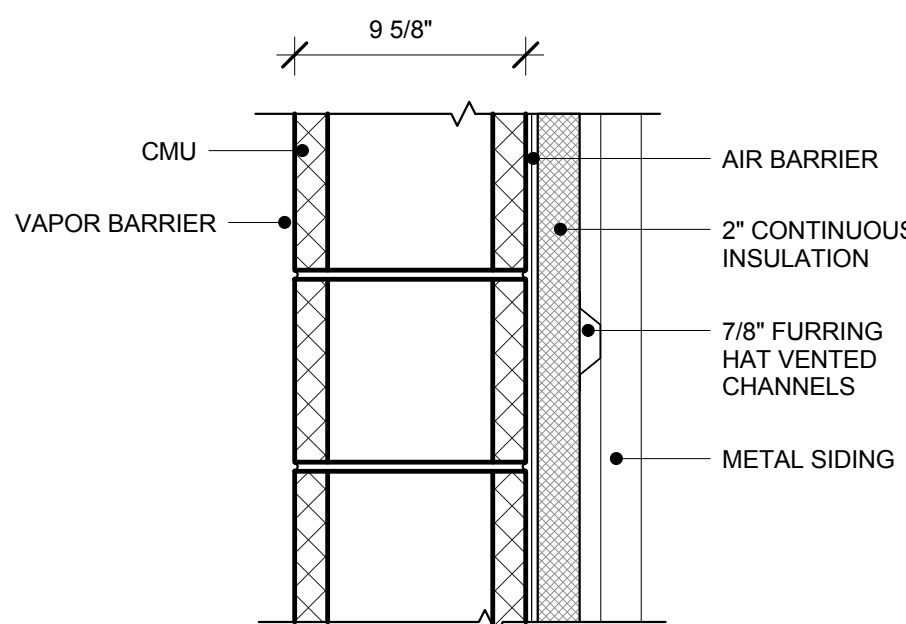
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ZERVAS

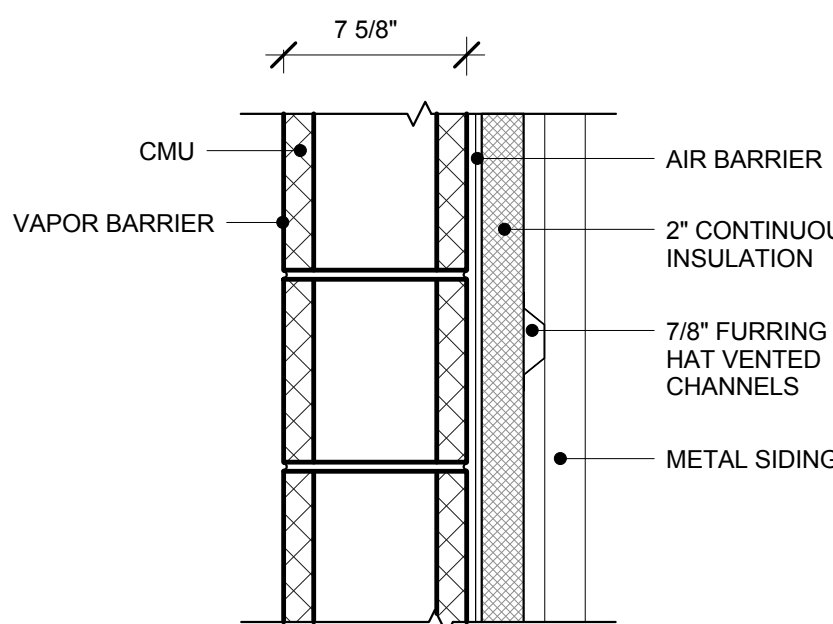
209 PROSPECT STREET- BELLINGHAM, WA 98225  
p.360.734.4744 - zervasgroup.com



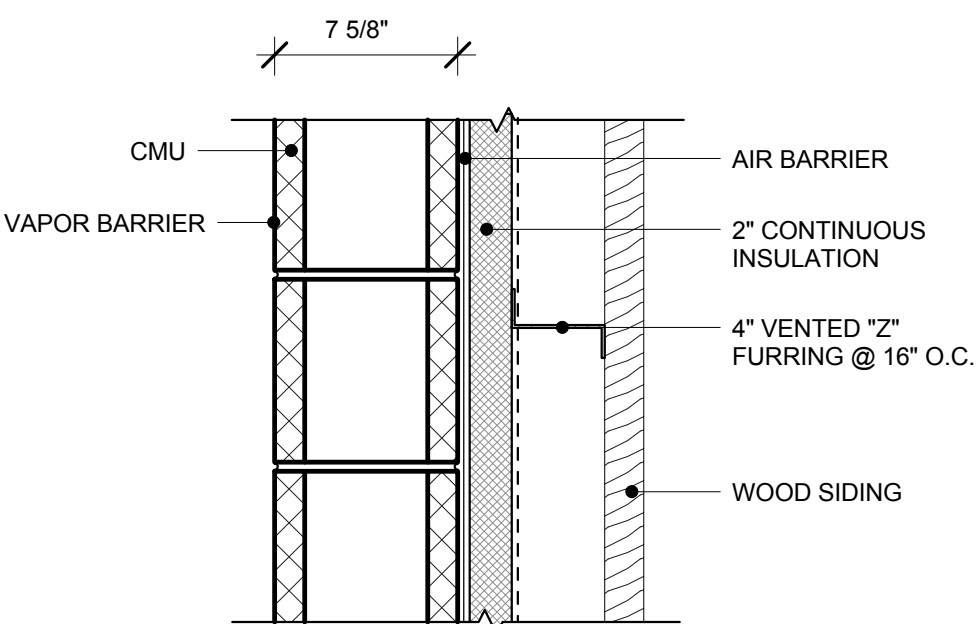
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  2. EXTEND SOUND BATT INSULATION AND SHEET ROCK, BOTH SIDES, FULL HEIGHT OF WALL U.N.O.
  3. SEE BUILDING SECTIONS FOR VERTICAL DIMENSIONS.
  4. SEE SHEET G0.04 FOR U.L. FIRE WALL PENETRATION DETAILS.



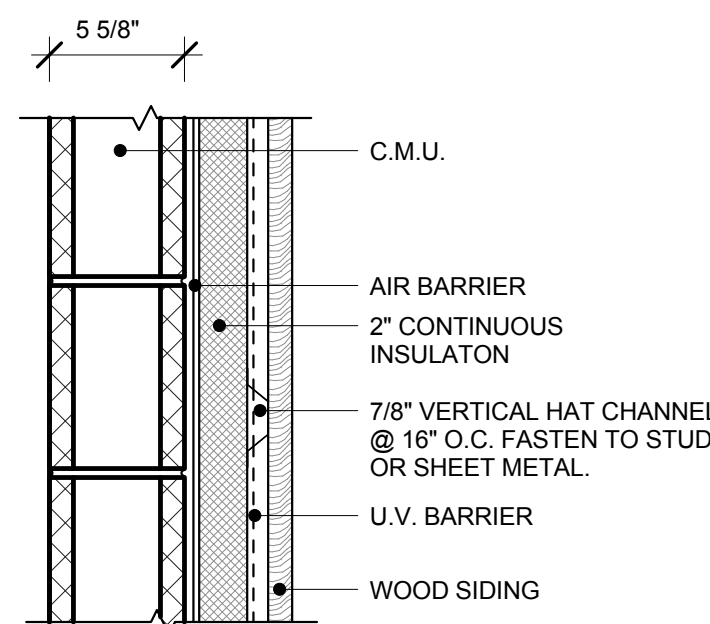
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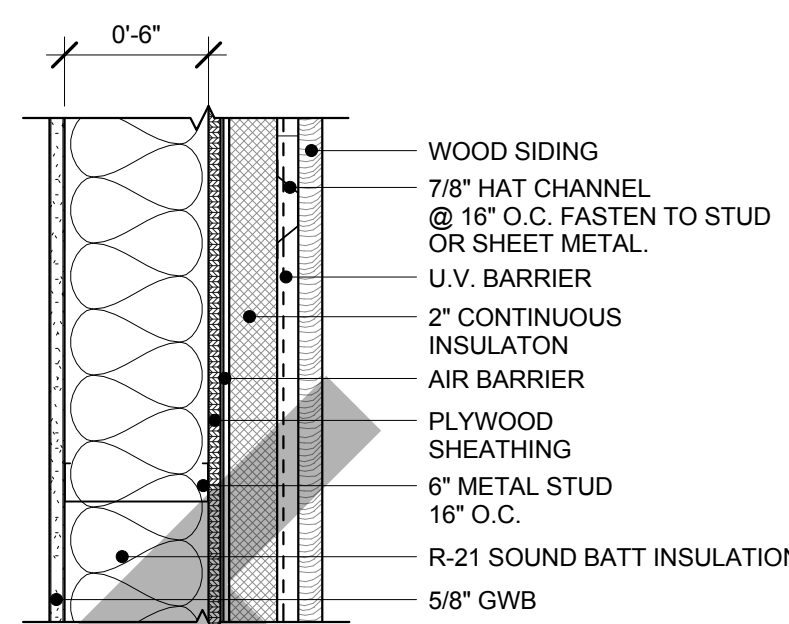
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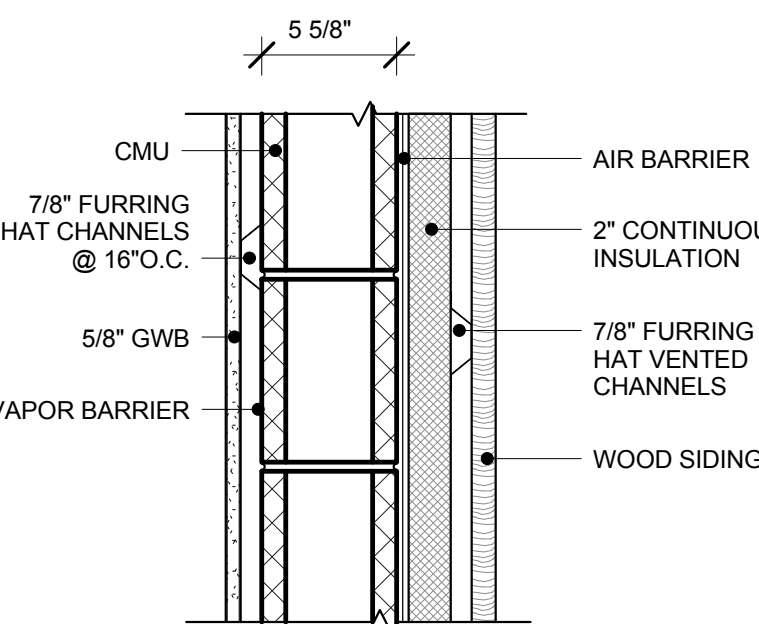
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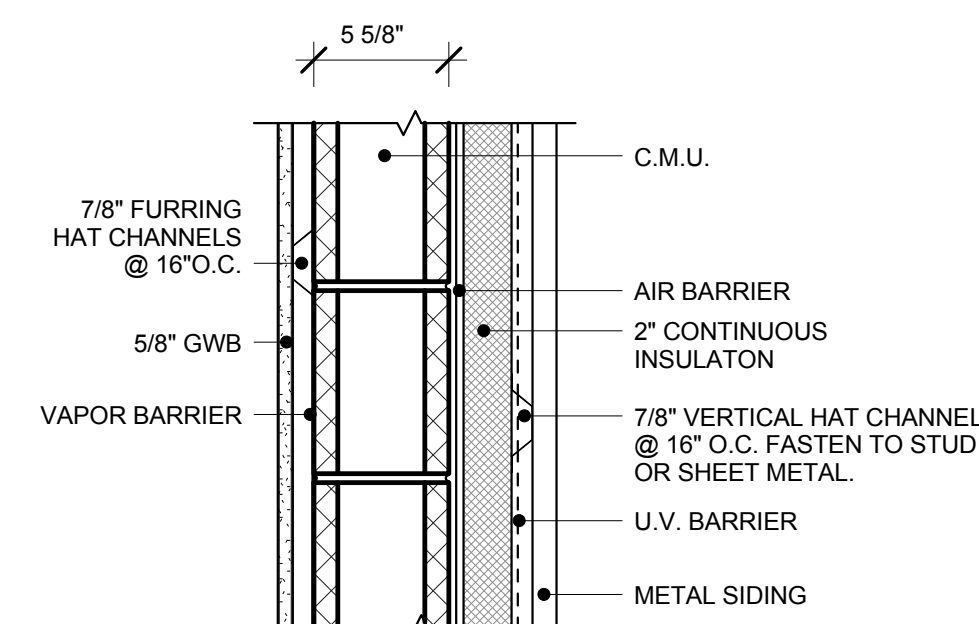
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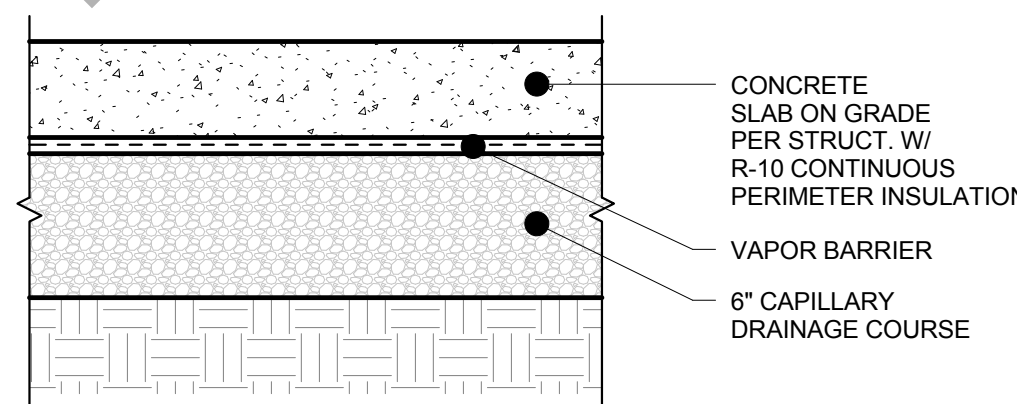
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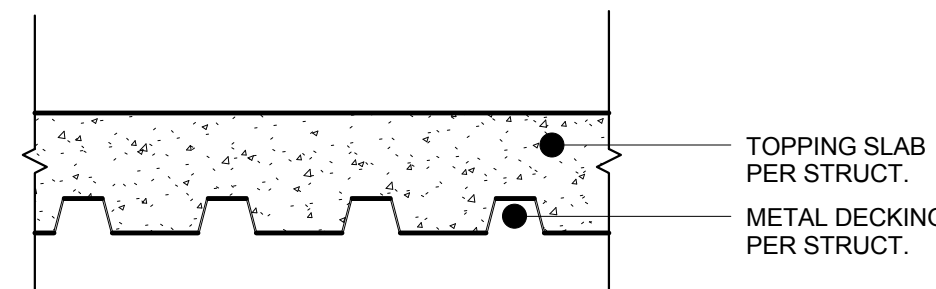
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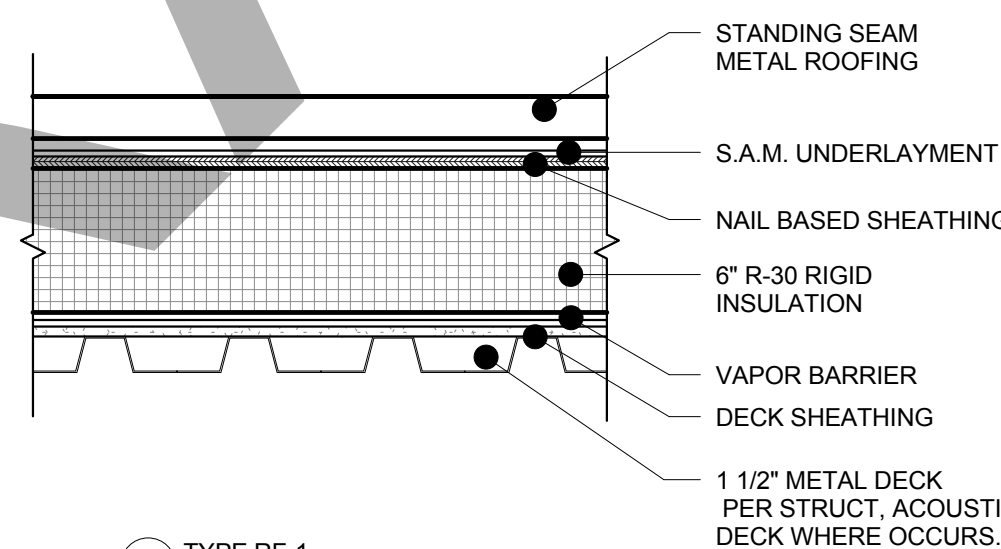
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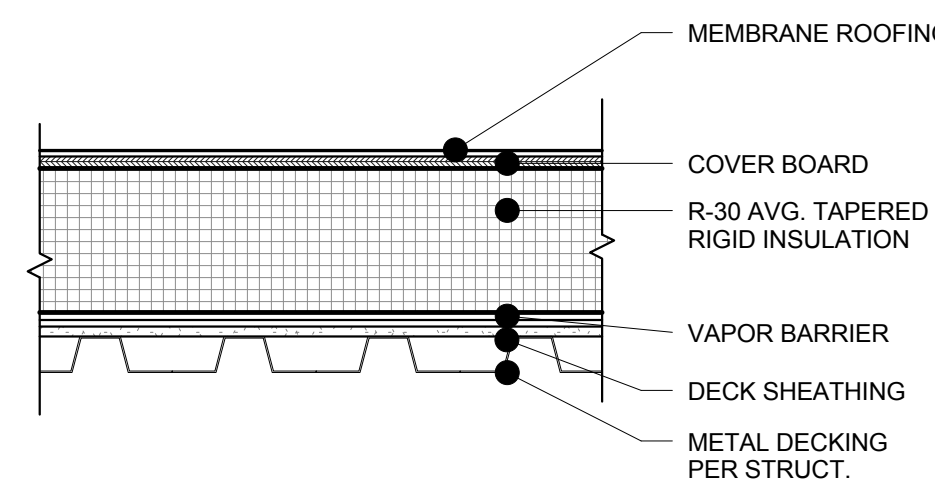
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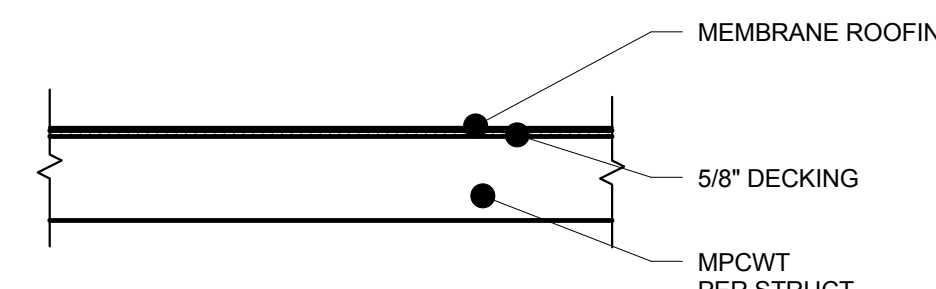
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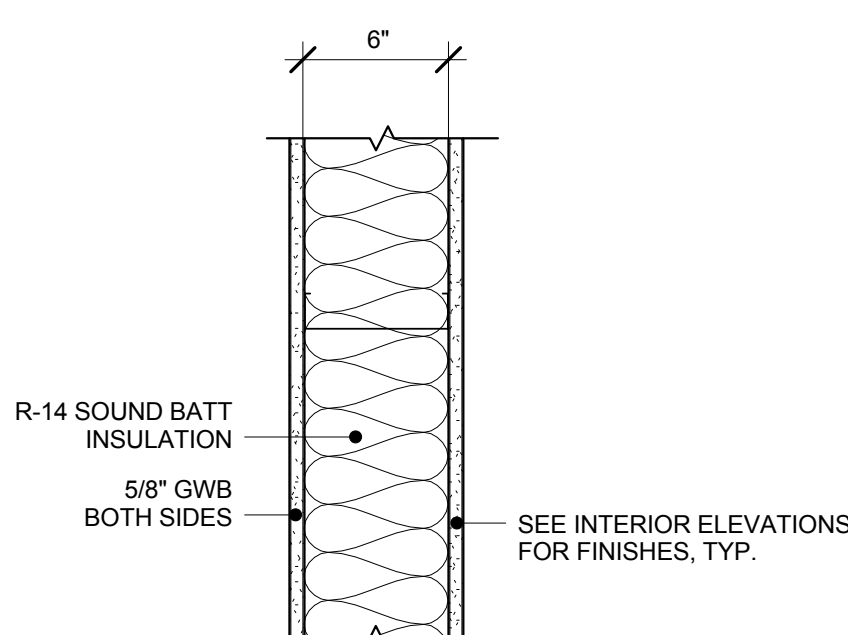
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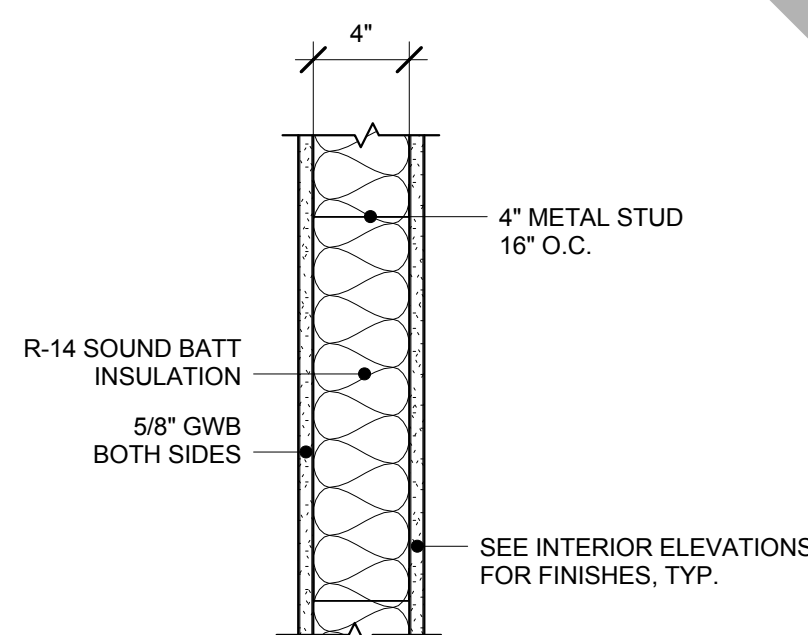
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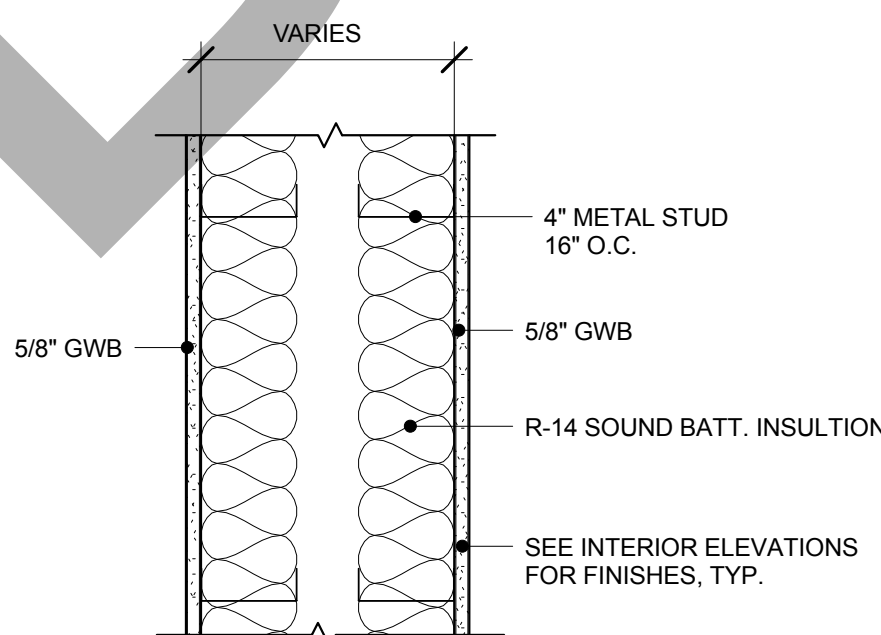
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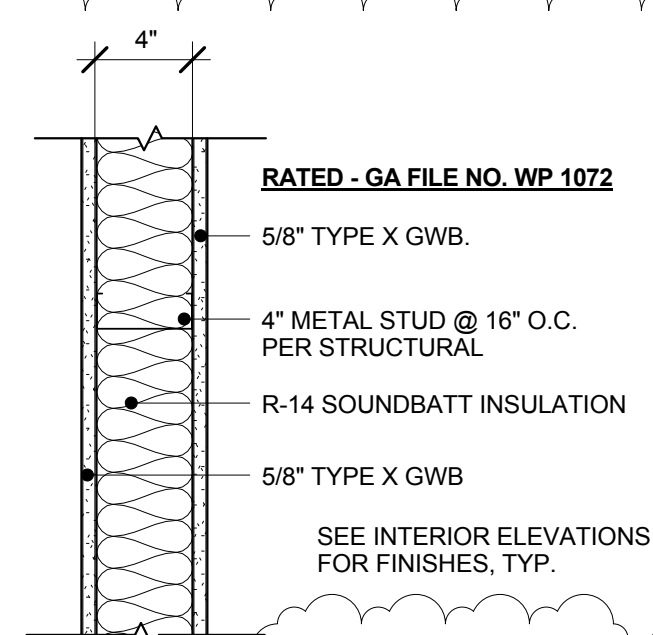
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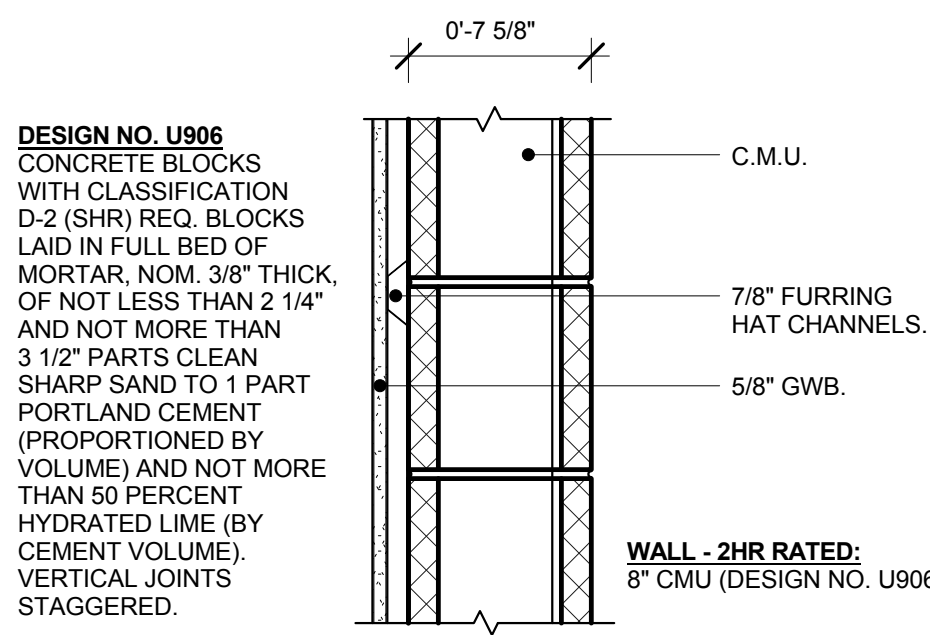
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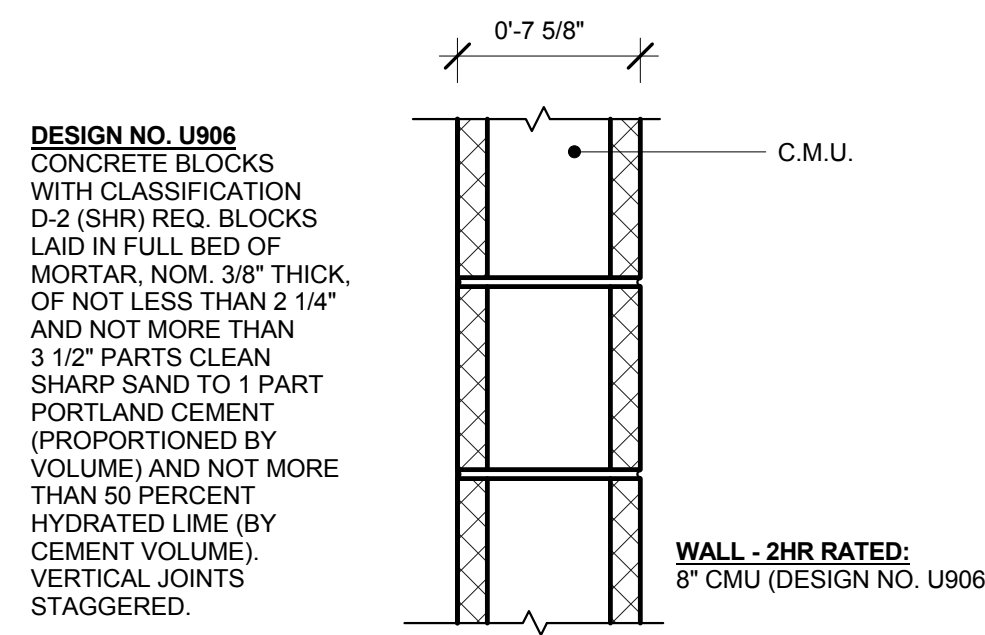
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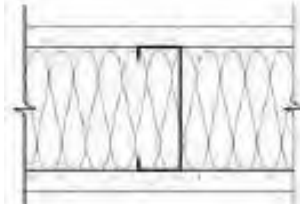
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**DESIGN NO. U906**  
CONCRETE BLOCKS WITH CLASSIFICATION D-2 (SHR) REQ. BLOCKS LAID IN FULL BED OF MORTAR, NOM. 3/8" THICK, OF NOT LESS THAN 2 1/4" AND NOT MORE THAN 3 1/2" PARTS CLEAN SHARP SAND TO 1 PART PORTLAND CEMENT (PROPORTIONED BY VOLUME) AND NOT MORE THAN 50 PERCENT HYDRATED LIME (BY CEMENT VOLUME). VERTICAL JOINTS STAGGERED.

**DESIGN NO. U906**  
CONCRETE BLOCKS WITH CLASSIFICATION D-2 (SHR) REQ. BLOCKS LAID IN FULL BED OF MORTAR, NOM. 3/8" THICK, OF NOT LESS THAN 2 1/4" AND NOT MORE THAN 3 1/2" PARTS CLEAN SHARP SAND TO 1 PART PORTLAND CEMENT (PROPORTIONED BY VOLUME) AND NOT MORE THAN 50 PERCENT HYDRATED LIME (BY CEMENT VOLUME). VERTICAL JOINTS STAGGERED.

## GA FILE NO. WP 1072 GENERIC 1 HOUR FIRE

Thickness: 5 1/4"  
Approx. Weight: 6 pcf  
Fire Test: CTC 1897-1655, 1-11-88



GYPSUM WALLBOARD, STEEL STUDS, GLASS FIBER INSULATION

One layer 5/8" type X gypsum wallboard or gypsum veneer base applied parallel or at right angles to each side of 4" steel studs 16" o.c. with 1" Type S drywall screws 8" o.c. at vertical joints and 12" o.c. at intermediate studs and wall perimeter. 5 1/2" glass fiber insulation, 0.526 pcf, friction fit in stud space.  
Joints staggered 16" on opposite sides and covered with 10 x 10 mesh glass tape and tile adhesive. (NLS)

1	7.16.2017	TS	PERMIT RESPONSE
REV.	DATE	BY	ISSUED FOR
2	11.2.2017	TS	PERMIT RESPONSE
REV.	DATE	BY	ISSUED FOR

## PERMIT SET

NORTH

PLAN

SCALE

1 1/2" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

Northwest Indian College

## ASSEMBLY TYPES

PRODUCT	20140104
DRAWN	THOMAS
CHECKED	
ISSUED	09/14/16

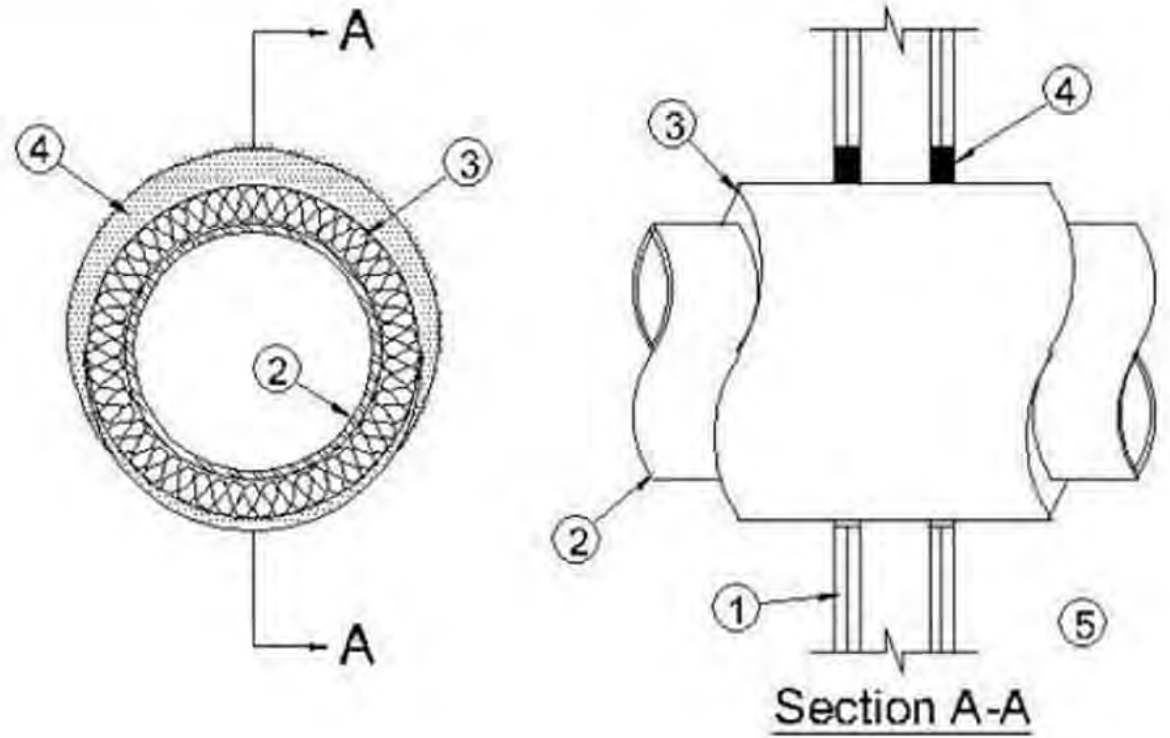
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PRINT 11/28/2017 3:15:30 PM



System No. W-L-7153

ANSI/UL1479 (ASTM E814)	CAN/ULC S115
F Ratings - 1 and 2 Hr (See Item 1)	F Ratings - 1 and 2 Hr (See Item 1)
T Rating - 1/2 Hr	FT Rating - 1/2 Hr
	FH Ratings - 1 and 2 Hr (See Item 1)
	FTH Rating - 1/2 Hr



1. **Wall Assembly** — The 1 or 2 hr fire-rated gypsum wallboard/stud wall assembly shall be constructed of the materials and in the manner described in the individual U400, V400 or W400 Series Wall or Partition Design in the UL Fire Resistance Directory and shall include the following construction features:

A. **Studs** — Wall framing shall consist of channel studs. Steel studs to be min 2-1/2 in. (64 mm) wide and spaced max 24 in. (610 mm) OC.

B. **Wallboard, Gypsum\*** — 5/8 in. (16 mm) thick, 4 ft (122 cm) wide with square or tapered edges. The gypsum board type, thickness, number of layers, fastener type and sheet orientation shall be as specified in the individual Wall and Partition Design in the UL Fire Resistance Directory. Max diam of opening is 23-1/2 in. (597 mm).

The hourly F and FH Ratings of the firestop system are equal to the hourly fire rating of the wall assembly in which it is installed.

2. **Steel Duct** — Galv steel duct to be installed concentrically or eccentrically within the firestop system. Duct to be rigidly supported on both sides of wall assembly.

A. **Spiral Wound HVAC Duct** — Nom 20 in. (508 mm) diam (or smaller) No. 24 MSG (or heavier) galv steel spiral wound duct.

B. **Sheet Metal Duct** — Nom 12 in. (305 mm) diam (or smaller) No. 28 MSG (or heavier) galv sheet steel duct.

3. **Duct Insulation\*** — Nom 1-1/2 in. (38 mm) thick glass fiber batt or blanket (min 3/4 pcf or 56 kg/m<sup>3</sup>) jacketed on the outside with a foil-scrim-kraft facing. Longitudinal and transverse joints sealed with aluminum foil tape. During the installation of the fill material, the batt or blanket shall be compressed 50% such that the annular space within the firestop system shall be min 1/4 in. (6 mm) to max 1 in. (25 mm).

See **Batts and Blankets** - (BKNV) category in the Building Materials Directory for names of manufacturers. Any batt or blanket meeting the above specifications and bearing the UL Classification Marking with a Flame Spread Index of 25 or less and a Smoke Developed Index 50 or less may be used.

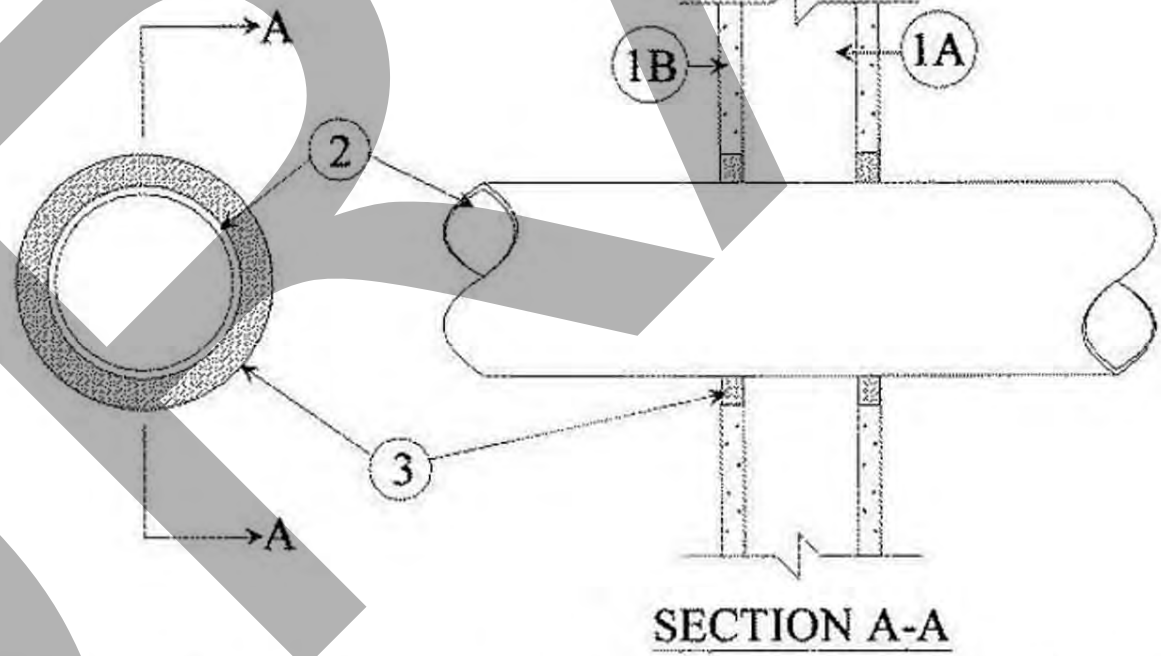
4. **Fill, Void or Cavity Material\*** — **Sealant** — Min 5/8 in. (16 mm) or 1-1/4 in. (32 mm) thickness of fill material applied within annulus, flush with both surfaces of wall for 1 or 2 hr walls, respectively. If voids develop after the fill materials cure, the voids shall be sealed with additional fill material.  
HILTI CONSTRUCTION CHEMICALS, DIV OF HILTI INC — FS-ONE Sealant or FS-ONE MAX Intumescent Sealant

\* Indicates such products shall bear the UL or cUL Certification Mark for jurisdictions employing the UL or cUL Certification (such as Canada), respectively.

① 1-HR WALL DUCT PENETRATION

System No. W-L-1084

F Rating — 1 Hr  
T Rating — 0 Hr



1. **Wall Assembly** — The fire rated gypsum wallboard/stud wall assembly shall be constructed of the materials and in the manner specified in the individual U300 or U400 Series Wall and Partition Designs in the UL Fire Resistance Directory and shall include the following construction features:

A. **Studs** — Wall framing may consist of either wood studs or steel channel studs. Wood studs to consist of nom 2 by 4 in. lumber spaced 16 in. OC. Steel studs to be min 3-5/8 in. wide and spaced max 24 in. OC.

B. **Gypsum Board\*** — Nom 5/8 in. thick gypsum wallboard, as specified in the individual Wall and Partition Design. Diam of opening is 1-1/2 in. larger than the outside diam of pipe.

2. **Through-Penetrant** — One metallic pipe, conduit or tubing to be centered within the firestop system. An annular space of 3/4 in. is required within the firestop system. Pipe, conduit or tubing to be rigidly supported on both sides of wall assembly. The following types and sizes of metallic pipes, conduits or tubing may be used:

A. **Steel Pipe** — Nom 12 in. diam (or smaller) Schedule 10 (or heavier) steel pipe.

B. **Conduit** — Nom 6 in. diam (or smaller) electrical metallic tubing or steel conduit.

C. **Copper Tubing** — Nom 6 in. diam (or smaller) Type L (or heavier) copper tubing.

D. **Copper Pipe** — Nom 6 in. diam (or smaller) Regular (or heavier) copper pipe.

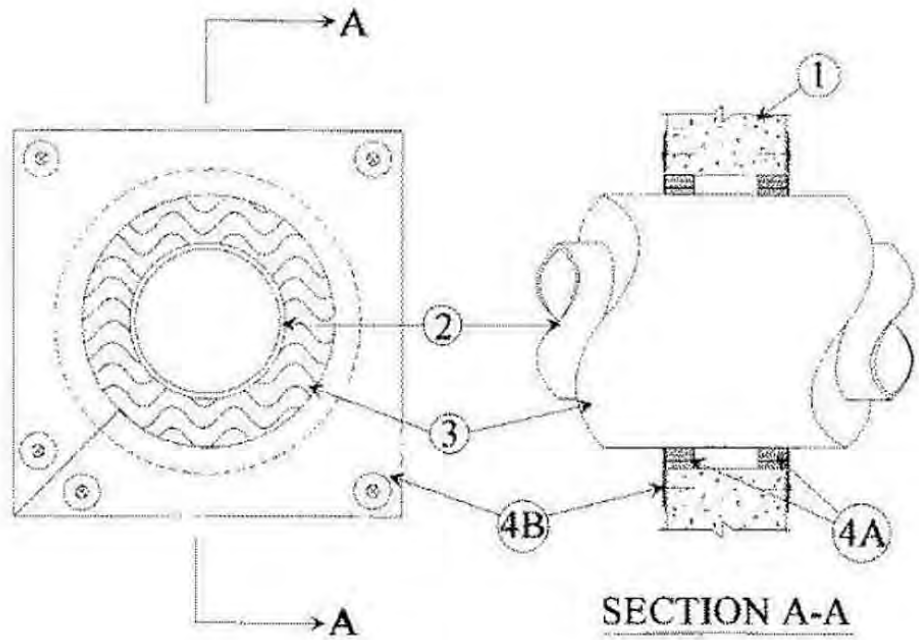
3. **Fill, Void or Cavity Material\*** — **Sealant** — Min 5/8 in. thickness of fill material applied within annulus, flush with both surfaces of wall assembly.  
3M COMPANY — FB-2000+

\* Indicates such products shall bear the UL or cUL Certification Mark for jurisdictions employing the UL or cUL Certification (such as Canada), respectively.

② 1-HR WALL PIPE PENETRATION

System No. W-J-5025

F Rating — 2 Hr  
T Rating — 1-1/2 hr



1. **Wall Assembly** — Min 7-5/8 in. thick wall assembly constructed of any UL Classified **Concrete Blocks\***. Max diam of opening is 18 in.  
See **Concrete Blocks** (CAZT) category in the Fire Resistance Directory for names of manufacturers.

2. **Through Penetrants** — One metallic pipe or tubing to be installed either concentrically or eccentrically within the firestop system. Pipe or tubing to be rigidly supported on both sides of floor or wall assembly. The following types and sizes of metallic pipes or tubing may be used:

A. **Steel Pipe** — Nom 10 in. diam (or smaller) Schedule 10 (or heavier) steel pipe.

B. **Iron Pipe** — Nom 10 in. diam (or smaller) cast on ductile iron pipe.

C. **Copper Tube** — Nom 4 in. diam (or smaller) Type L (or heavier) copper tube.

D. **Copper Pipe** — Nom 4 in. diam (or smaller) Regular (or heavier) copper pipe.

3. **Pipe Covering\*** — Nom 3 in. thick hollow cylindrical heavy density (min 3.5 pcf) glass fiber units jacketed on the outside with an oil service jacket. Longitudinal joints sealed with metal fasteners or factory-applied self-sealing lap tape. Transverse joints secured with metal fasteners or with butt tape supplied with the product. The annular space shall be min 1/2 in. to max 3/4 in.

See **Pipe and Equipment Covering** — **Materials** (BRGU) category in the Building Materials Directory for names of manufacturers. Any pipe covering material meeting the above specifications and bearing the UL Classification Marking with a Flame Spread Index of 25 or less and a Smoke Developed Index of 50 or less may be used.

4. **Firestop System** — The firestop system shall consist of the following:

A. **Fill, Void or Cavity Material\*** — **Wrap Strip** — Nom 1/4 in. thick by 1 in. wide intumescent wrap strip. The wrap strip is continuously wrapped around the outer circumference of the pipe covering three times and slid into annular space 7/8 in. such that 1/8 in. of the wrap strip protrudes from the wall surface. When multiple wrap strips are used to achieve the required total length, the ends are to be butted end-to-end and held in place with aluminum tape. Wrap strips are installed on each side of wall.  
RECTORSEAL — Metacaulk Wrap Strip

B. **Steel Cover Plate** — Min 0.021 in. thick (No 26 MSG) galv steel cover plates installed on both surfaces of wall and extending a min of 2 in. beyond the periphery of the opening. The steel cover plate is to be placed over the wrap strips and tightly filled around the pipe covering. Seam of steel cover plate cut from one corner to the center of the plate. Seam of steel cover plate tightly butted together and secured to surfaces of wall by means of 1/8 in. diam by 3 in. long toggle bolts in conjunction with 3/16 in. by 3/4 in. and 1/4 in. by 1-1/4 in. steel fender washers.

\* Indicates such products shall bear the UL or cUL Certification Mark for jurisdictions employing the UL or cUL Certification (such as Canada), respectively.

③ 1-HR WALL INSULATED PIPE PENETRATION

2	11.2.2017	TS	PERMIT RESPONSE
REV.	DATE	BY	ISSUED FOR

## PERMIT SET

NORTH PLAN

SCALE

12" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

Northwest Indian College

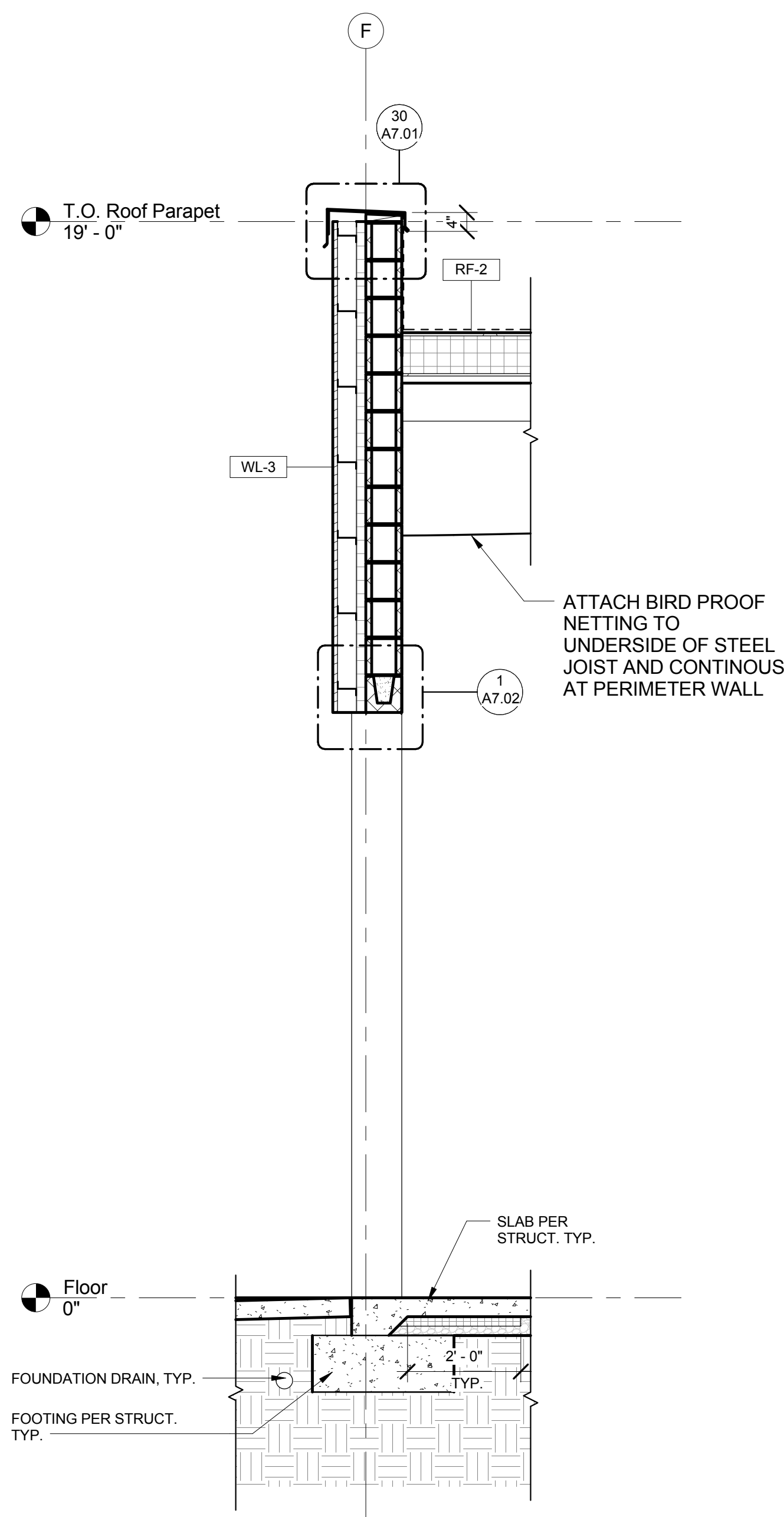
U.L.  
PENETRATIONS

PROJECT: 20140104  
DRAWN: Author | CHECK: Checked

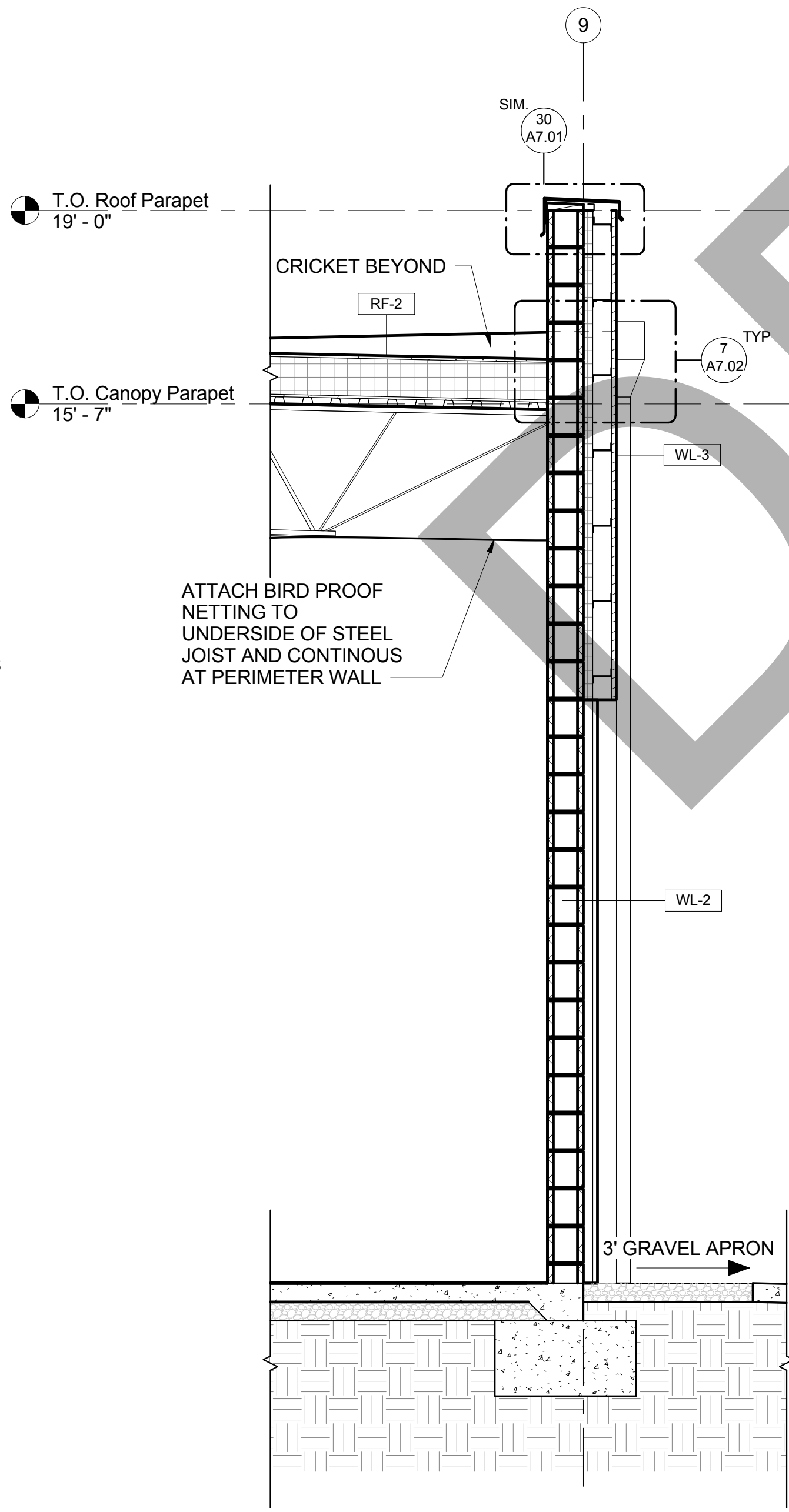
ISSUED: 10/02/17

G0.04

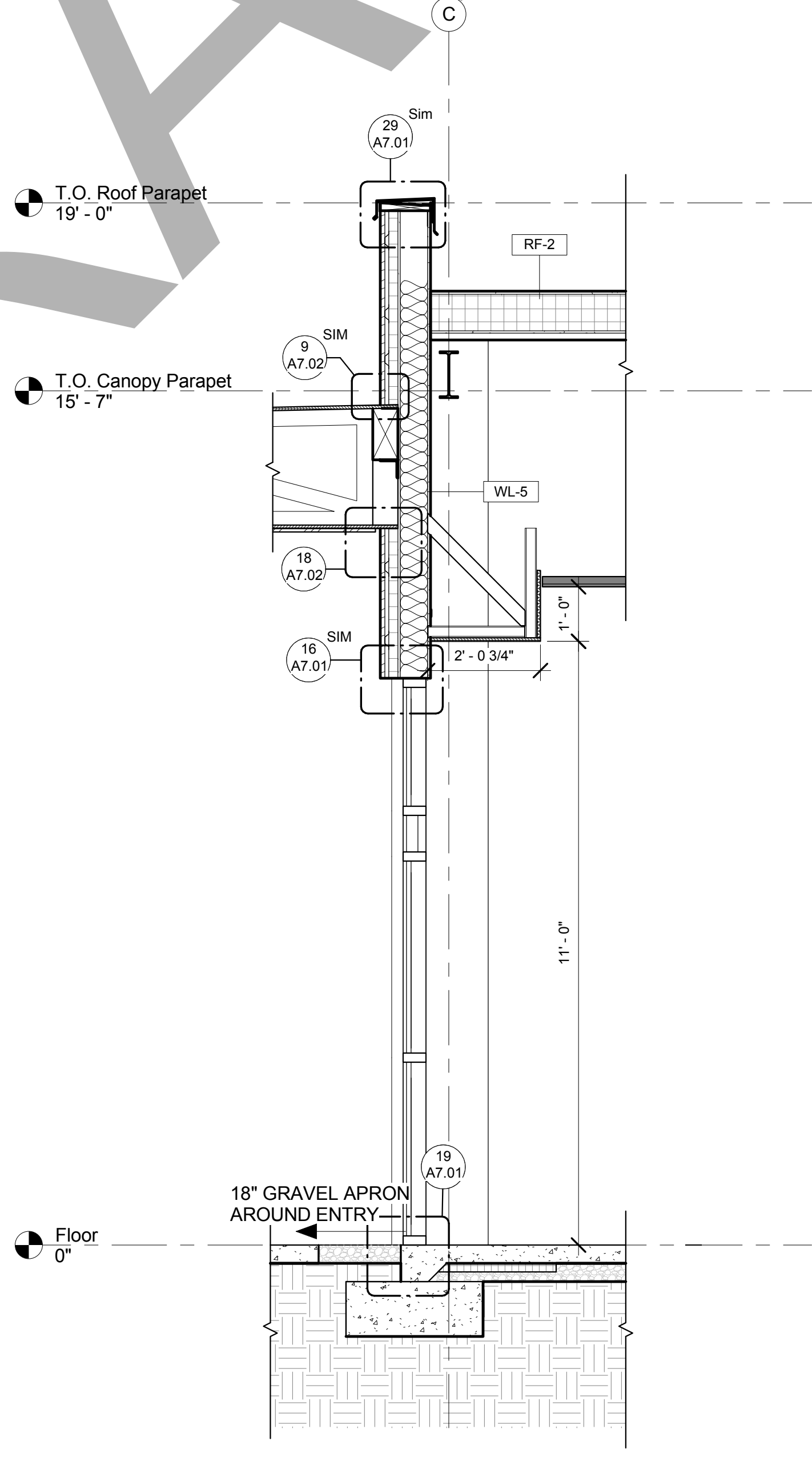
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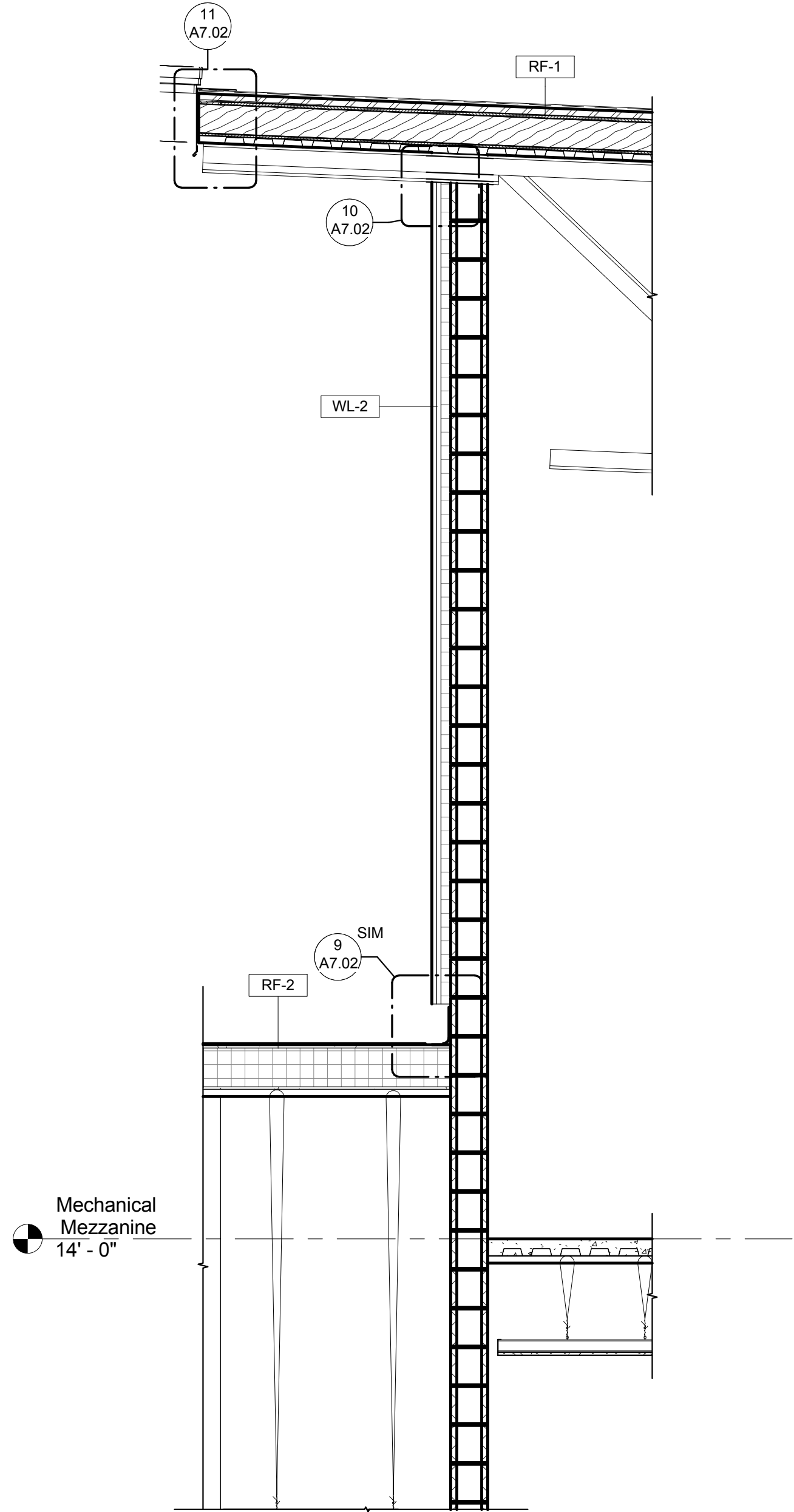
1 WALL SECTION  
1/2" = 1'-0"



2 ENLARGED WALL SECTION @ GRID 9  
1/2" = 1'-0"



3 ENLARGED WALL SECTION @ GRID C  
1/2" = 1'-0"



4 Locker High Wall to Low Roof  
1/2" = 1'-0"

PERMIT SET

NORTH PLAN

SCALE  
1/2" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

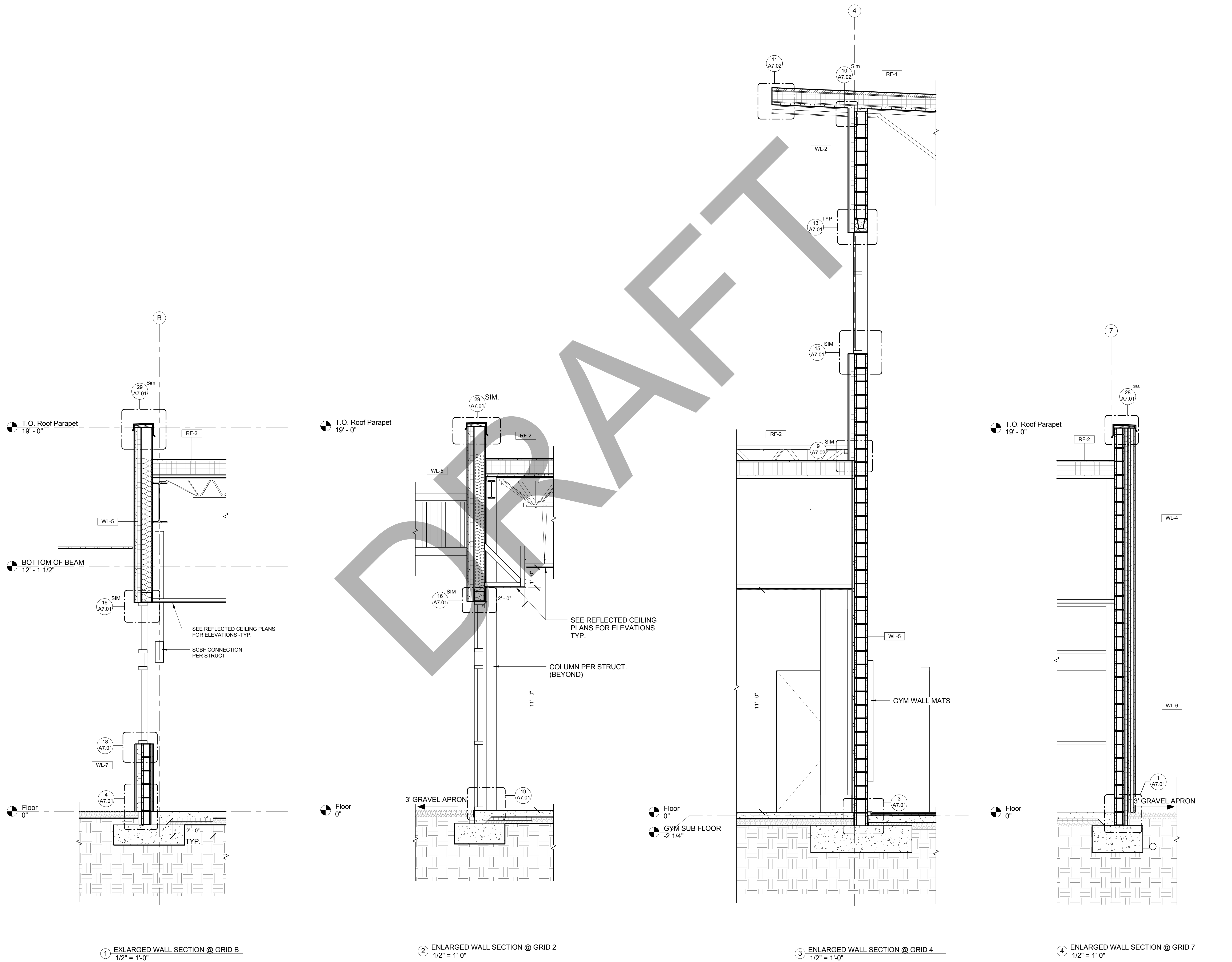
Northwest Indian College

WALL SECTIONS

PROJECT# 201401\_04  
DRAWN: Author: CHECK: 08/04/11  
ISSUED: 08/04/11

A4.03  
PRINT 11/28/2017 3:14:03 PM





1 ENLARGED WALL SECTION @ GRID B  
1/2" = 1'-0"

2 ENLARGED WALL SECTION @ GRID 2  
1/2" = 1'-0"

3 ENLARGED WALL SECTION @ GRID 4  
1/2" = 1'-0"

4 ENLARGED WALL SECTION @ GRID 7  
1/2" = 1'-0"

PERMIT SET

NORTH PLAN

SCALE  
1/2" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

Northwest Indian College

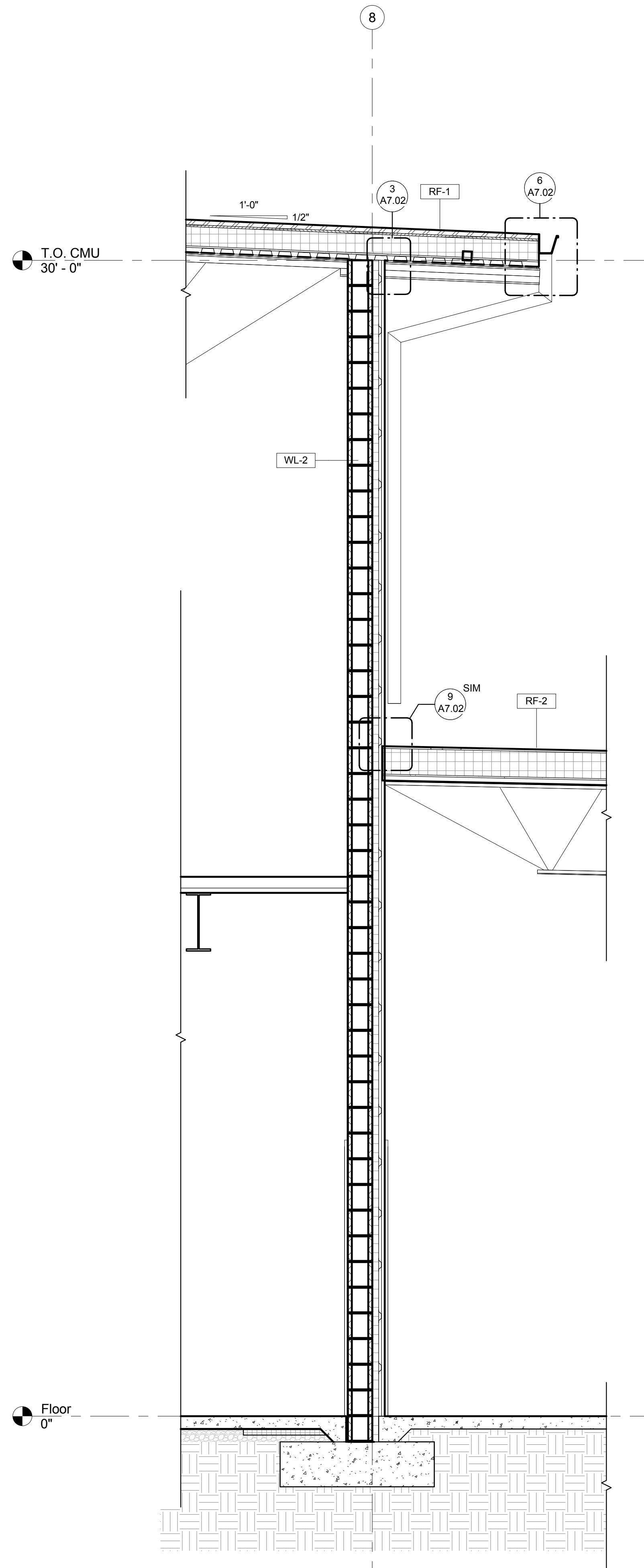
WALL SECTIONS

PROJECT# 20140104  
DRAWN BY Author CHECKED

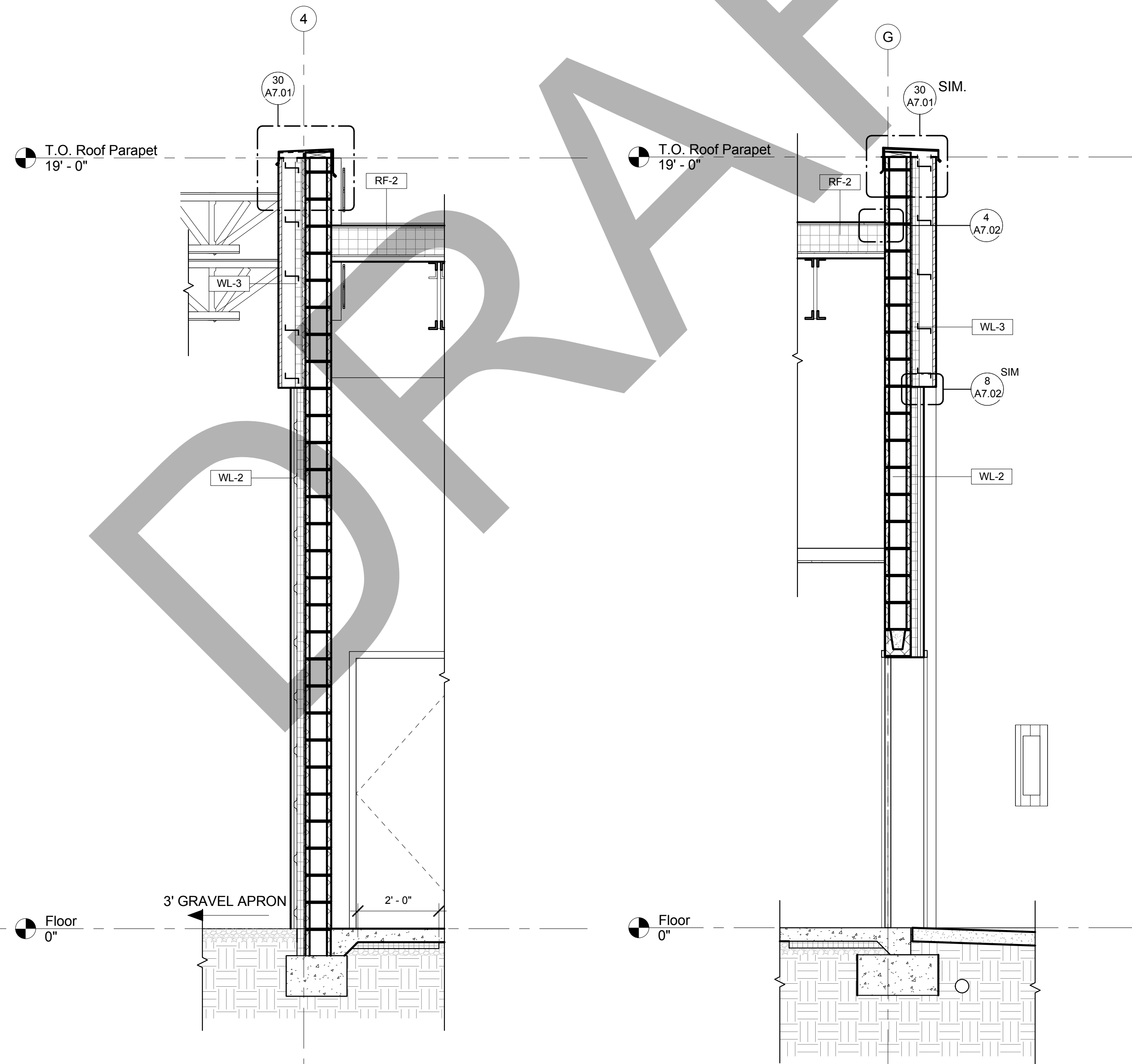
ISSUED 07/07/16

A4.04

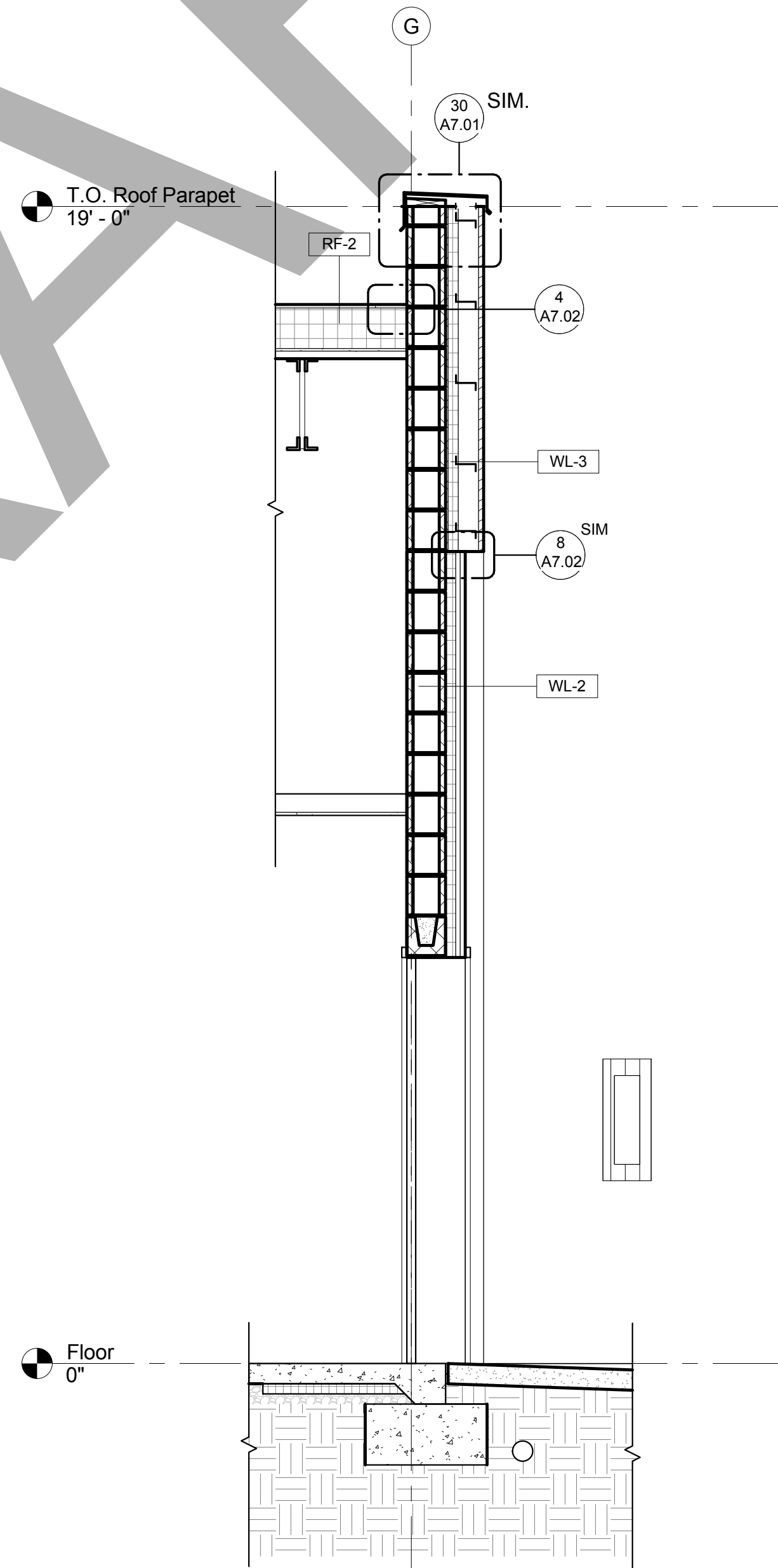
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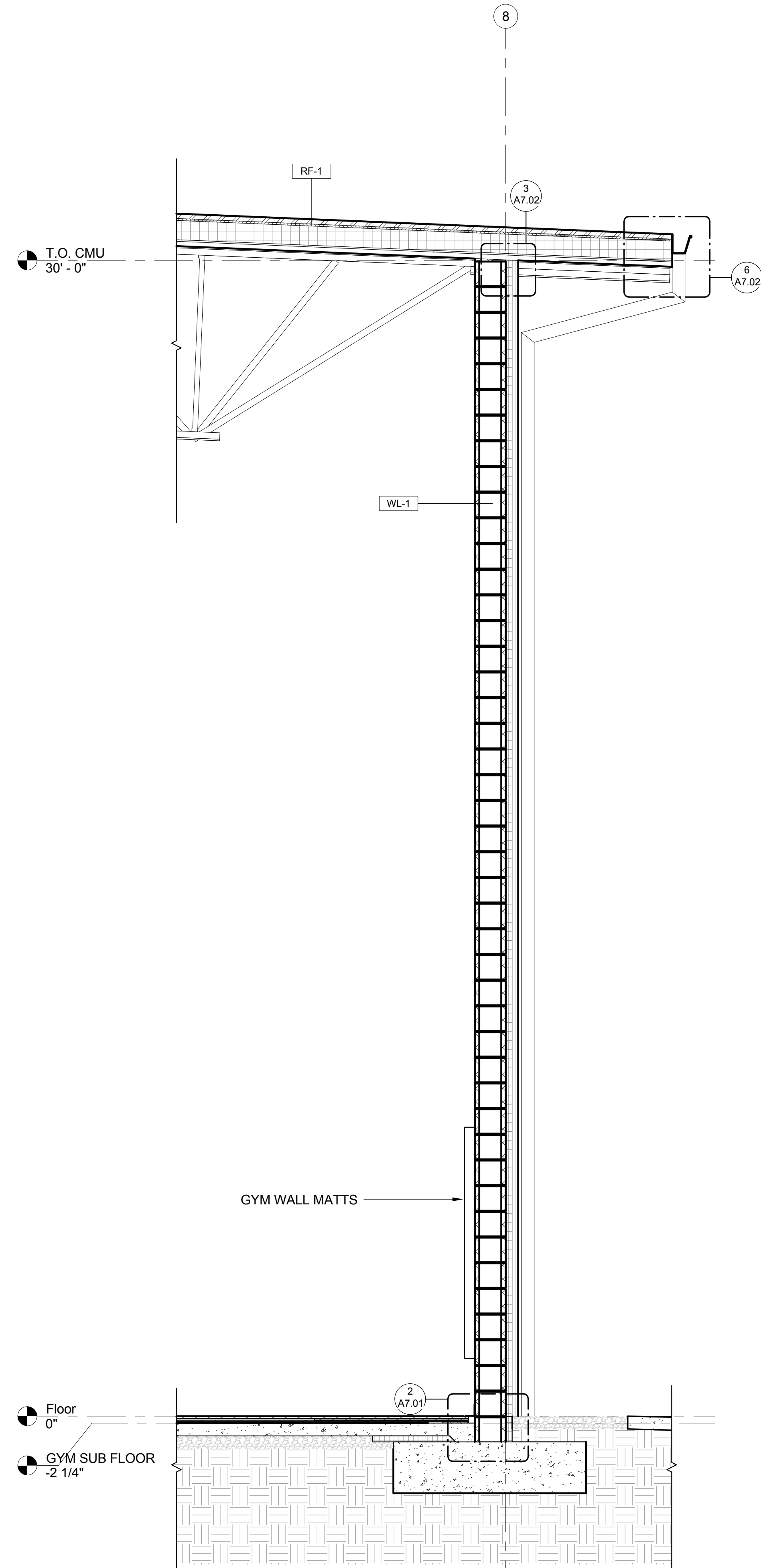
① ENLARGED WALL SECTION @ GRID 8  
1/2" = 1'-0"



② ENLARGED WALL SECTION @ GRID 4 @ REF  
1/2" = 1'-0"



③ ENLARGED WALL SECTION @ GRID G  
1/2" = 1'-0"

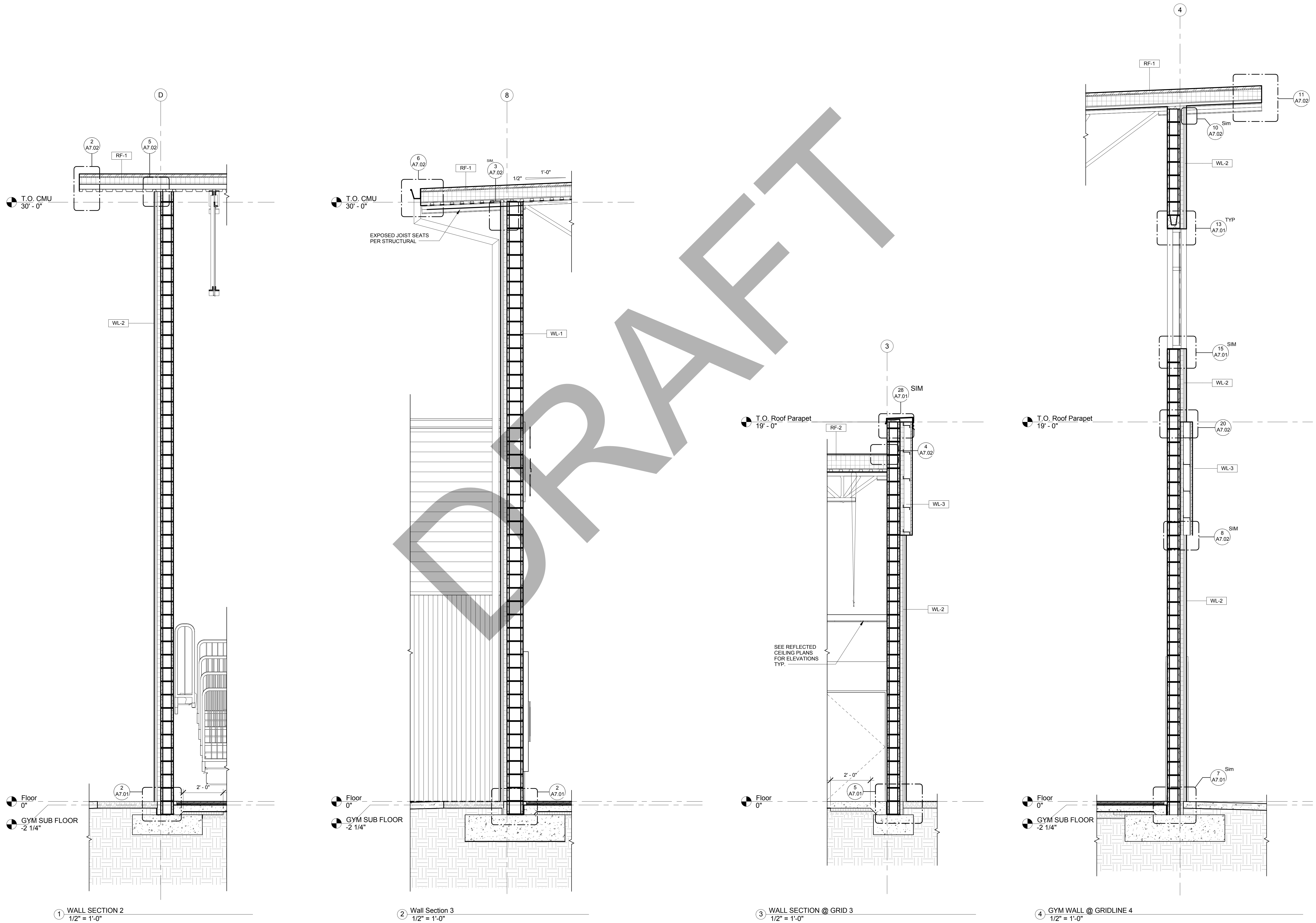


④ ENLARGED WALL SECTION @ LOBBY  
1/2" = 1'-0"

PERMIT SET

NORTH	PLAN
SCALE	1/2" = 1'-0"
HEALTH AND WELLNESS CENTER	
Northwest Indian College	
WALL SECTIONS	
PROJECT#	20140104
DRAWN	Author
CHECKED	08/26/16
ISSUED	
PRINT	11/28/2017 3:14:08 PM

A4.05



PERMIT SET

NORTH PLAN

SCALE  
1/2" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

Northwest Indian College

WALL SECTIONS

PROJECT: 20140104  
DRAWN: Author CHECK: Checker  
ISSUED: 08/31/16

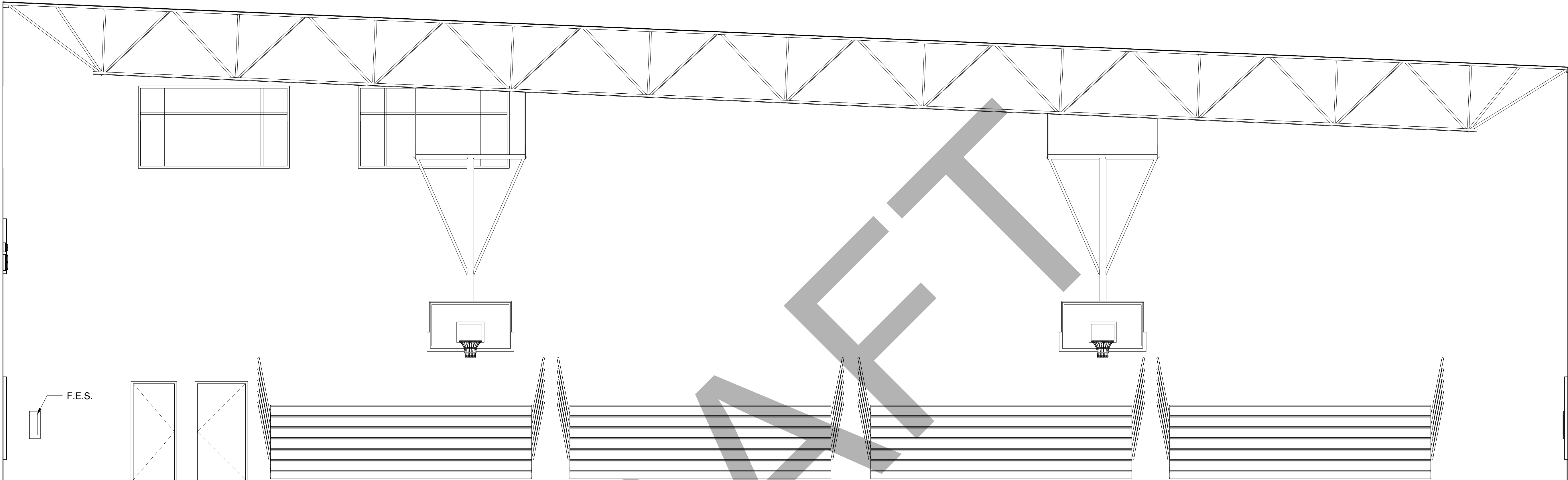
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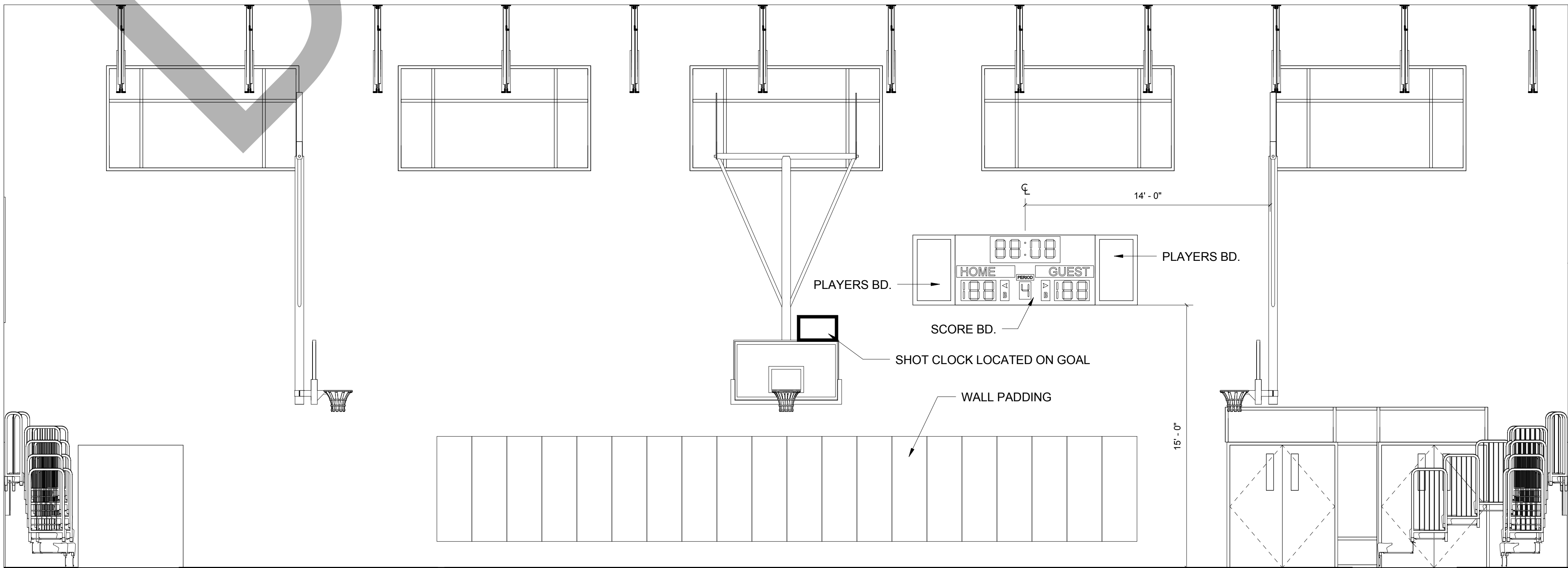
GENERAL INTERIOR ELEVATION NOTES

- NOTE 1
- NOTE 2

SHEET NOTES



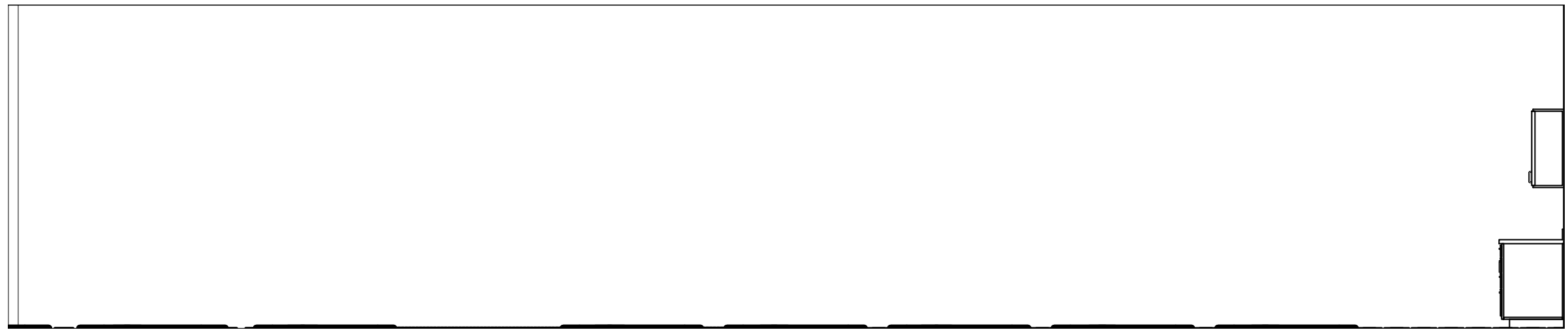
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1/4" = 1'-0"



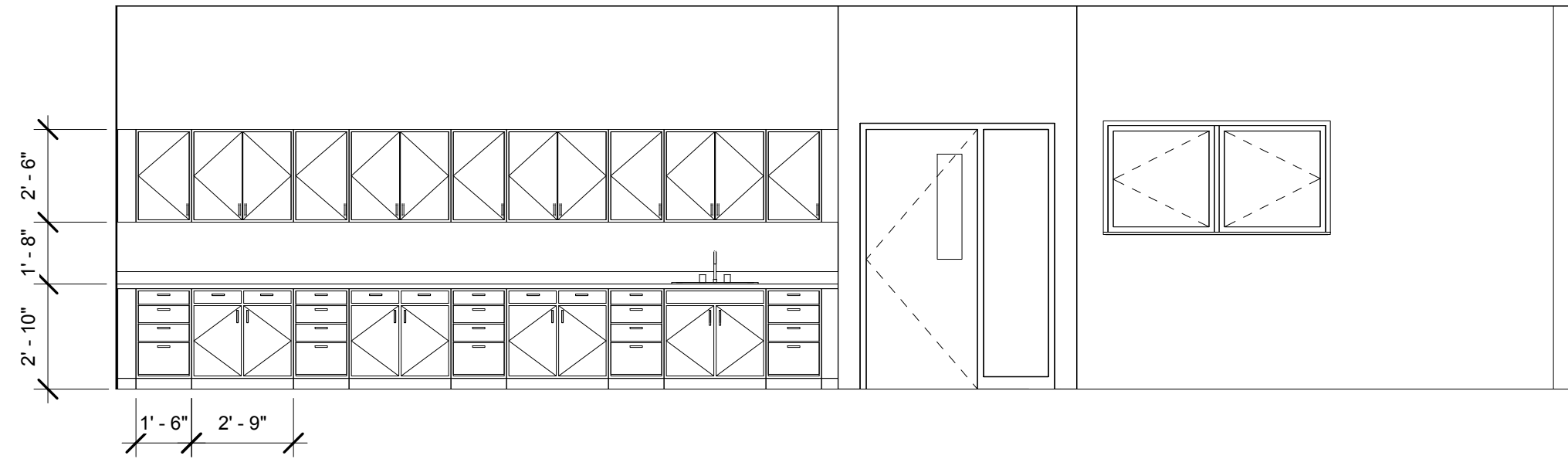
2 OPEN COURT - WEST  
1/4" = 1'-0"

PERMIT SET

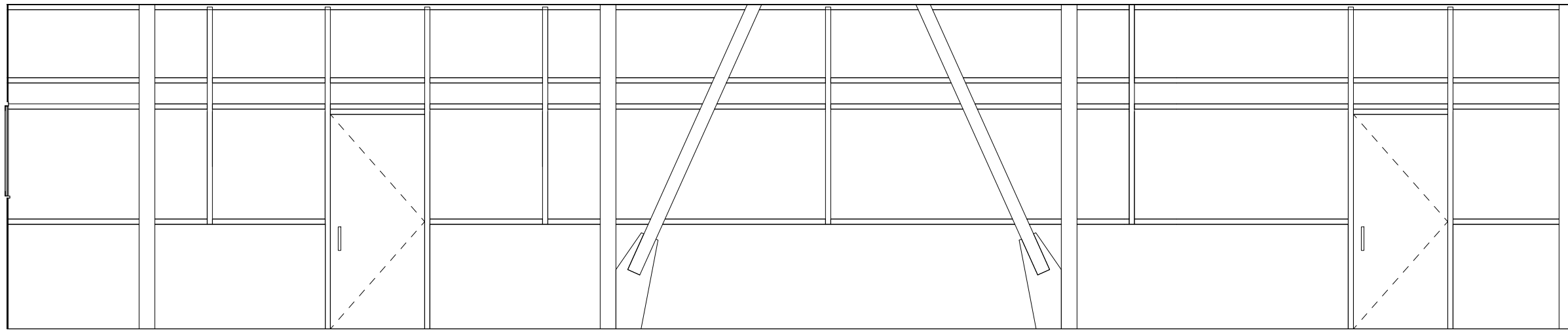
NORTH		PLAN	
SCALE			
1/4" = 1'-0"			
HEALTH AND WELLNESS CENTER			
Northwest Indian College			
INTERIOR ELEVATIONS			
PROJECT#		20140	
DRAWN	Author	CHECK	Checker
ISSUED		08/04/11	
A5.04			
PRINT		11/28/2017 3:14:21	



① RESOURCE ROOM - SOUTH  
1/4" = 1'-0"



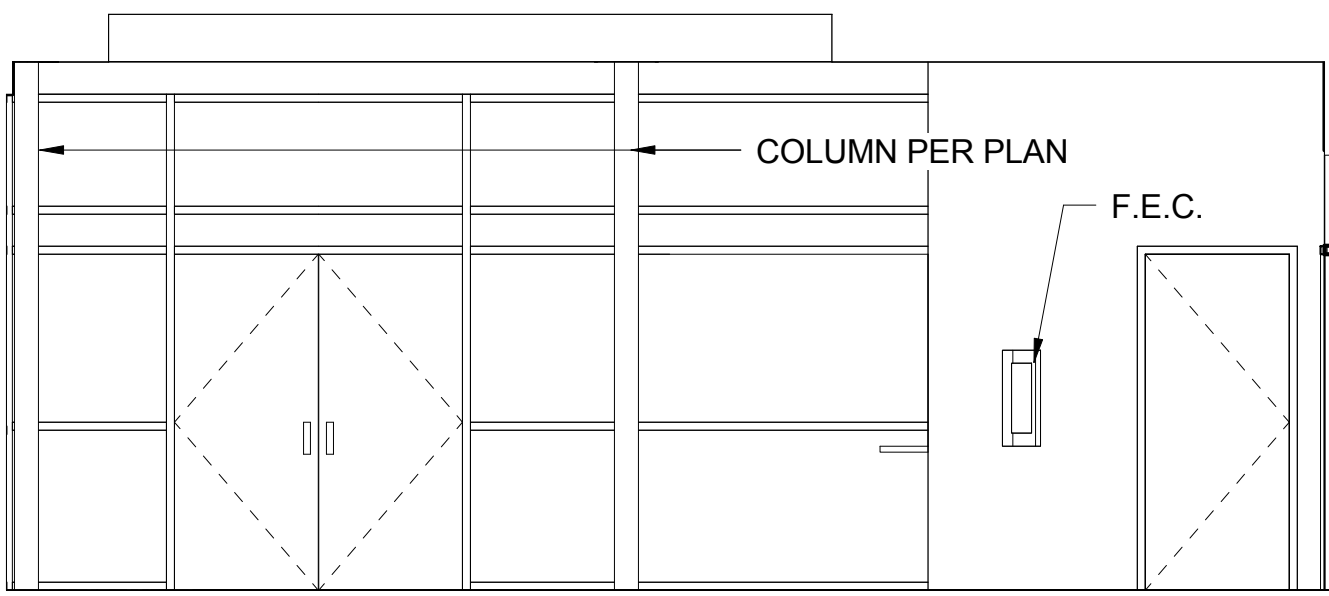
② RESOURCE ROOM - WEST  
1/4" = 1'-0"



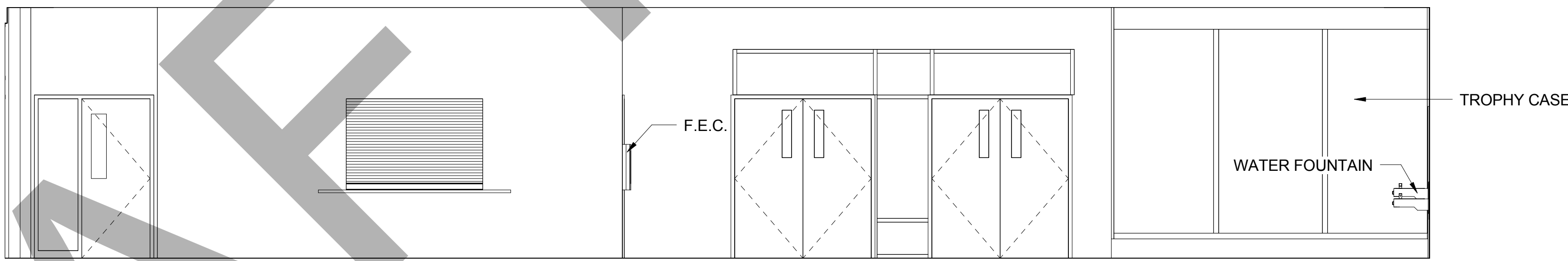
③ RESOURCE ROOM - NORTH  
1/4" = 1'-0"



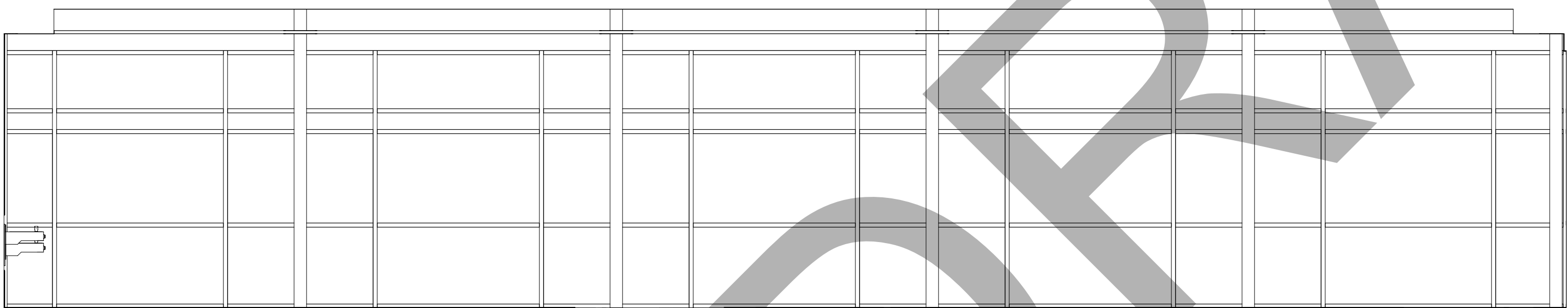
④ RESOURCE ROOM - EAST  
1/4" = 1'-0"



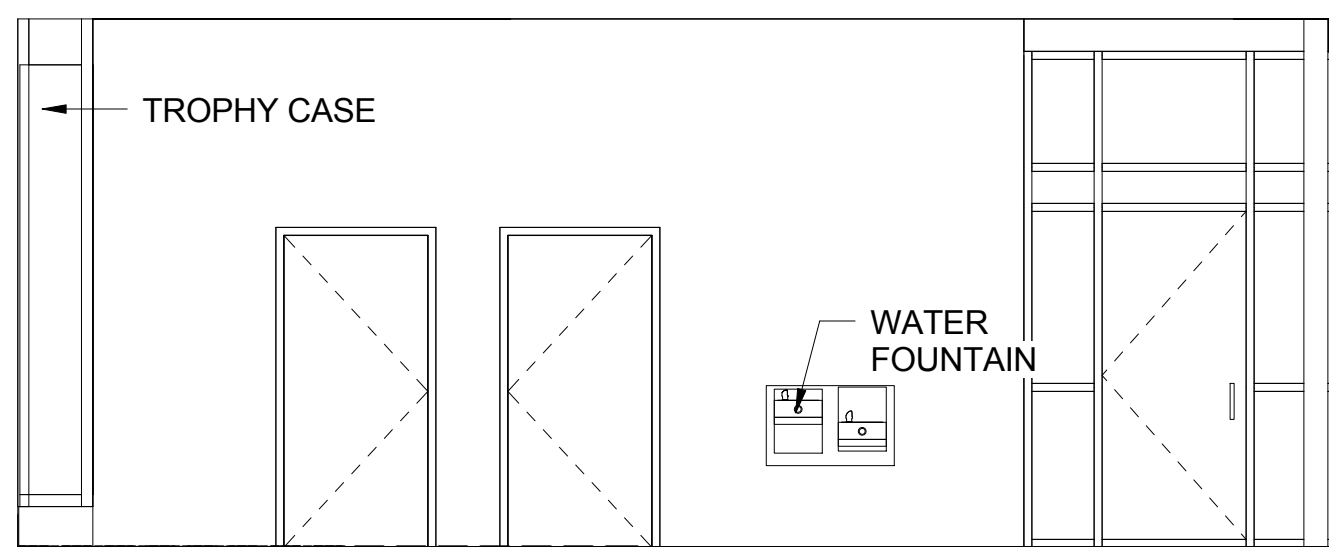
⑤ LOBBY - NORTH  
1/4" = 1'-0"



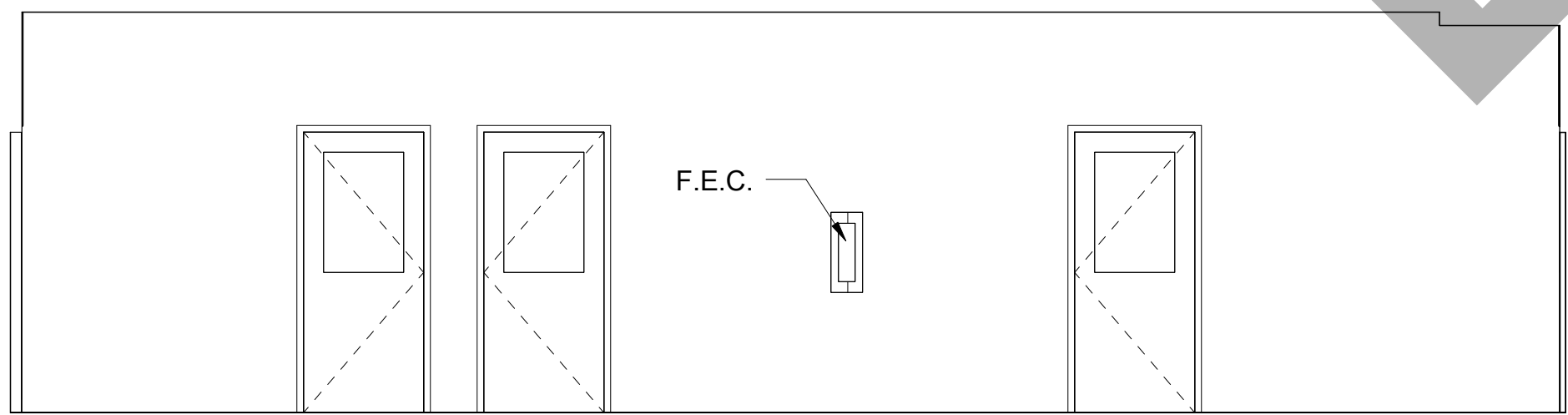
⑥ LOBBY - EAST  
1/4" = 1'-0"



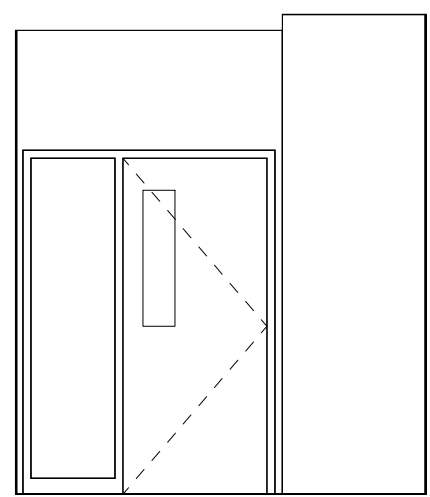
⑦ LOBBY - WEST  
1/4" = 1'-0"



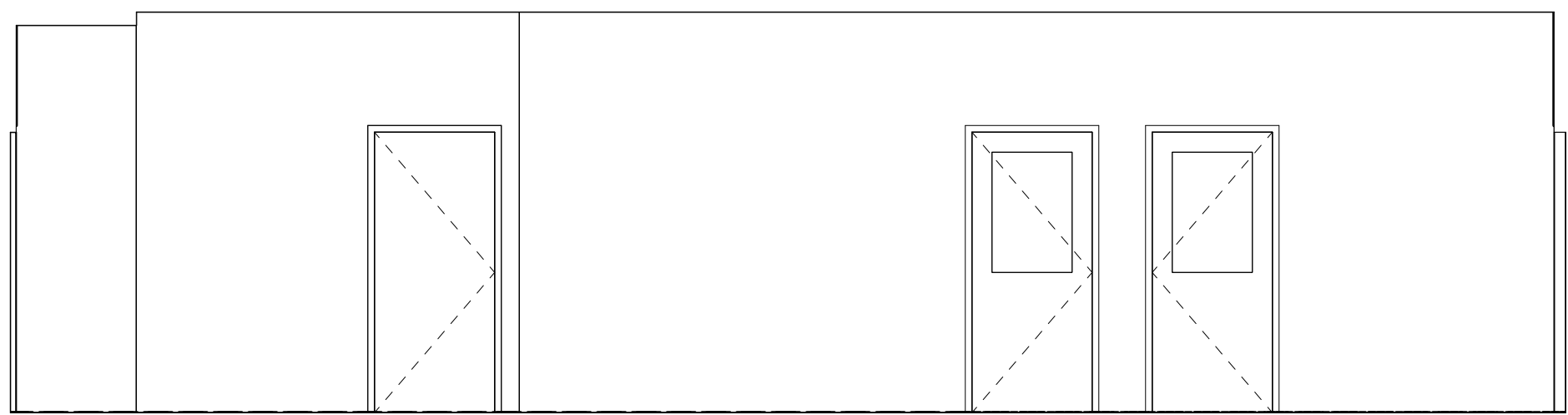
⑧ LOBBY - SOUTH  
1/4" = 1'-0"



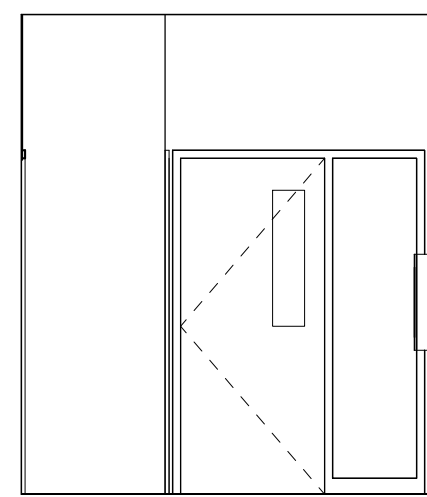
⑨ HALL - NORTH  
1/4" = 1'-0"



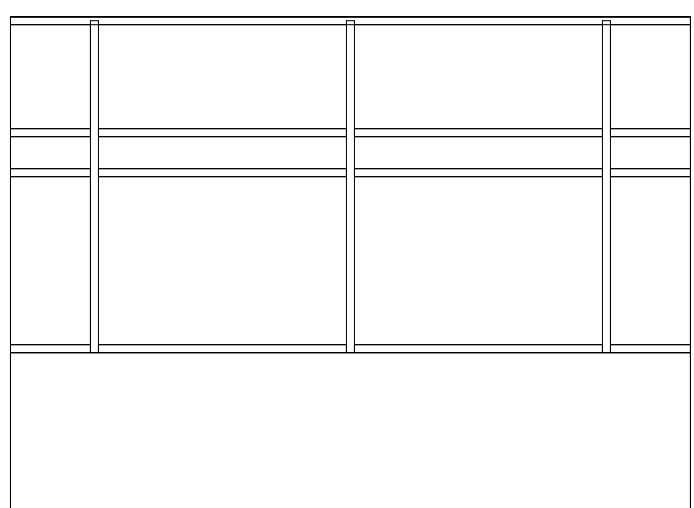
⑩ HALL - EAST  
1/4" = 1'-0"



⑪ HALL - SOUTH  
1/4" = 1'-0"



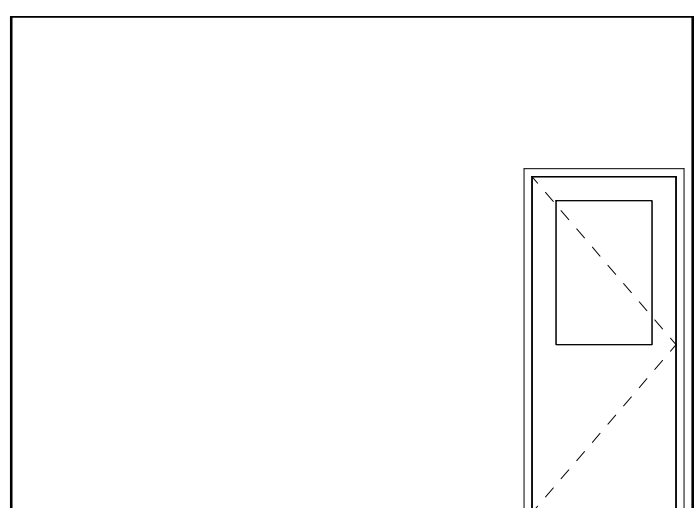
⑫ HALL - WEST  
1/4" = 1'-0"



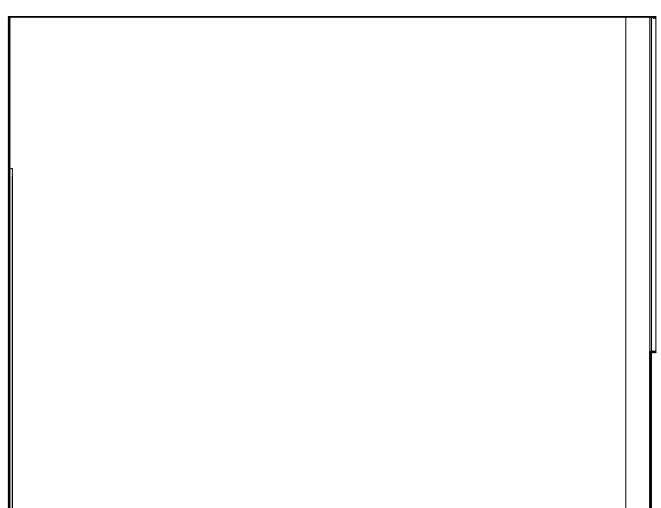
⑬ OFFICE 109 - NORTH  
1/4" = 1'-0"



⑭ OFFICE 109 - EAST  
1/4" = 1'-0"



⑮ OFFICE 109 - SOUTH  
1/4" = 1'-0"

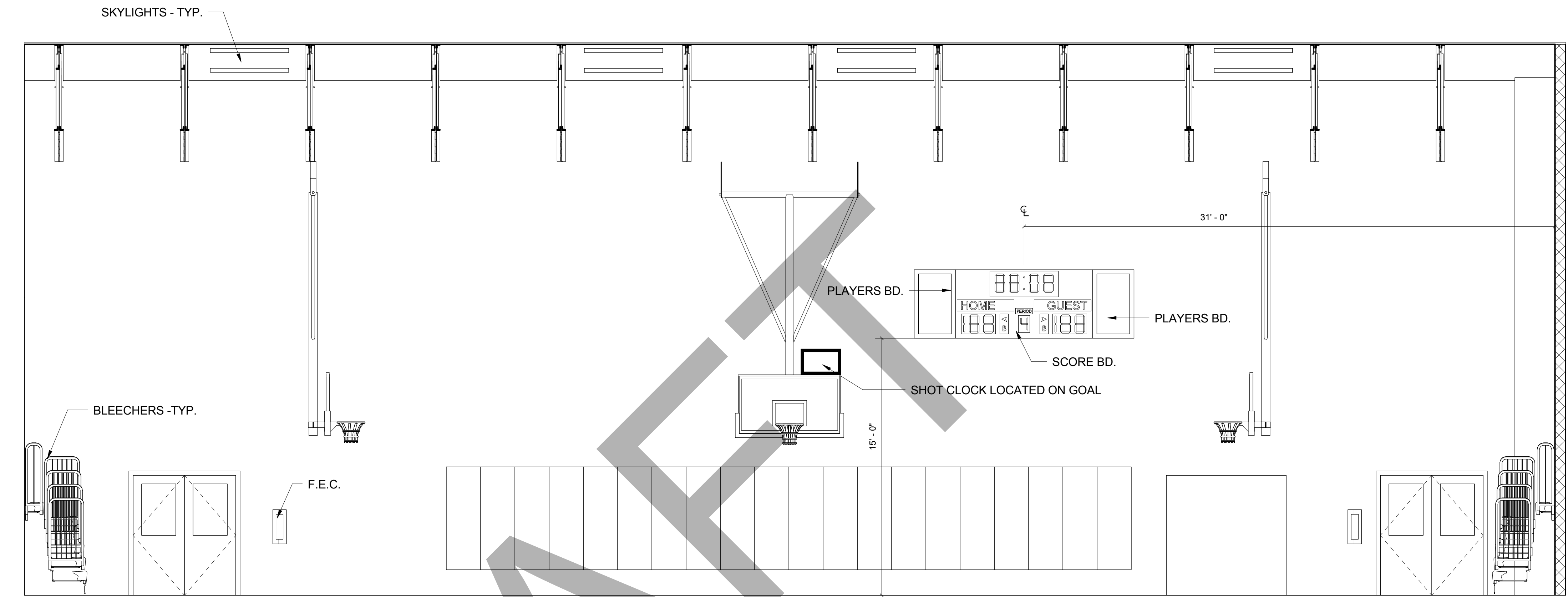


⑯ OFFICE 109 - WEST  
1/4" = 1'-0"

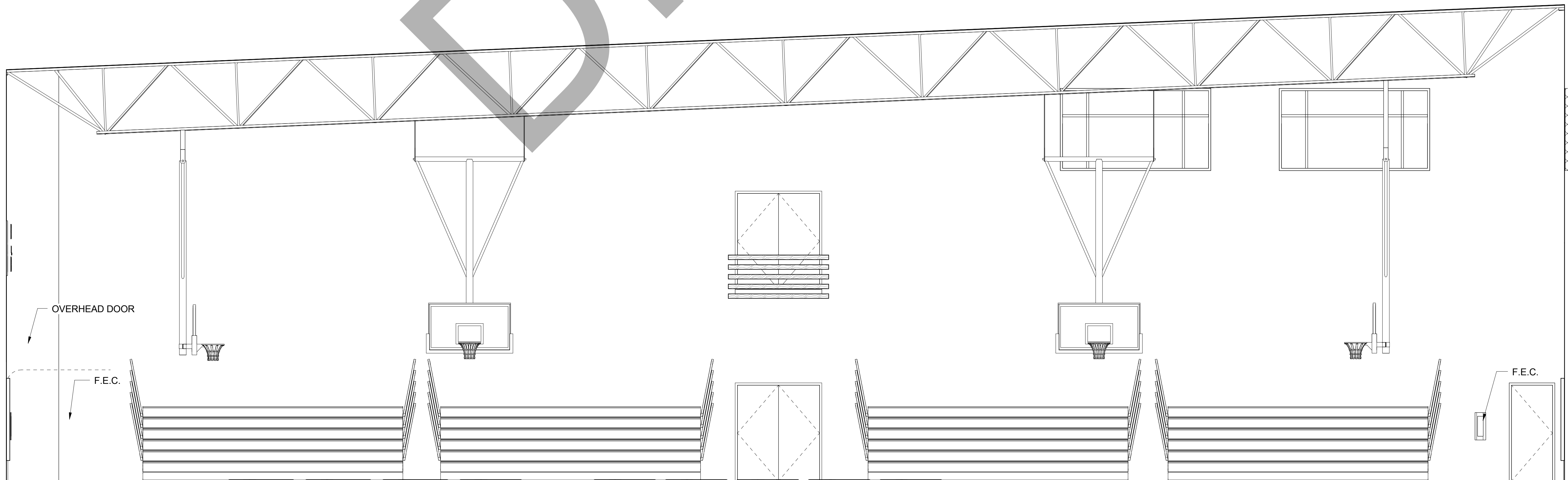
PERMIT SET

NORTH		PLAN	
SCALE			
1/4" = 1'-0"			
HEALTH AND WELLNESS CENTER			
Northwest Indian College			
INTERIOR ELEVATIONS			
PROJECT#		201401_04	
DRAWN	Author	CHECK	Checker
ISSUED		06/24/16	
A5.05			
PRINT#		1/28/2017 3:14:24 PM	





① OPEN COURT - EAST  
1/4" = 1'-0"



② OPEN COURT - SOUTH  
1/4" = 1'-0"

PERMIT SET

NORTH PLAN

SCALE  
1/4" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

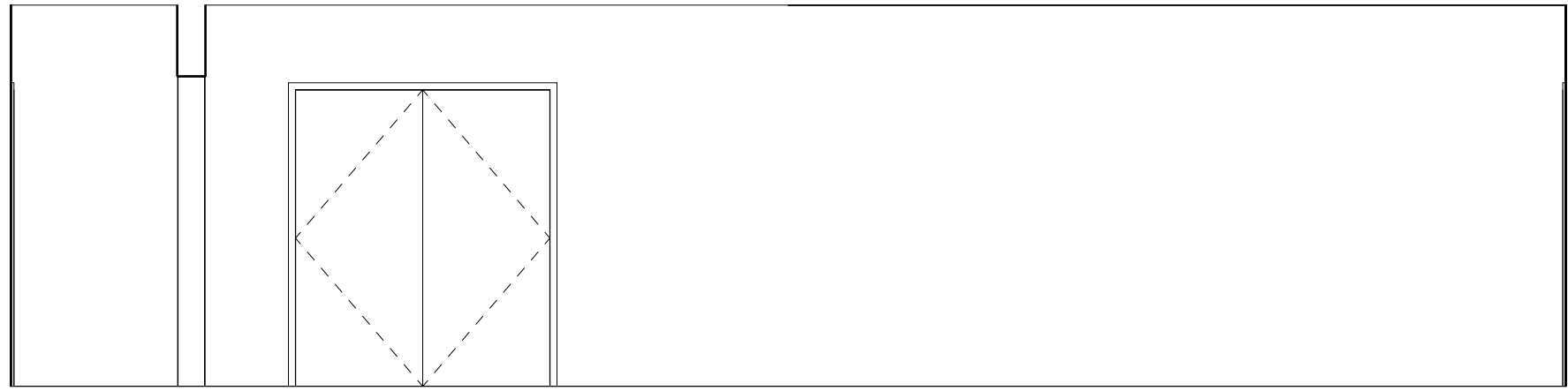
Northwest Indian College

INTERIOR  
ELEVATIONS

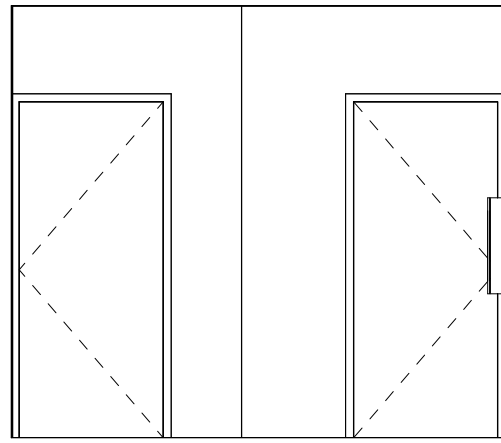
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DRAWN: Author: CHECK: Check:  
ISSUED: 06/24/16

A5.06

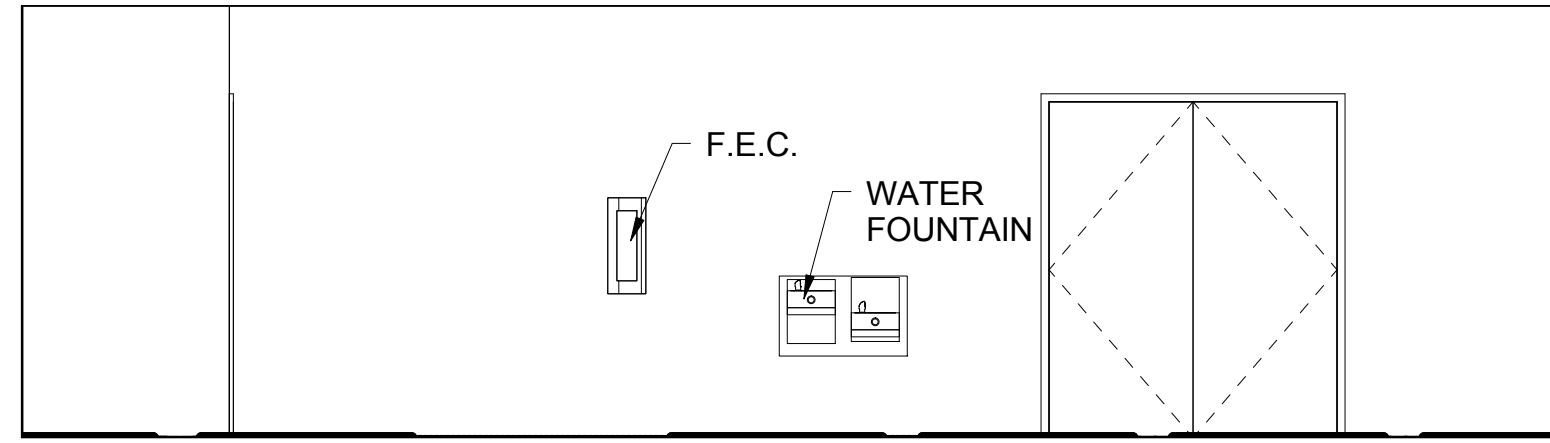
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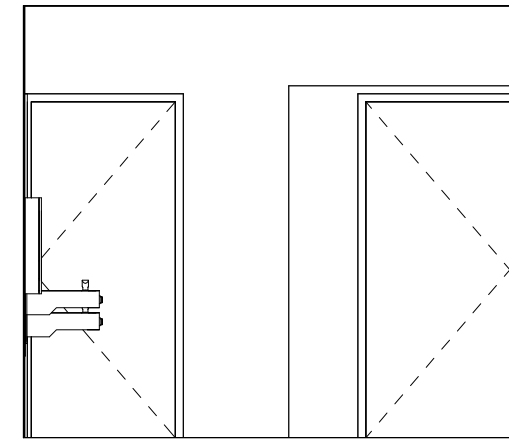
1 HALL 123 - NORTH  
1/4" = 1'-0"



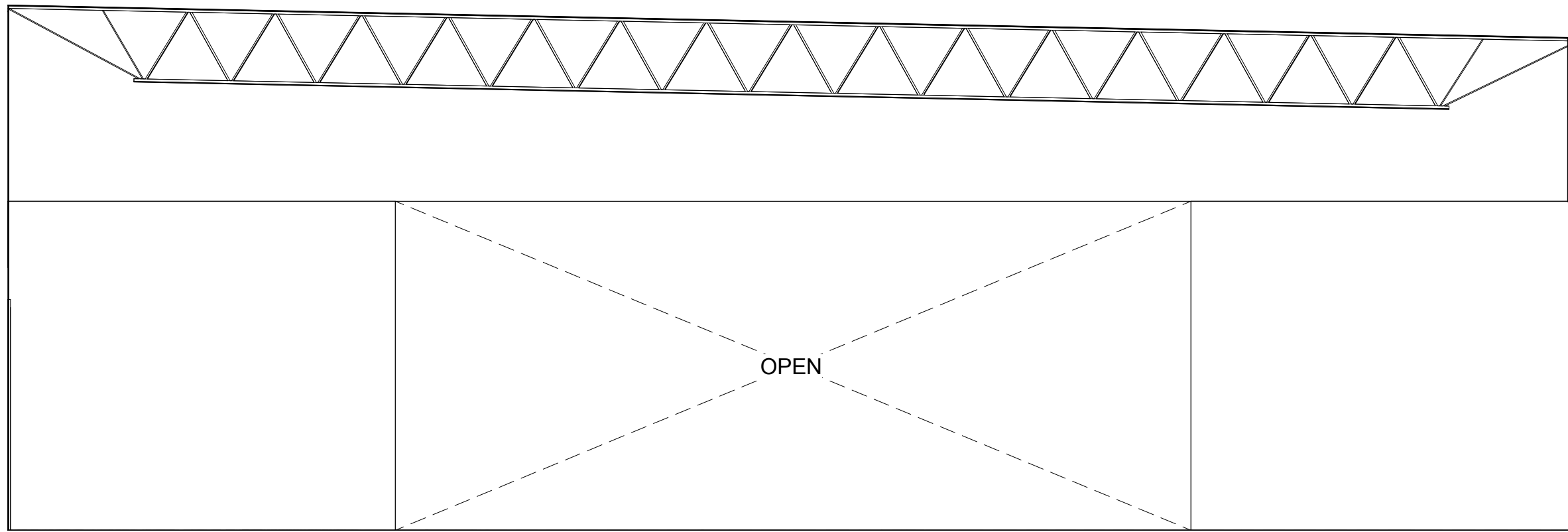
2 HALL 123 - EAST  
1/4" = 1'-0"



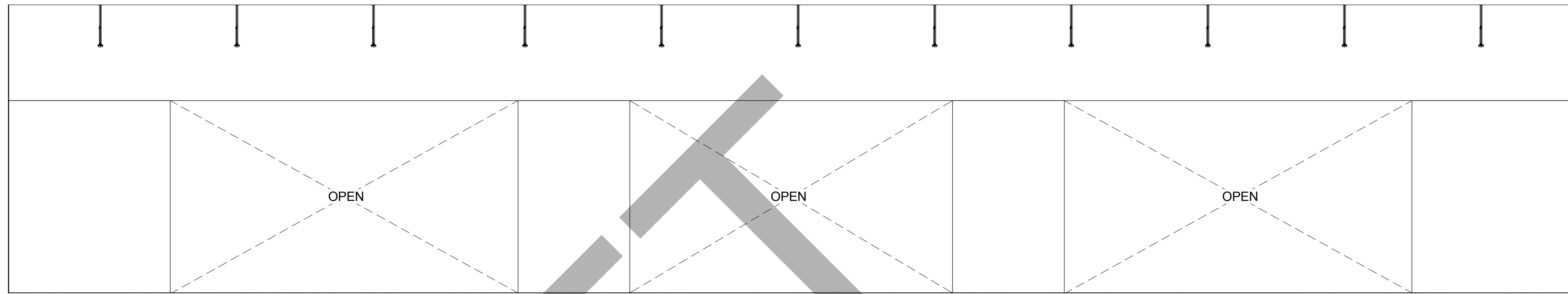
3 HALL 123 - SOUTH  
1/4" = 1'-0"



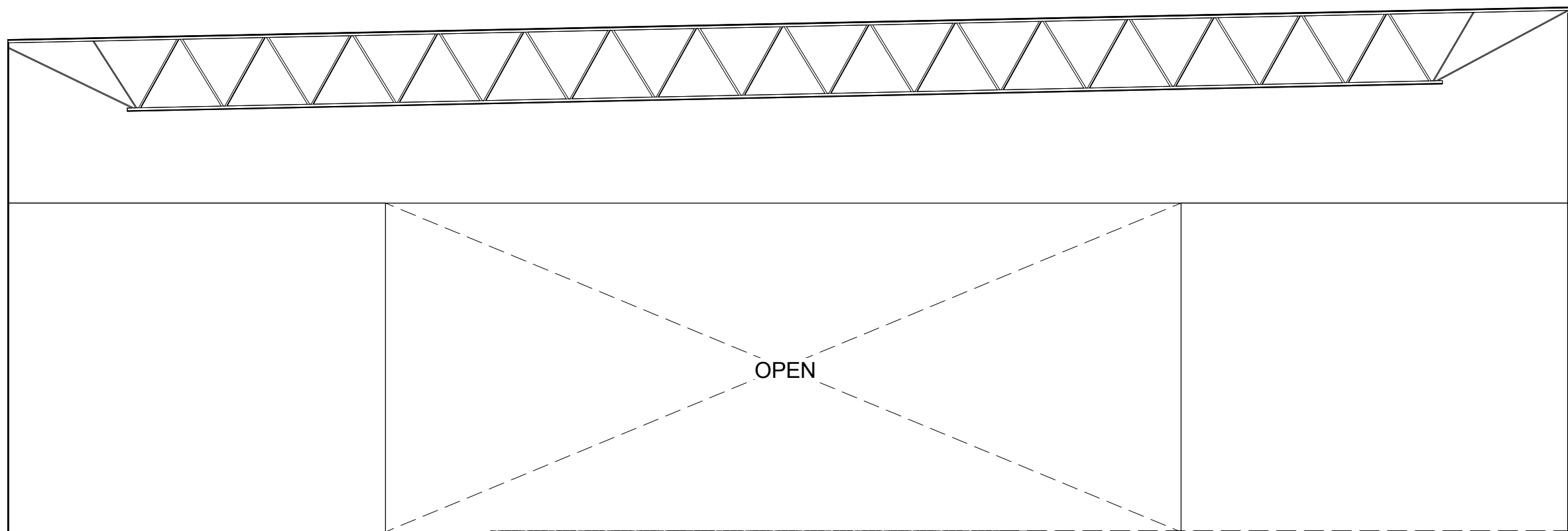
4 HALL 123 - WEST  
1/4" = 1'-0"



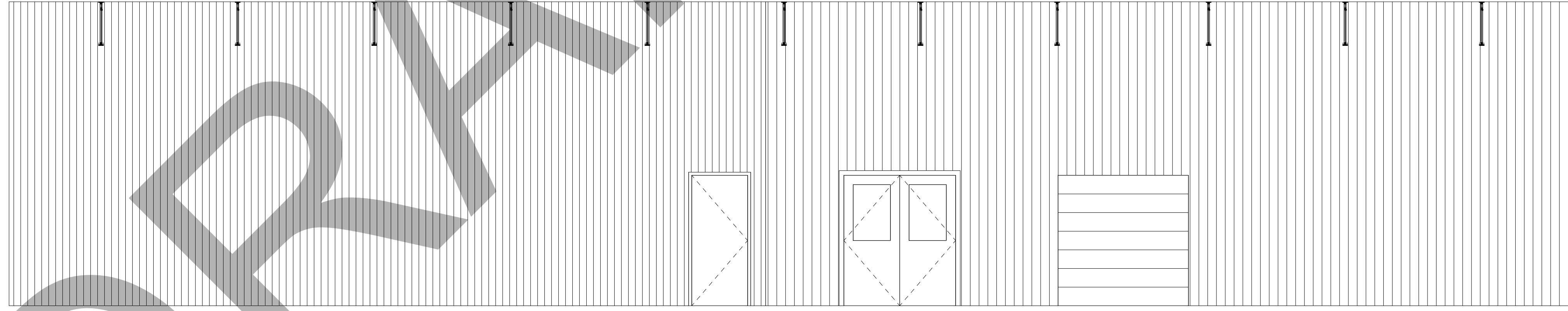
5 COVERED EXERCISE YARD - NORTH  
1/4" = 1'-0"



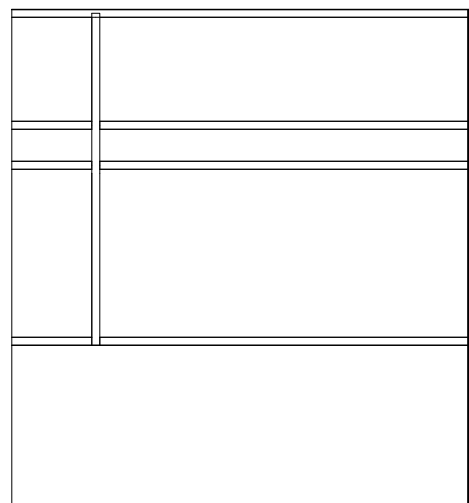
6 COVERED EXERCISE YARD - EAST  
1/4" = 1'-0"



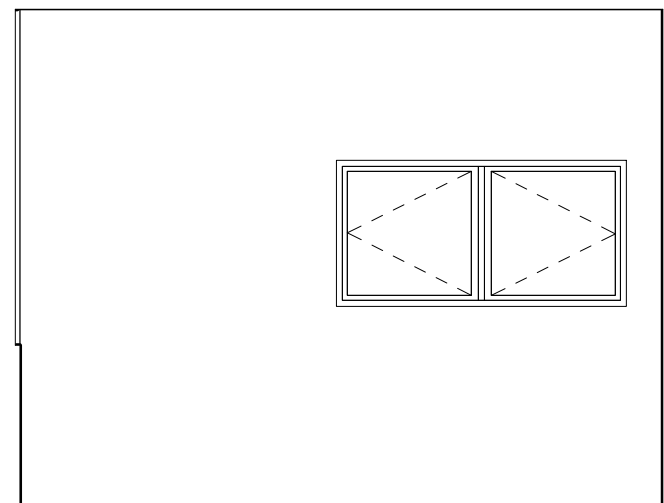
7 COVERED EXERCISE YARD - SOUTH  
1/4" = 1'-0"



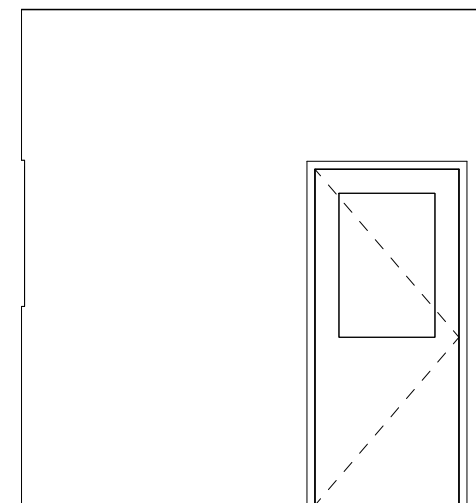
8 COVERED EXERCISE YARD - WEST  
1/4" = 1'-0"



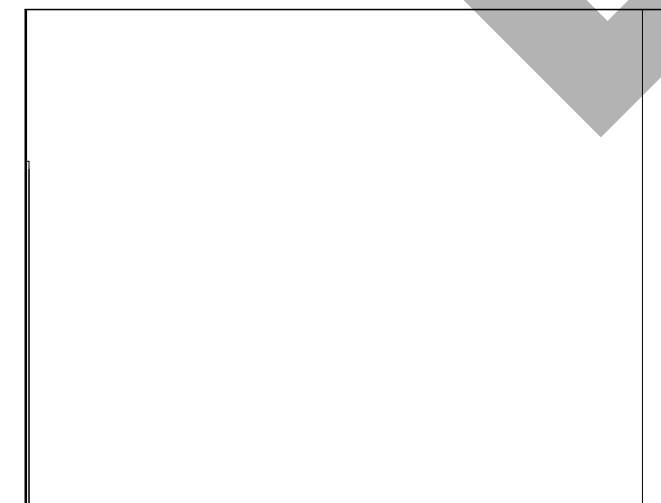
9 CHECK-IN 130 - NORTH  
1/4" = 1'-0"



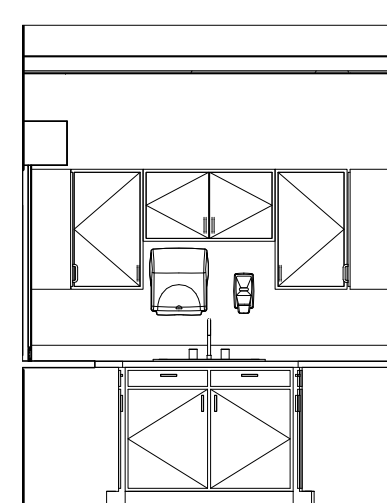
10 CHECK-IN 130 - EAST  
1/4" = 1'-0"



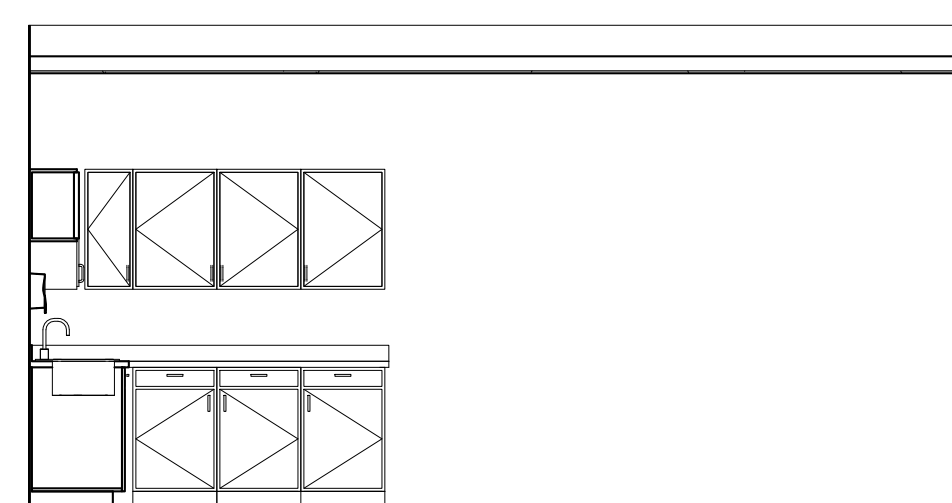
11 CHECK-IN 130 - SOUTH  
1/4" = 1'-0"



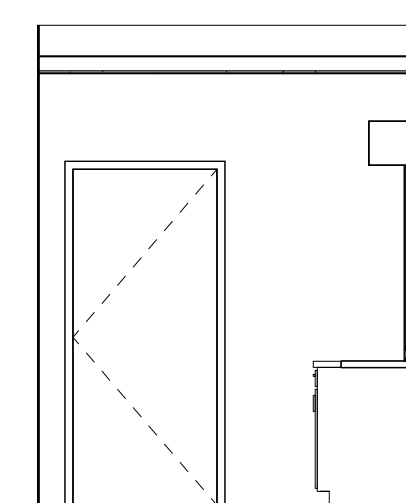
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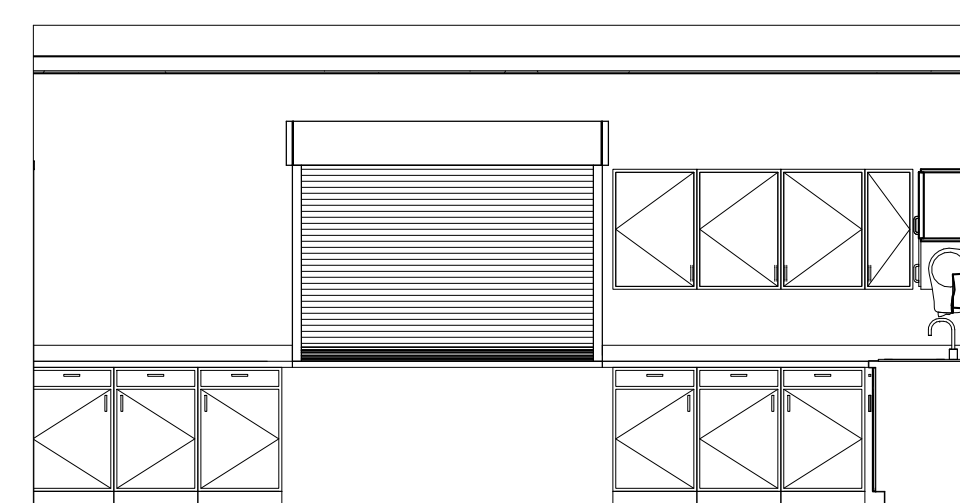
13 CONCESS 116 - NORTH  
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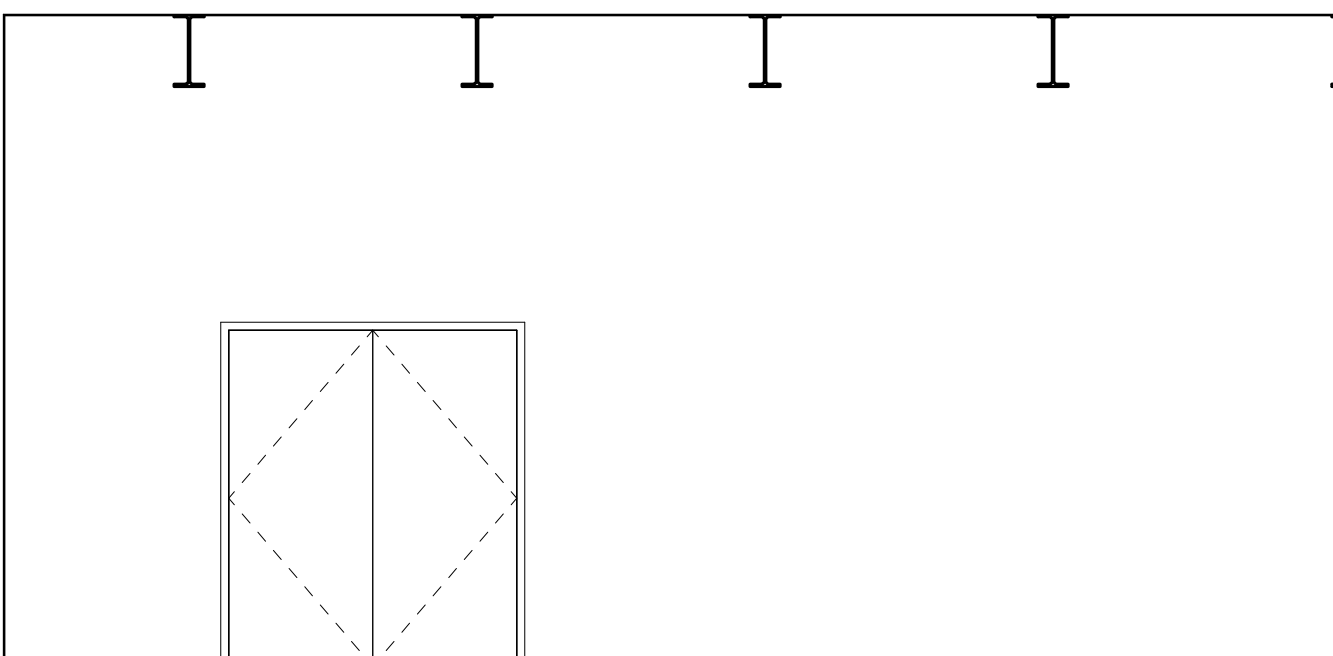
14 CONCESS 116 - EAST  
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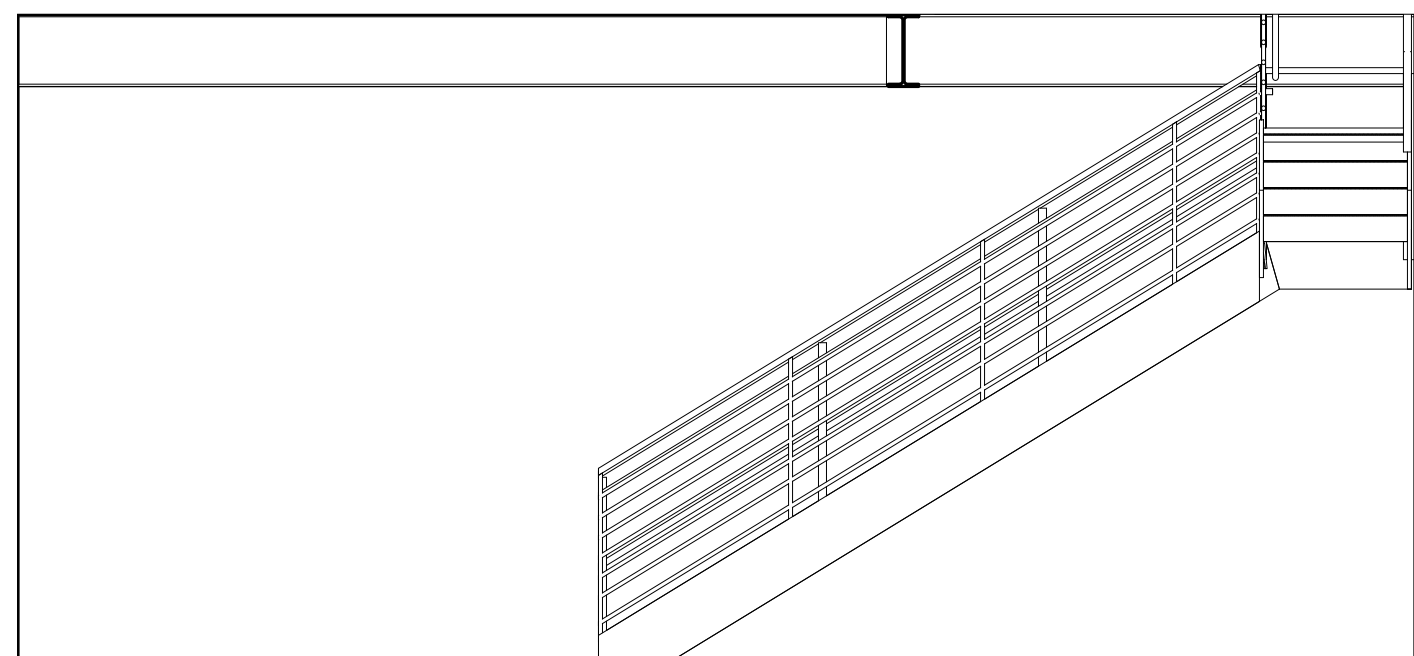
15 CONCESS 116 - SOUTH  
1/4" = 1'-0"



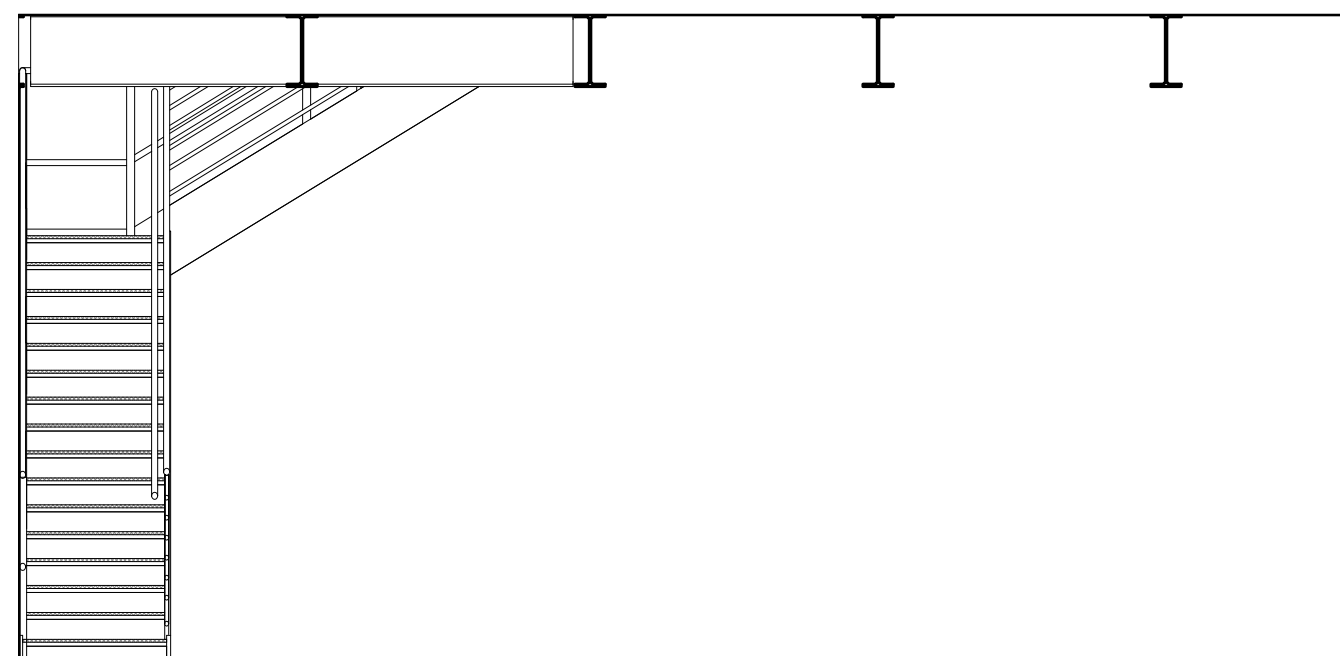
16 CONCESS 116 - WEST  
1/4" = 1'-0"



18 STORAGE 124 - NORTH  
1/4" = 1'-0"



17 STORAGE 124 - EAST  
1/4" = 1'-0"



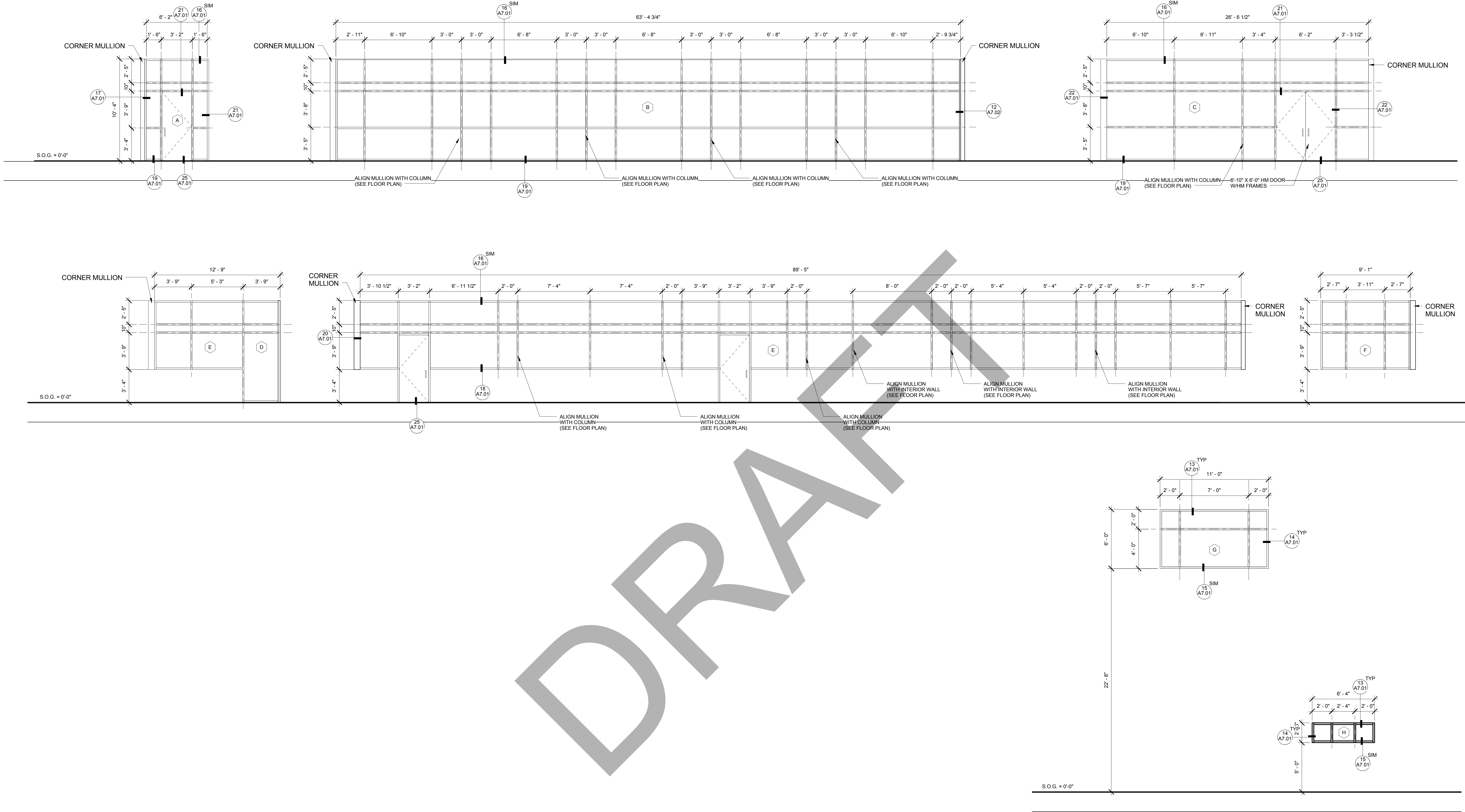
19 STORAGE 124 - SOUTH  
1/4" = 1'-0"



20 STORAGE 124 - WEST  
1/4" = 1'-0"

PERMIT SET

NORTH		PLAN	
SCALE		1/4" = 1'-0"	
HEALTH AND WELLNESS CENTER		Northwest Indian College	
INTERIOR ELEVATIONS		PROJECT# 20140104	
DRAWN: Author		CHECK: Checker	
ISSUED:		06/27/16	
A5.09		11/28/2017 3:14:41 PM	



PERMIT SET

NORTH PLAN

SCALE  
1/4" = 1'-0"

HEALTH AND  
WELLNESS  
CENTER

Northwest Indian College

WINDOW TYPES

PROJECT: 20140104  
DRAWN: Author CHECK: Checker  
ISSUED: 08/04/11

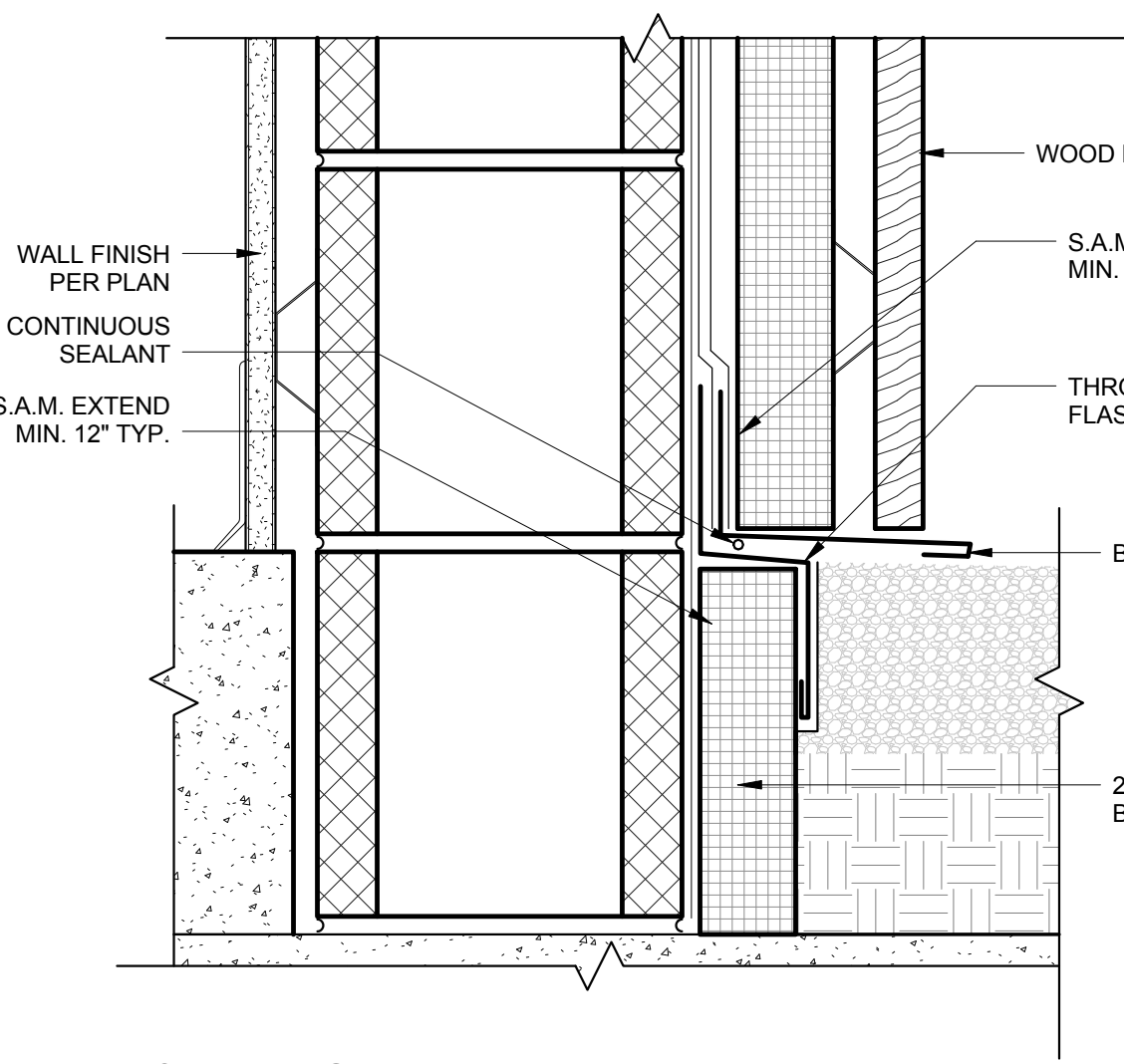
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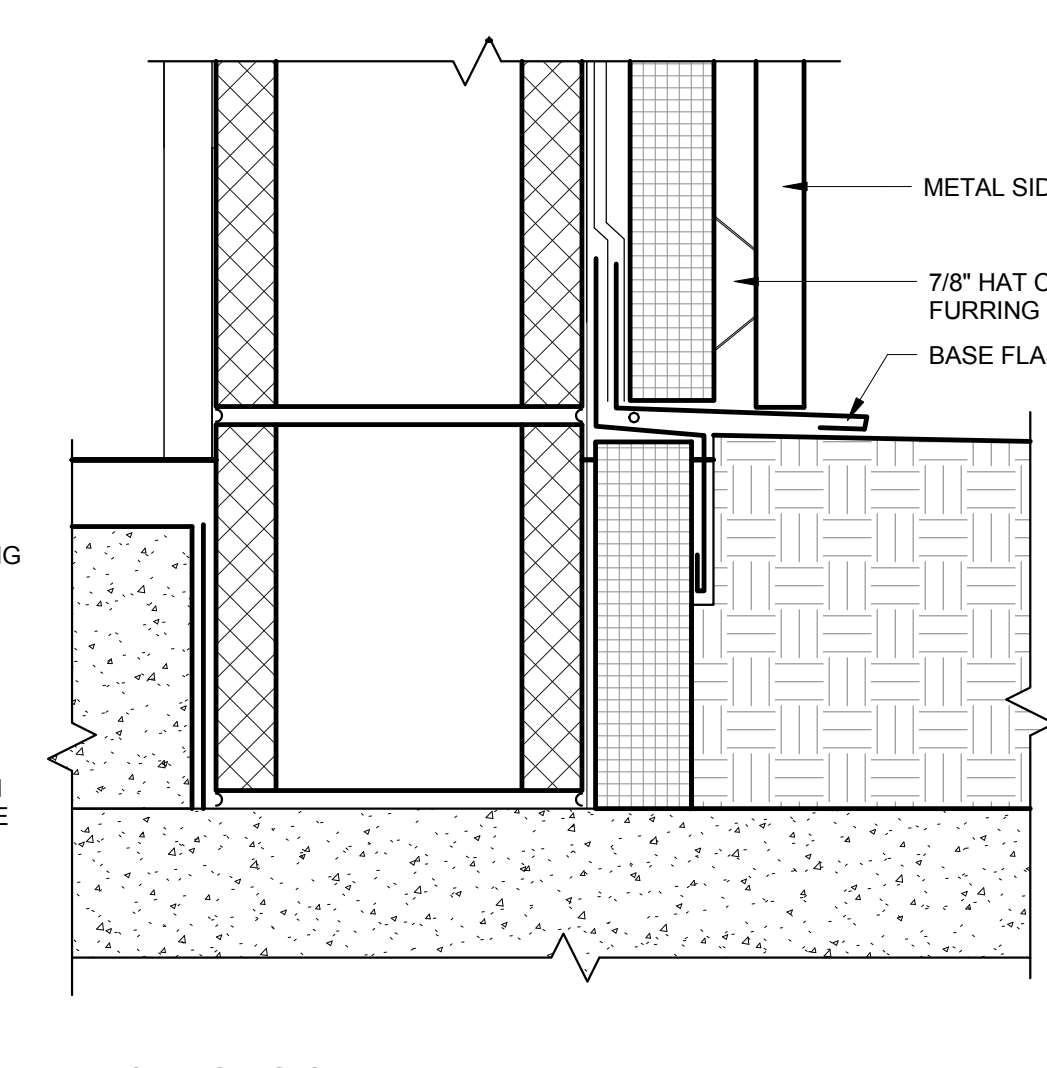


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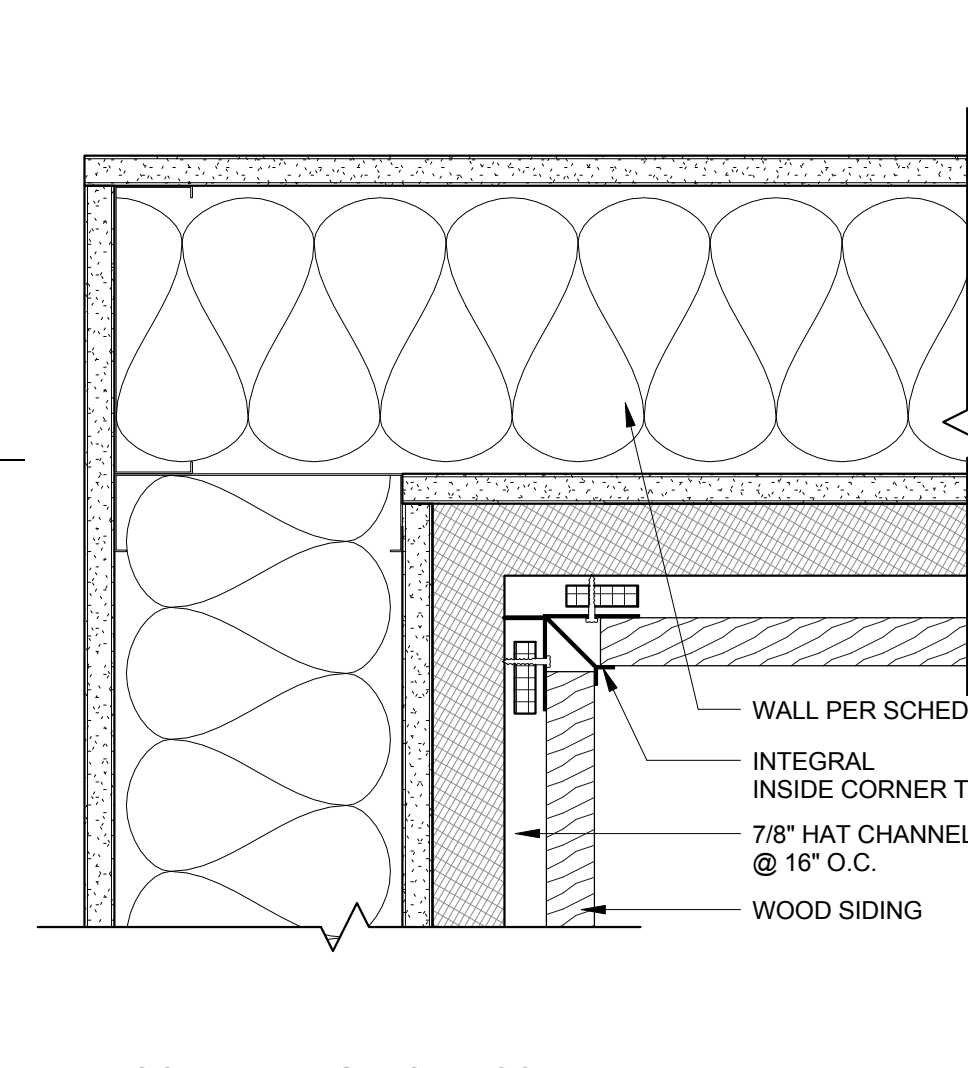
201401\_04  
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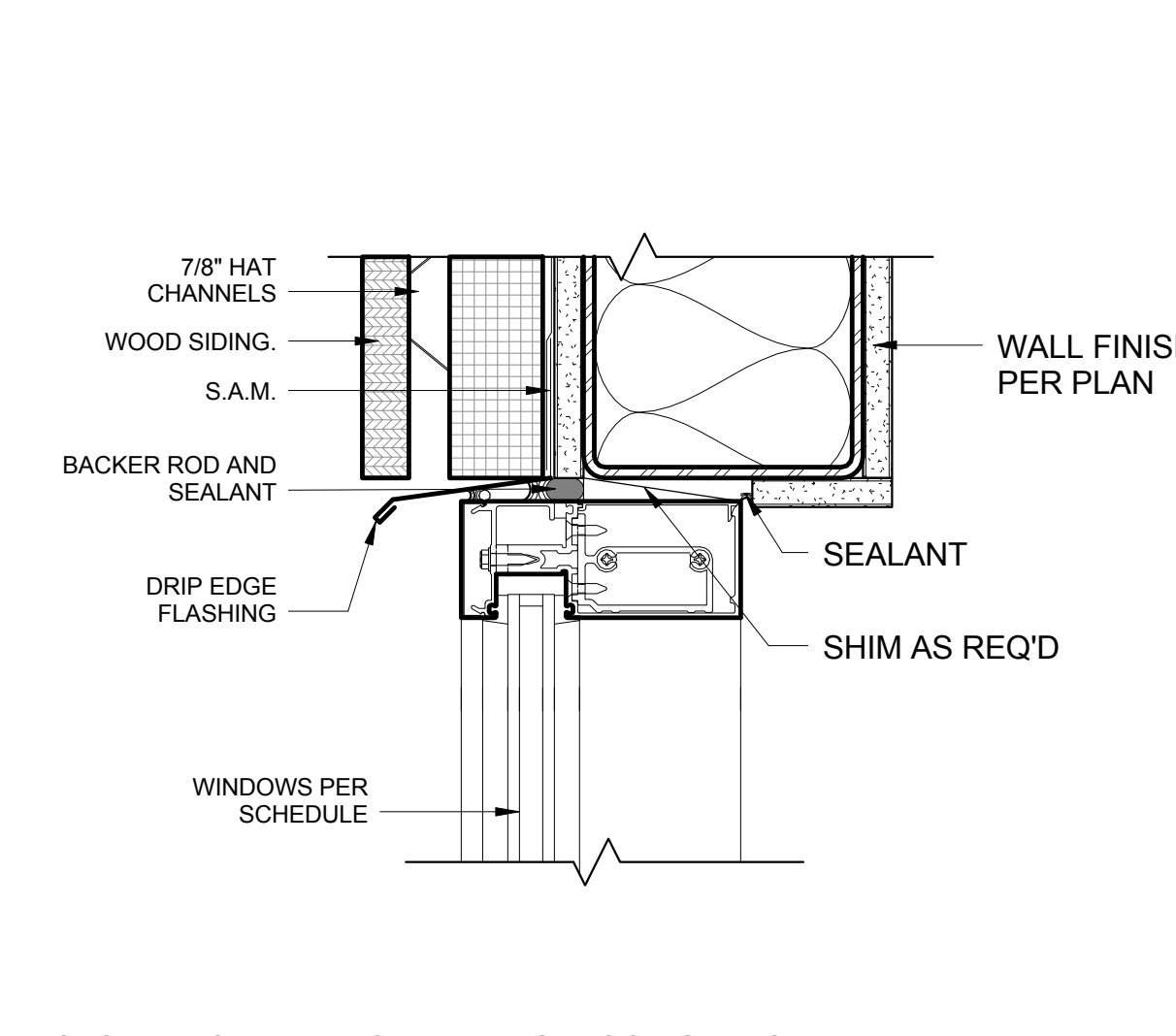
1 CMU Base @ Wood Panel  
3" = 1'-0"



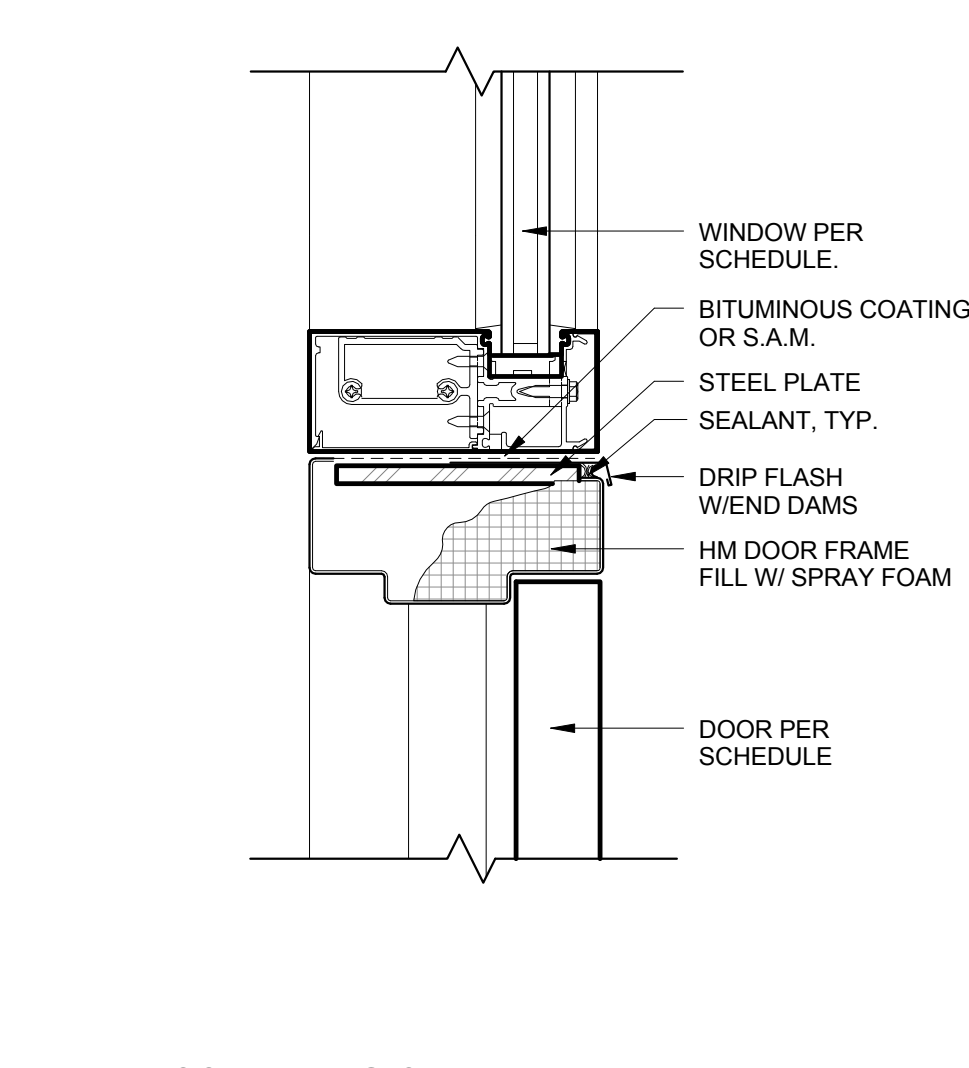
6 M.S. BASE @ SLAB  
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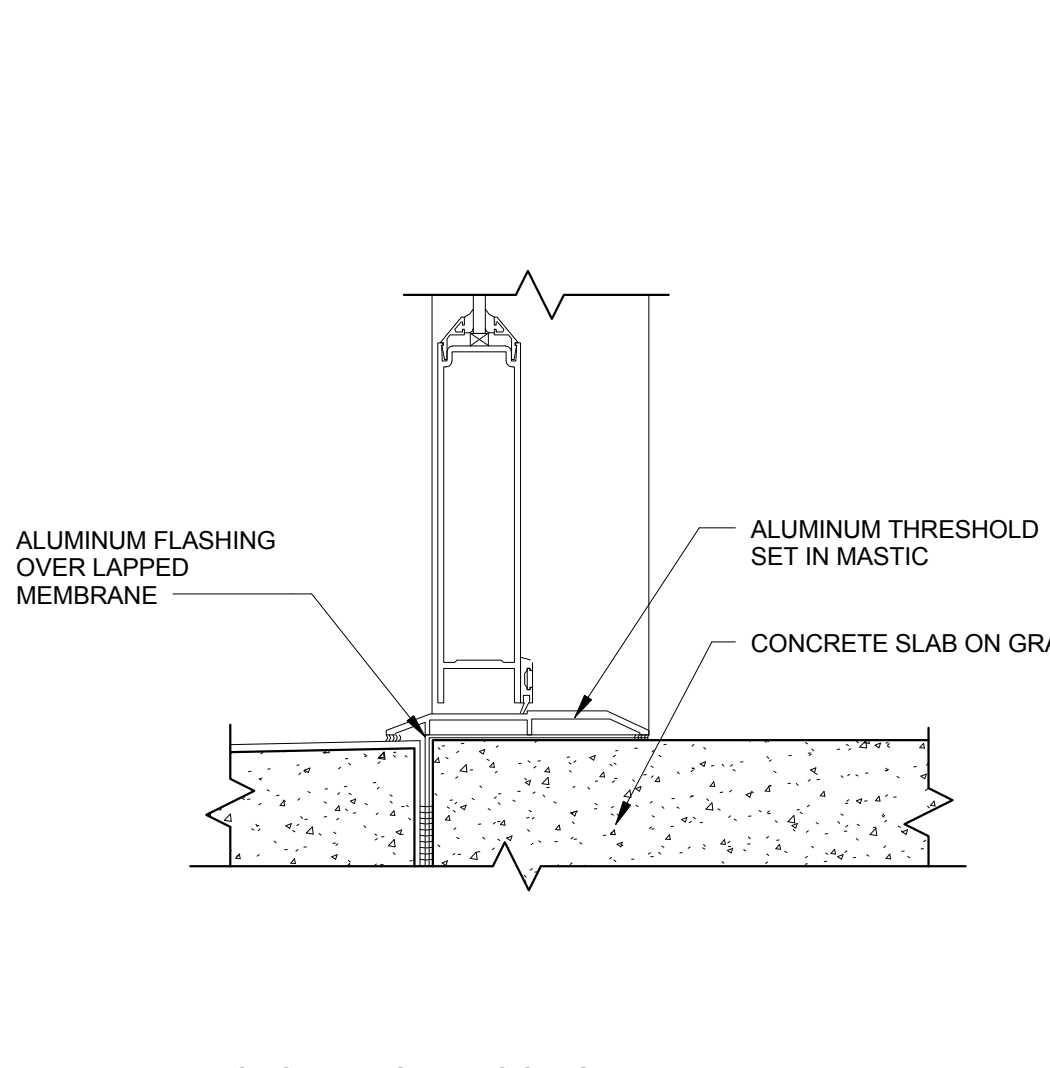
11 WOOD PANEL @ INSIDE CORNER  
3" = 1'-0"



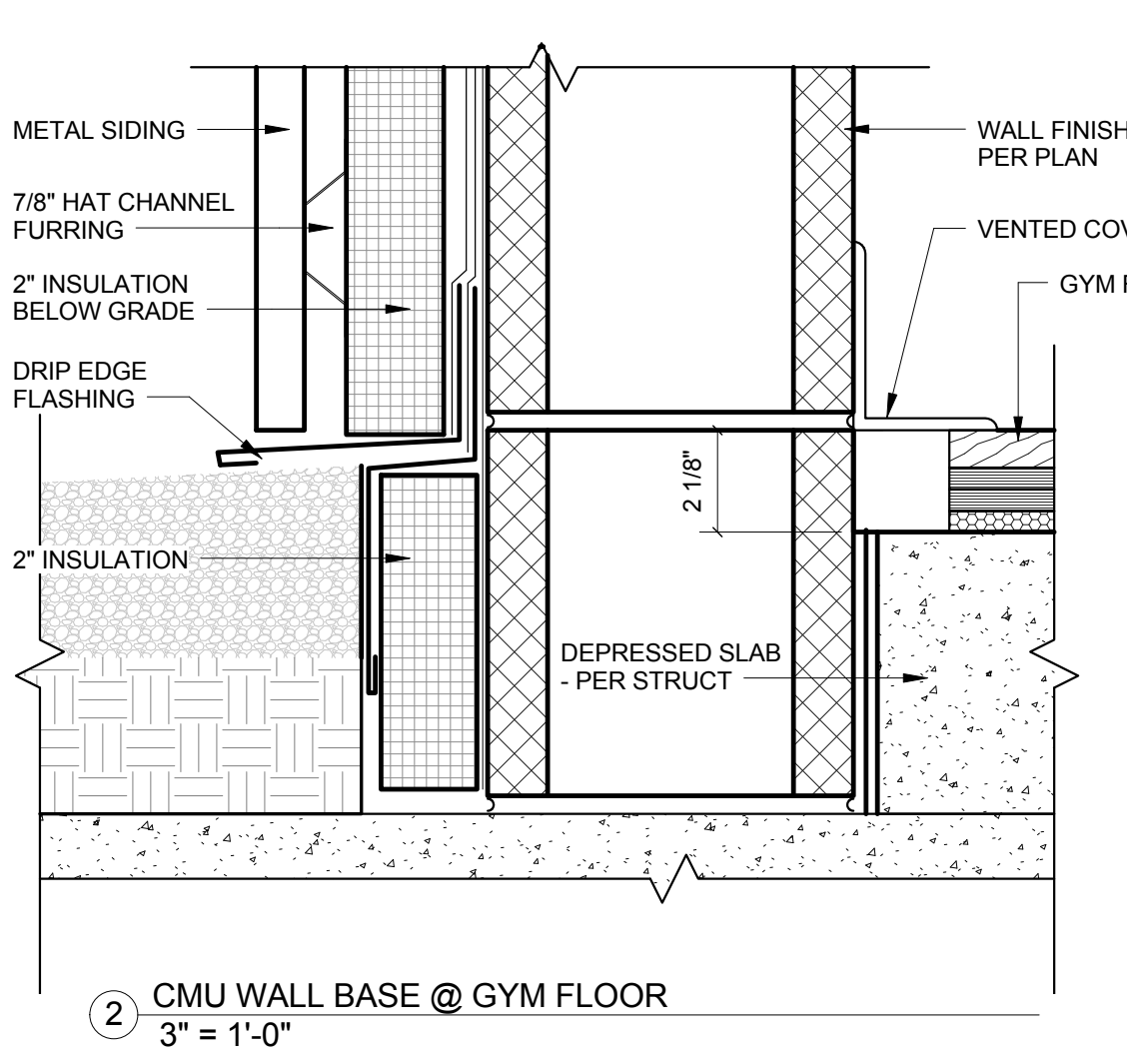
16 STOREFRONT WINDOW HEAD @ WOOD SIDING  
3" = 1'-0"



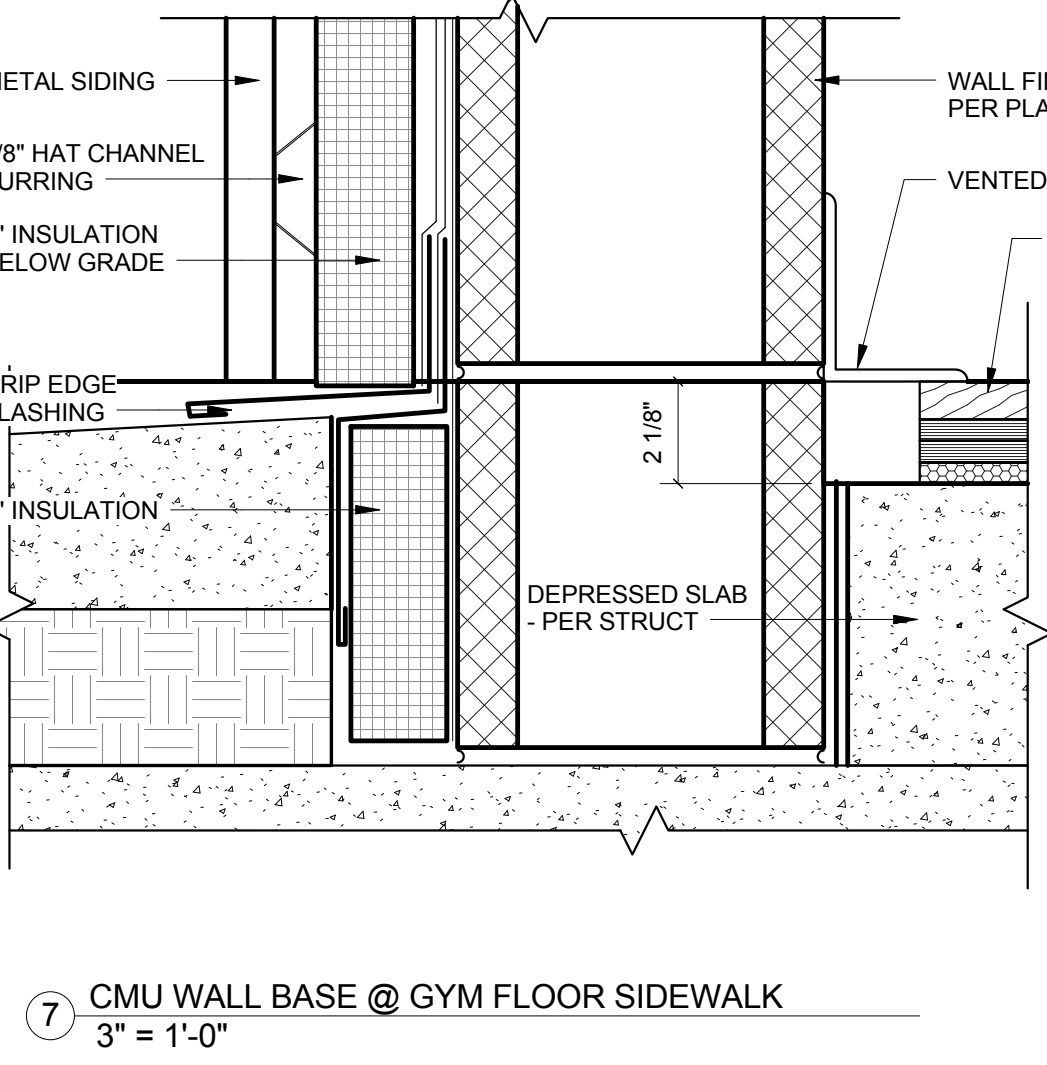
21 HM DOOR HEAD @ CURTAIN WALL  
3" = 1'-0"



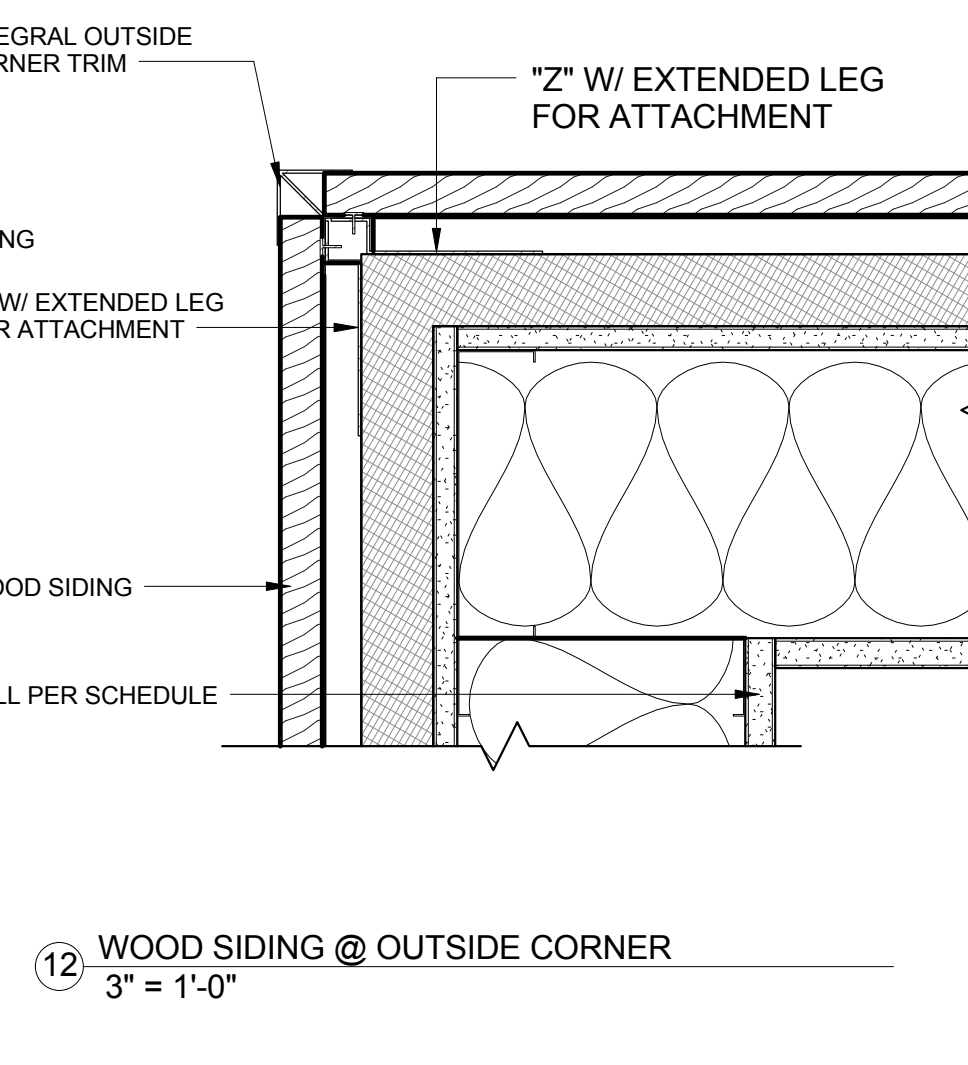
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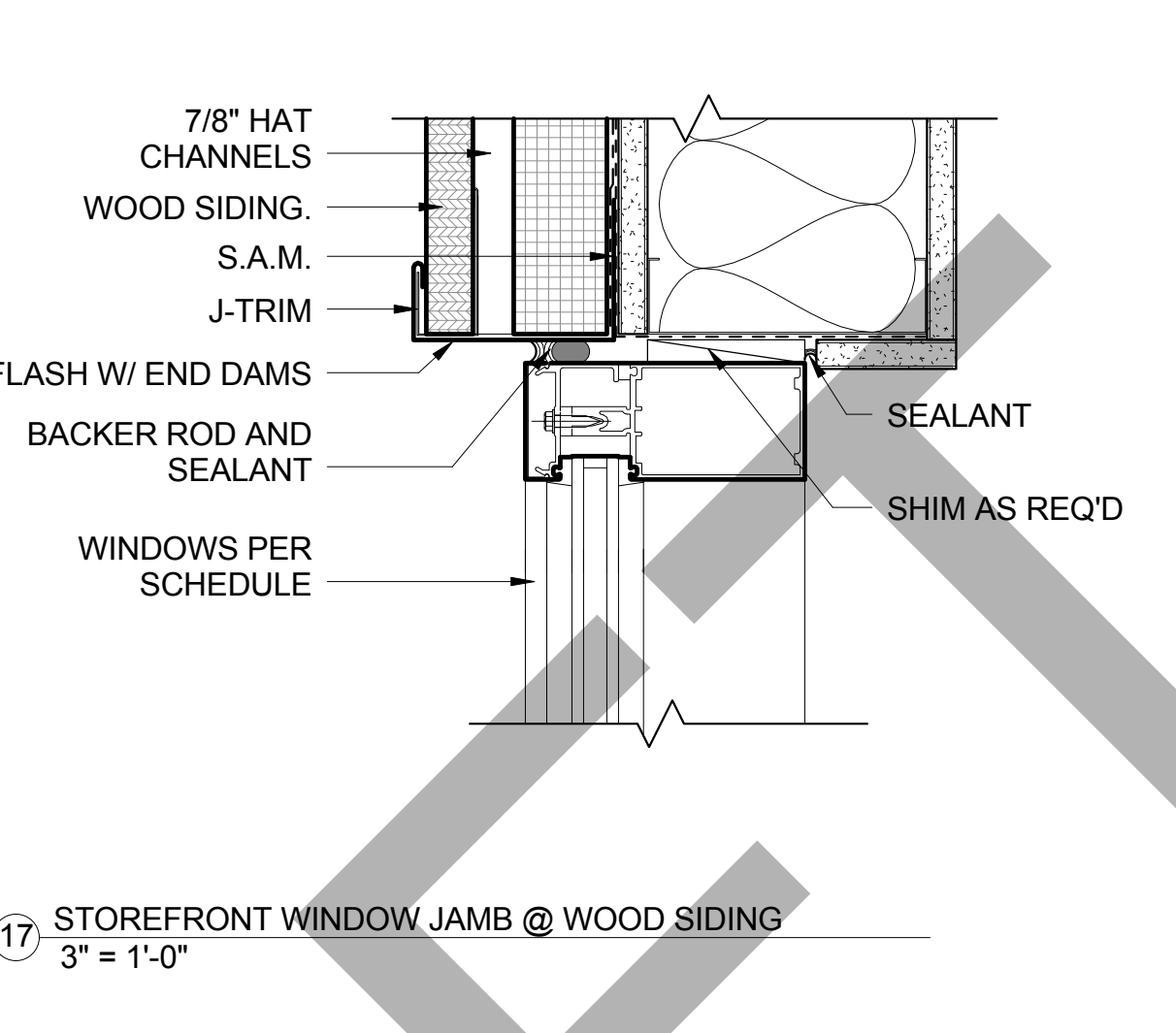
2 CMU WALL BASE @ GYM FLOOR  
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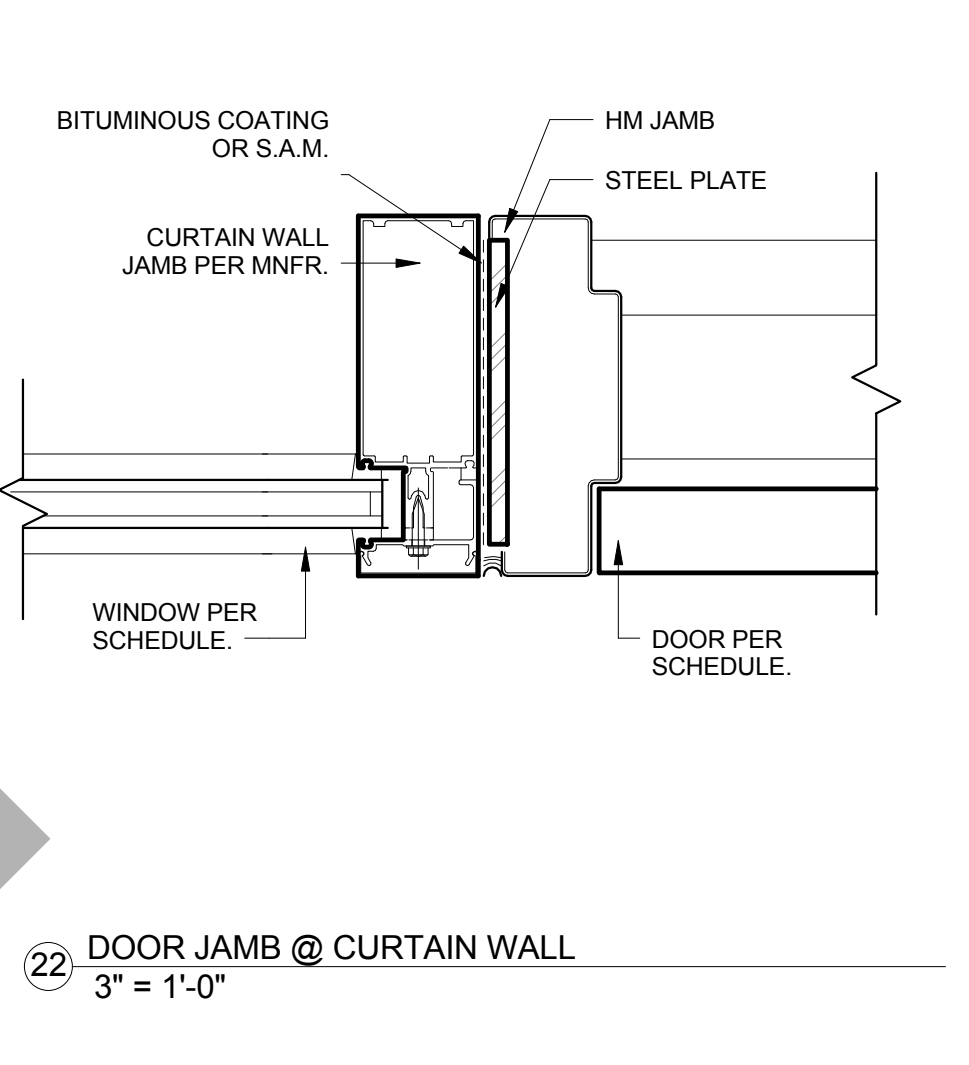
7 CMU WALL BASE @ GYM FLOOR SIDEWALK  
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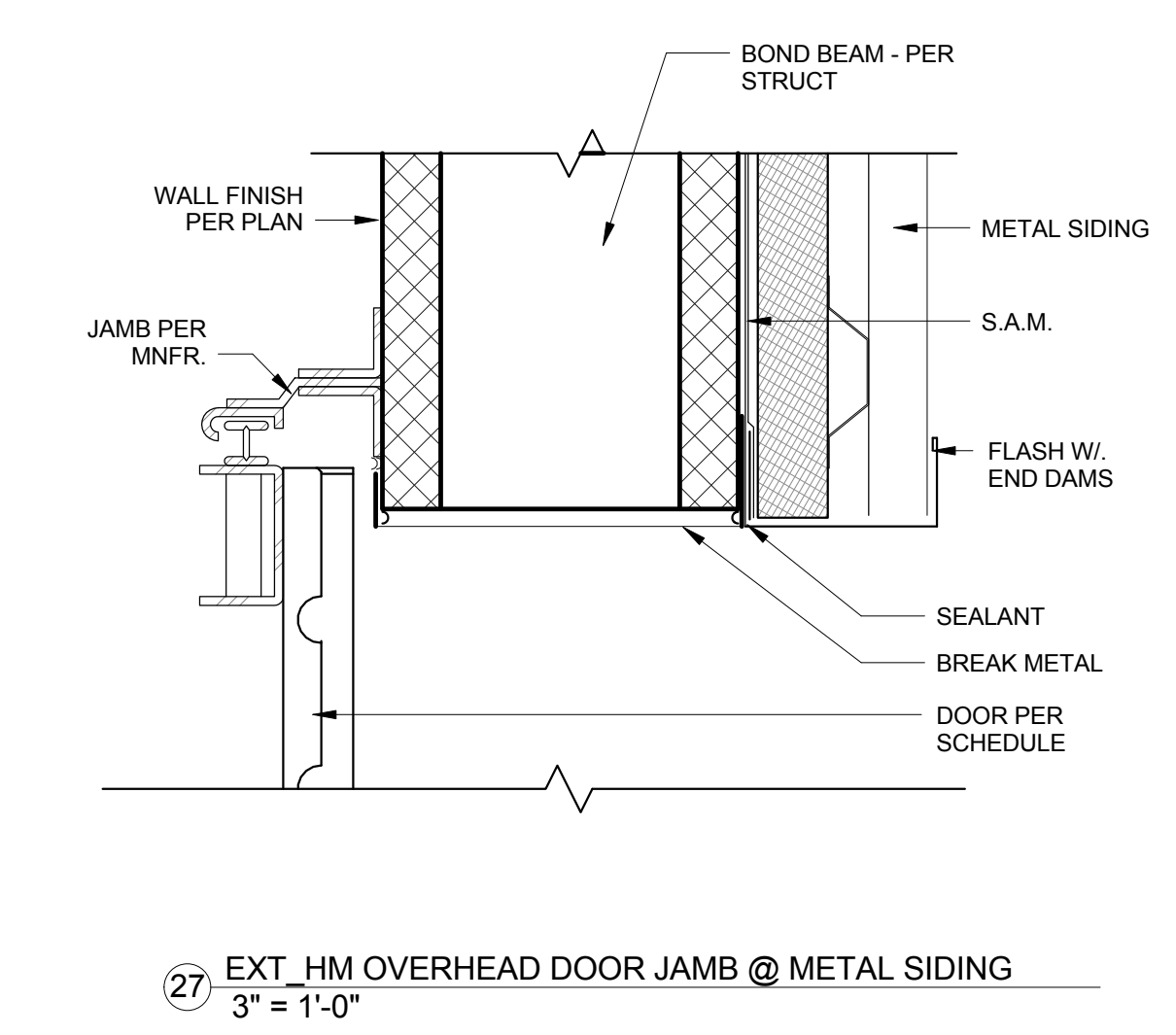
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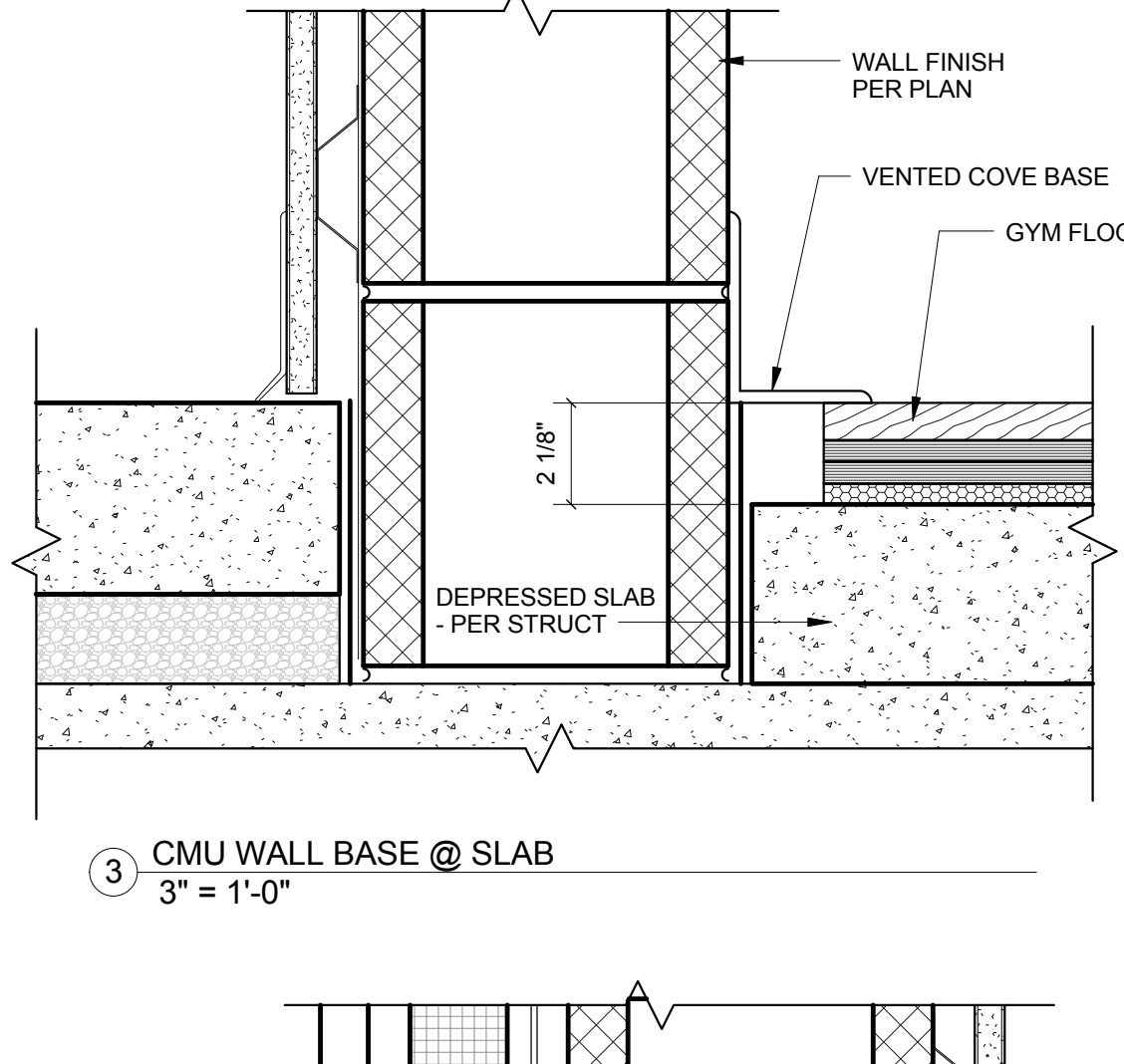
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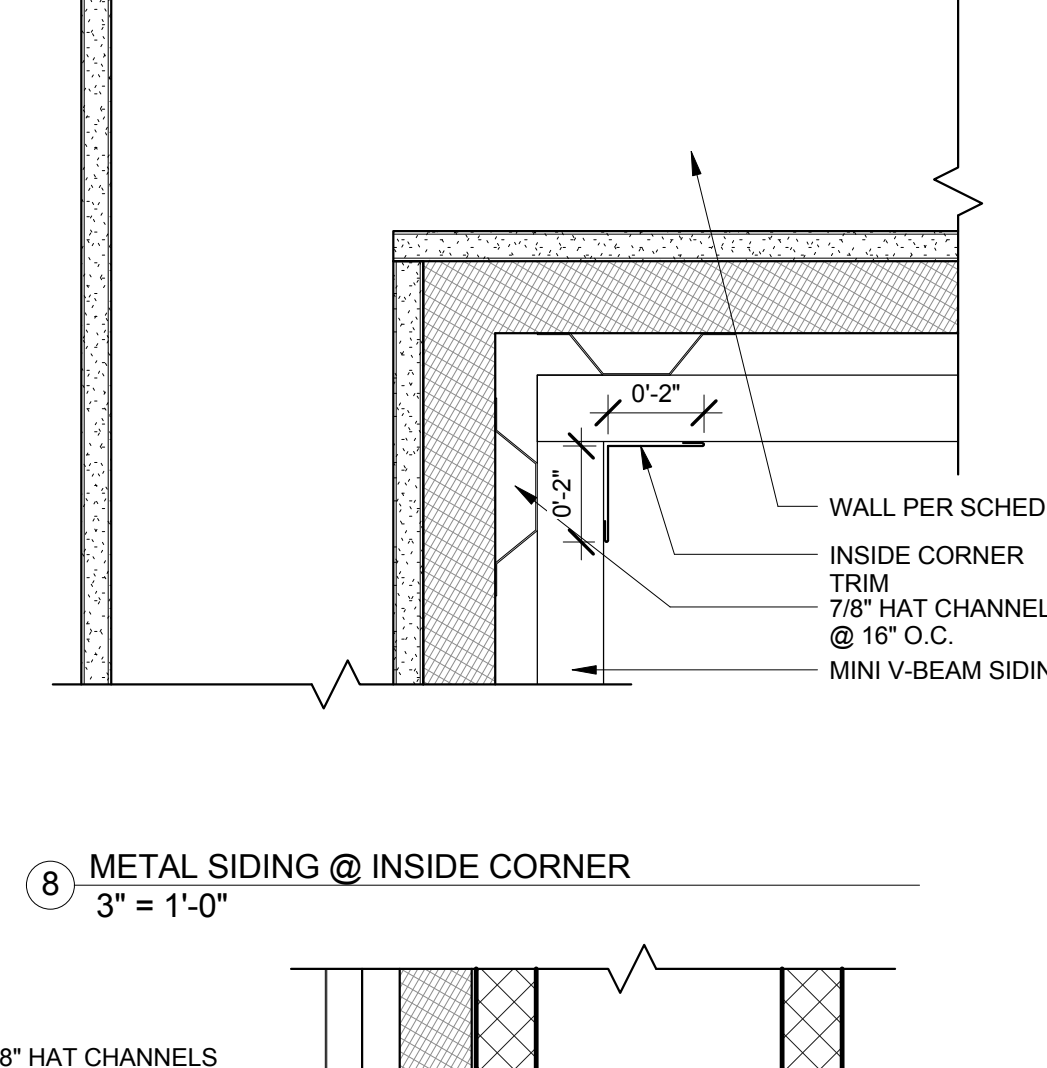
22 DOOR JAMB @ CURTAIN WALL  
3" = 1'-0"



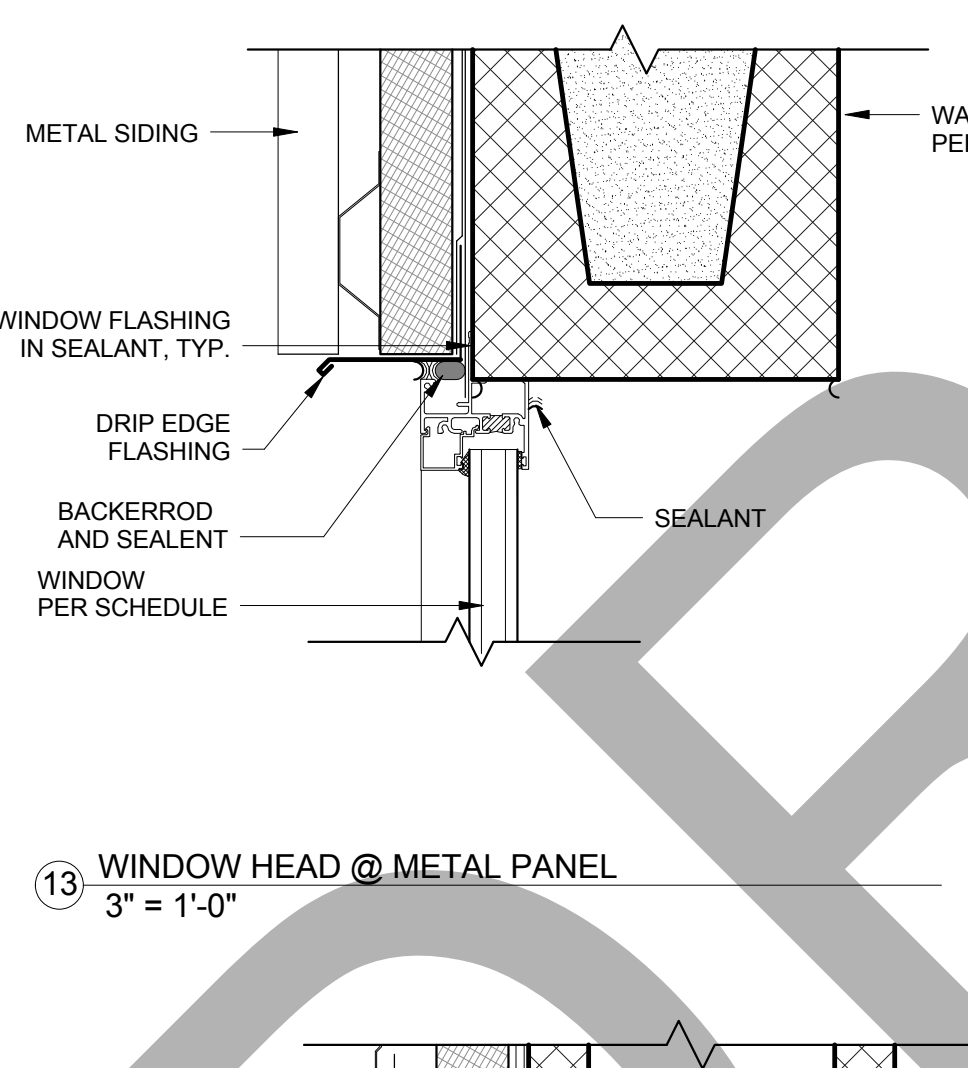
27 EXT. HM OVERHEAD DOOR JAMB @ METAL SIDING  
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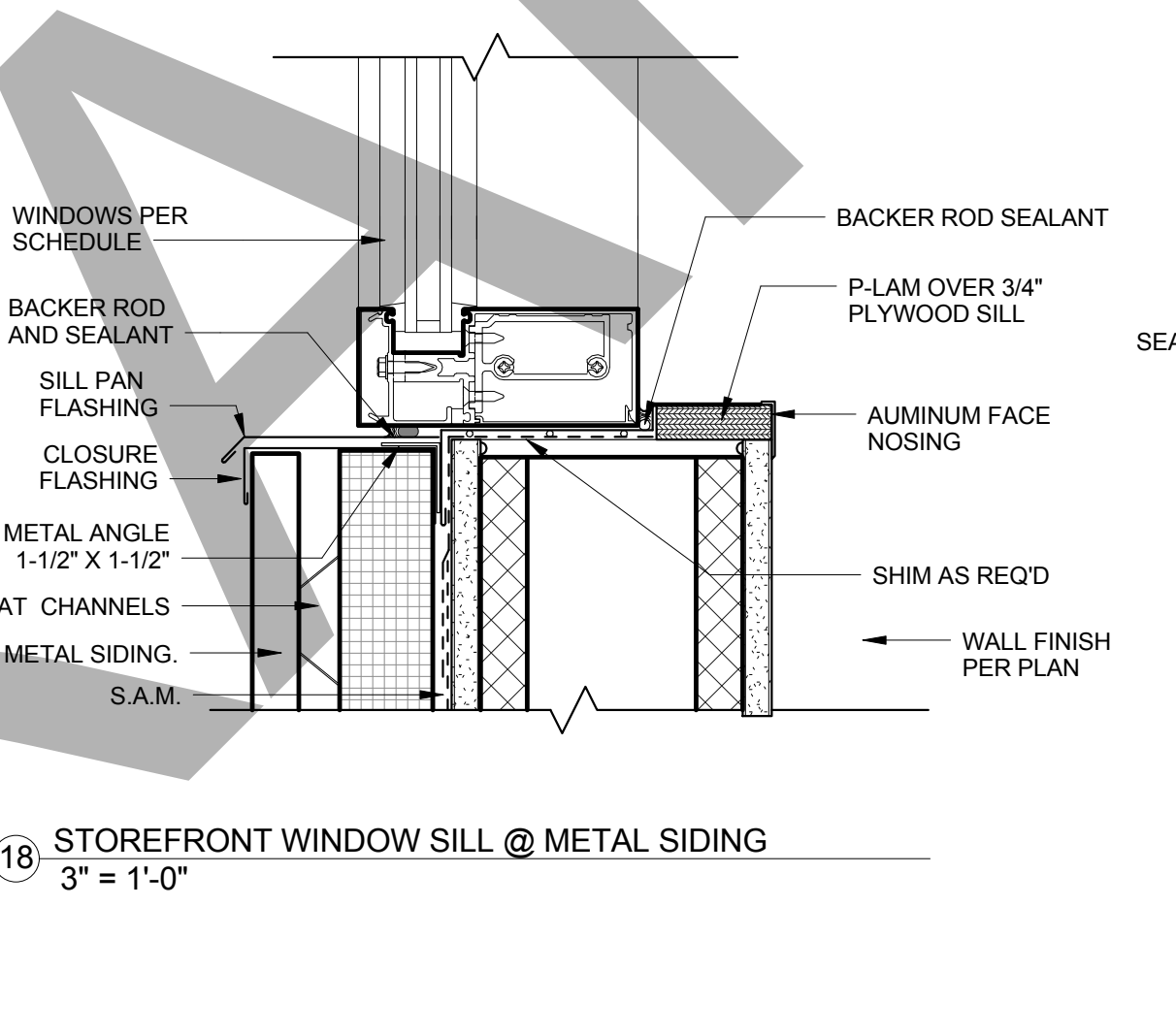
3 CMU WALL BASE @ SLAB  
3" = 1'-0"



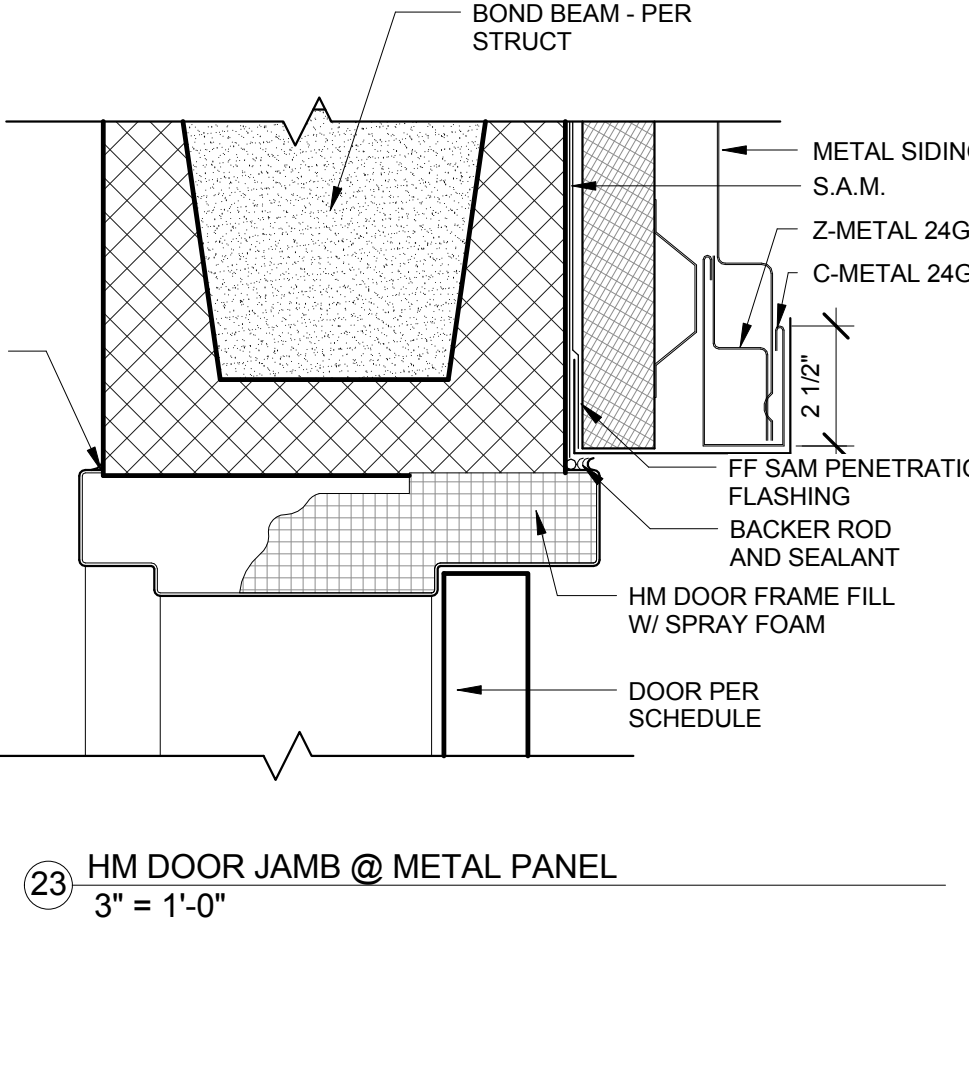
8 METAL SIDING @ INSIDE CORNER  
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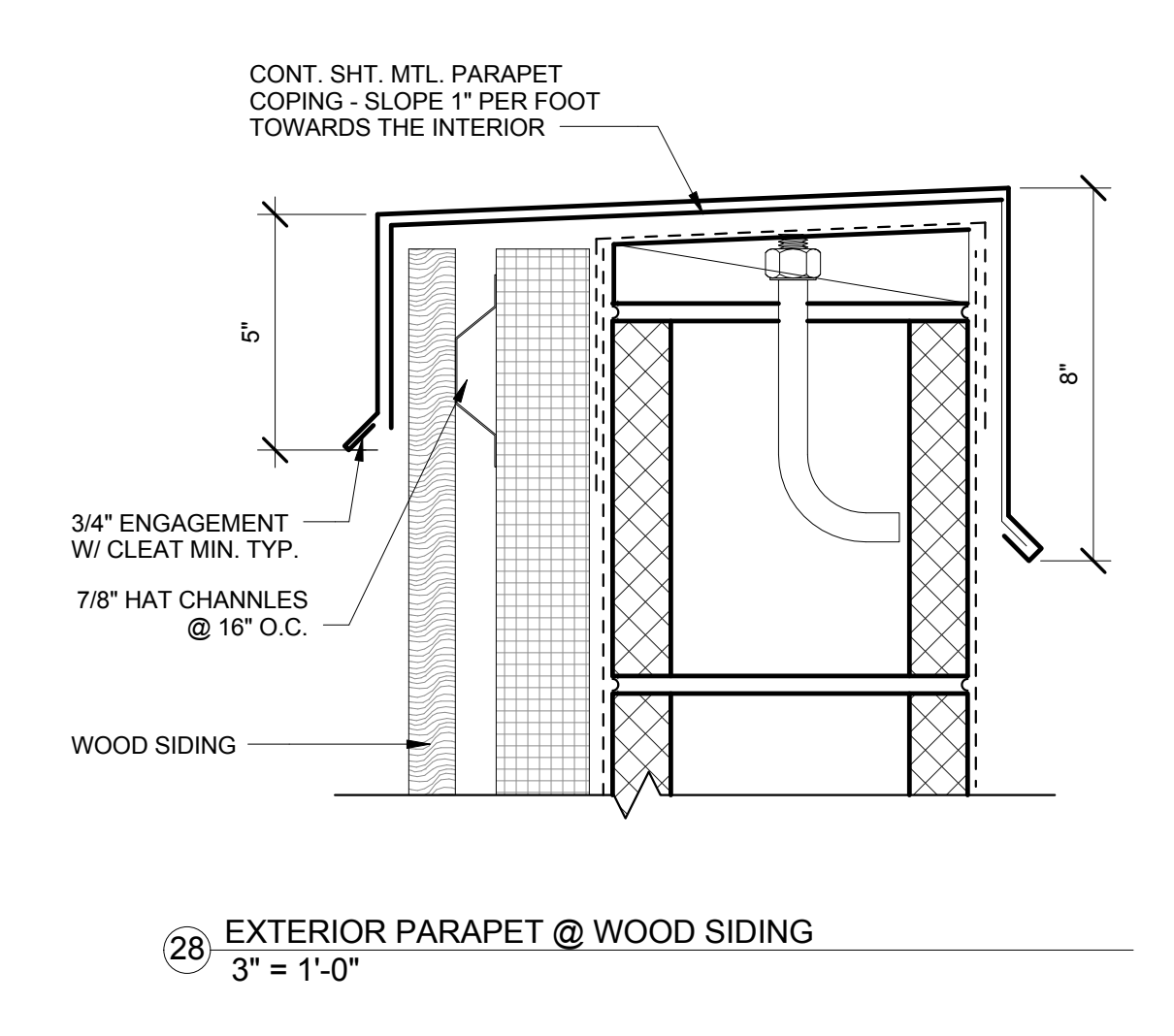
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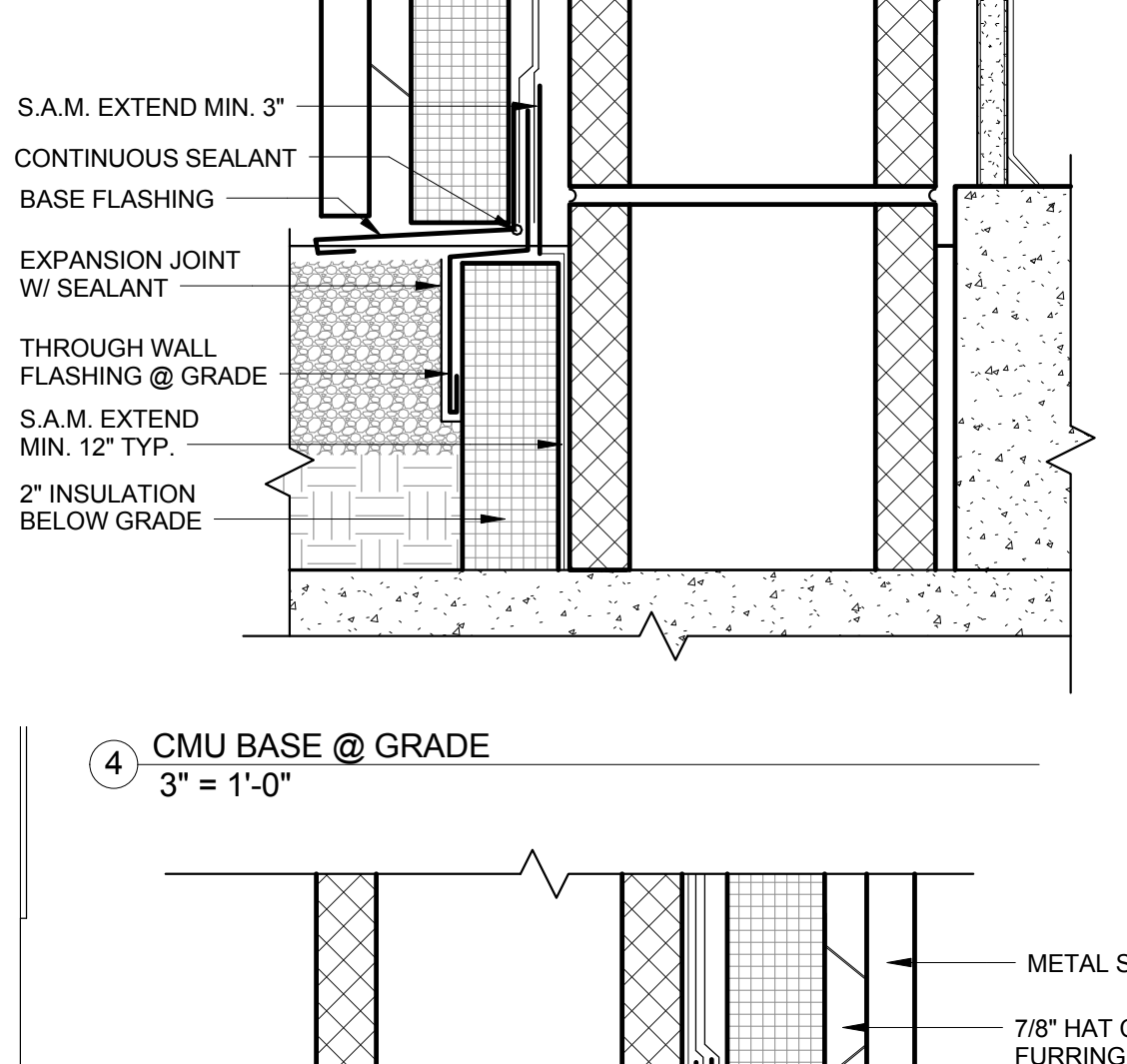
18 STOREFRONT WINDOW SILL @ METAL SIDING  
3" = 1'-0"



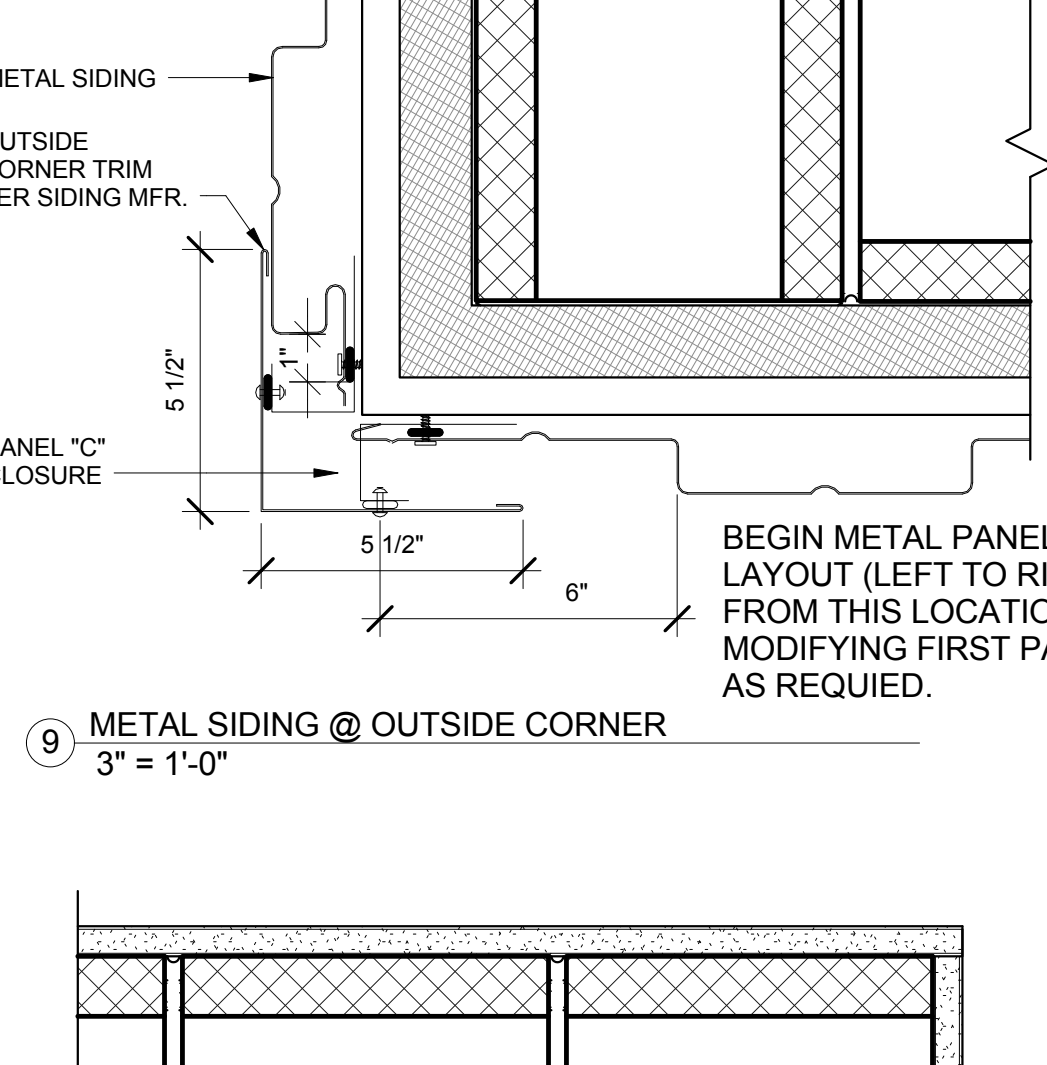
23 HM DOOR JAMB @ METAL PANEL  
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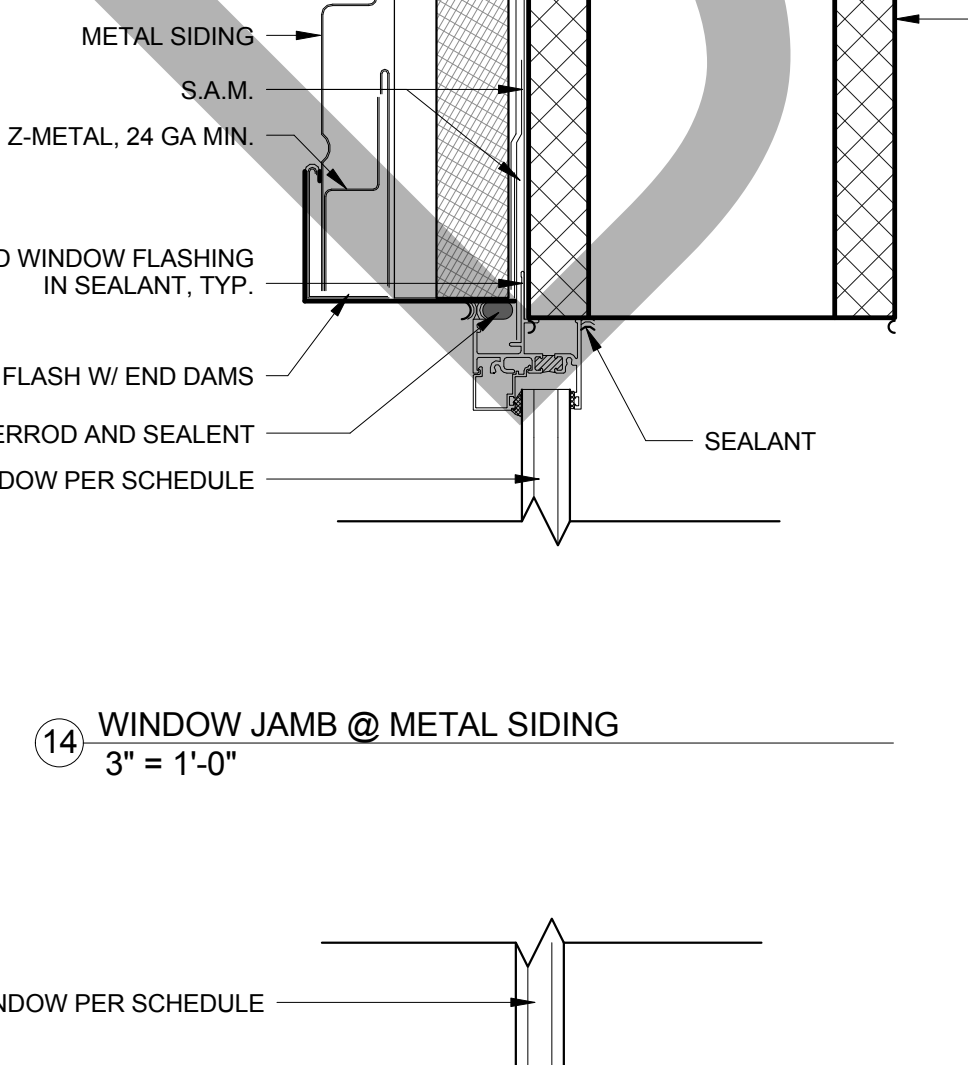
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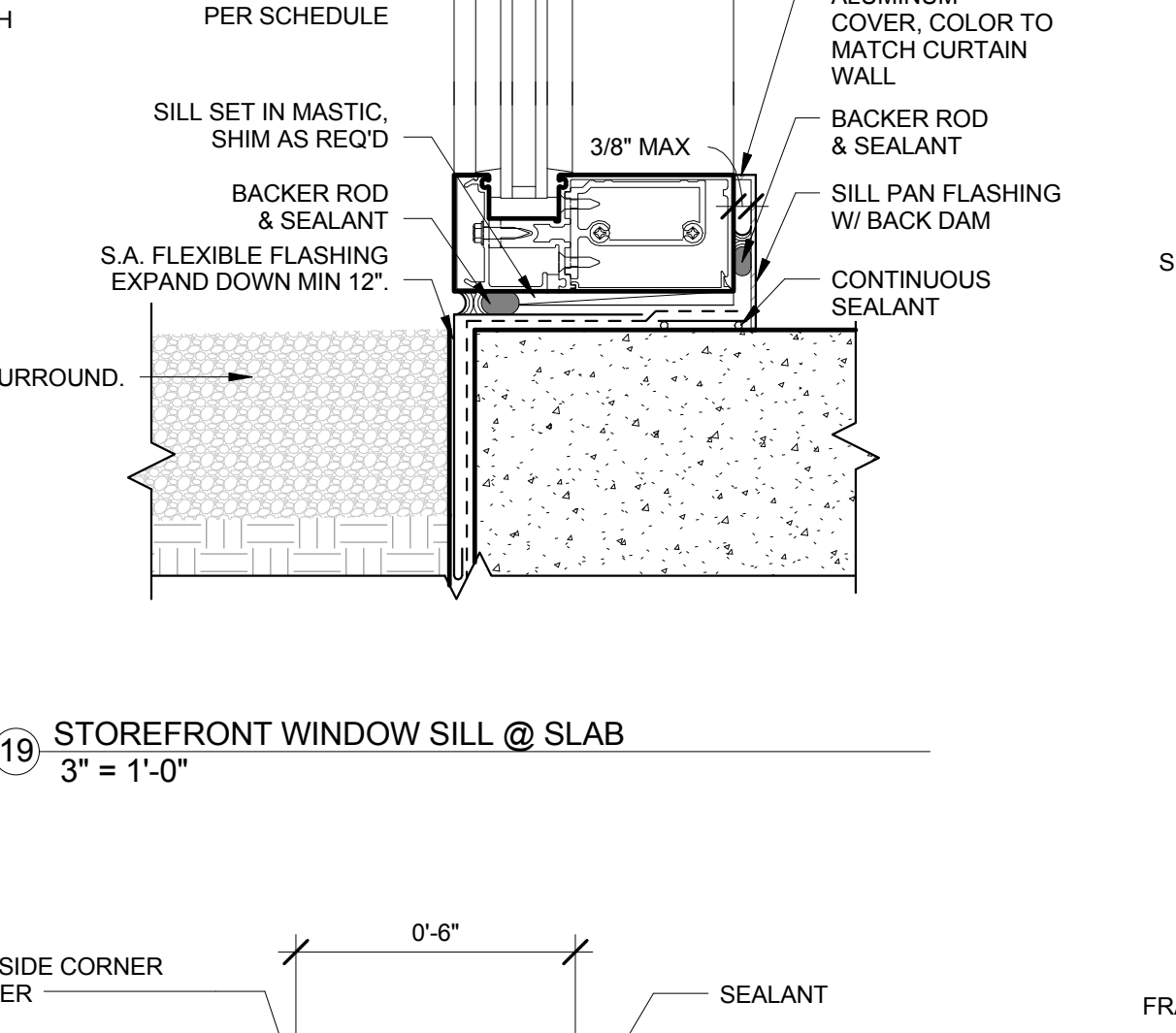
4 CMU BASE @ GRADE  
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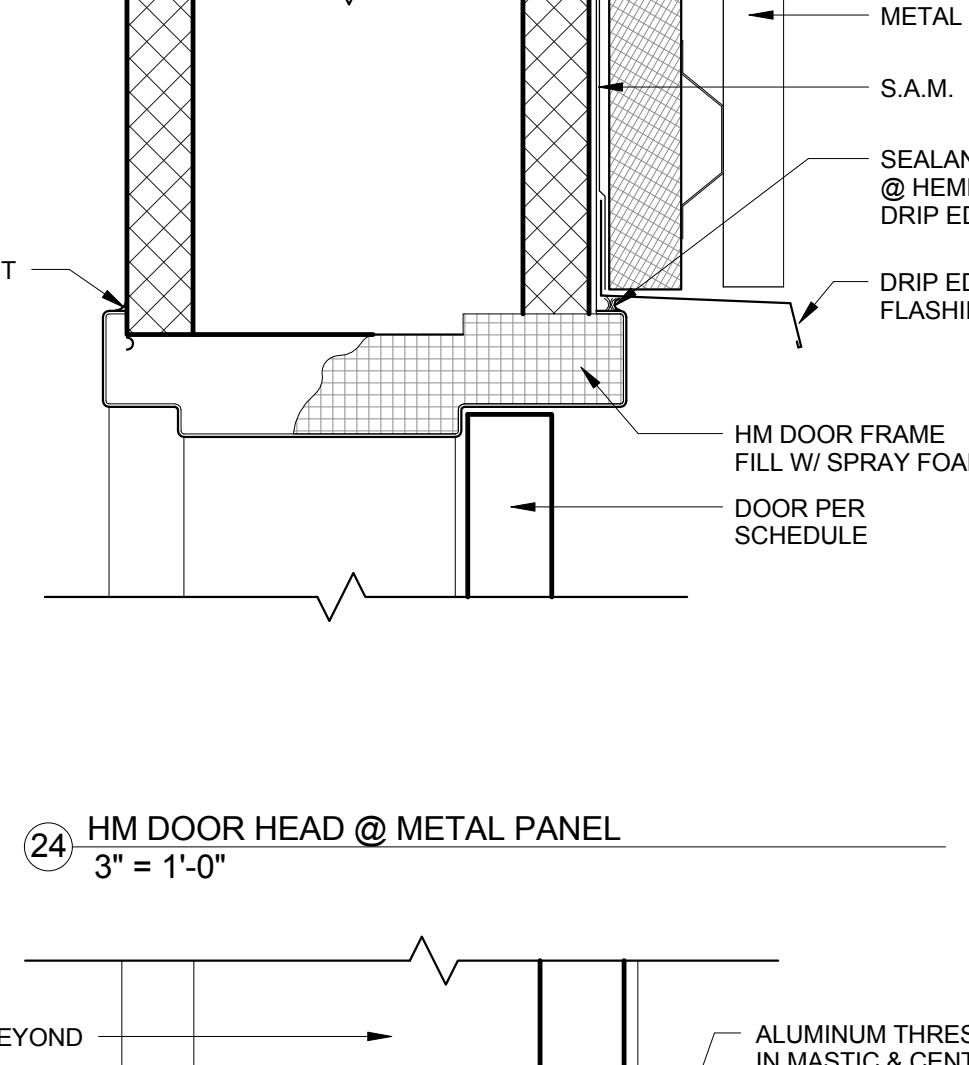
9 METAL SIDING @ OUTSIDE CORNER  
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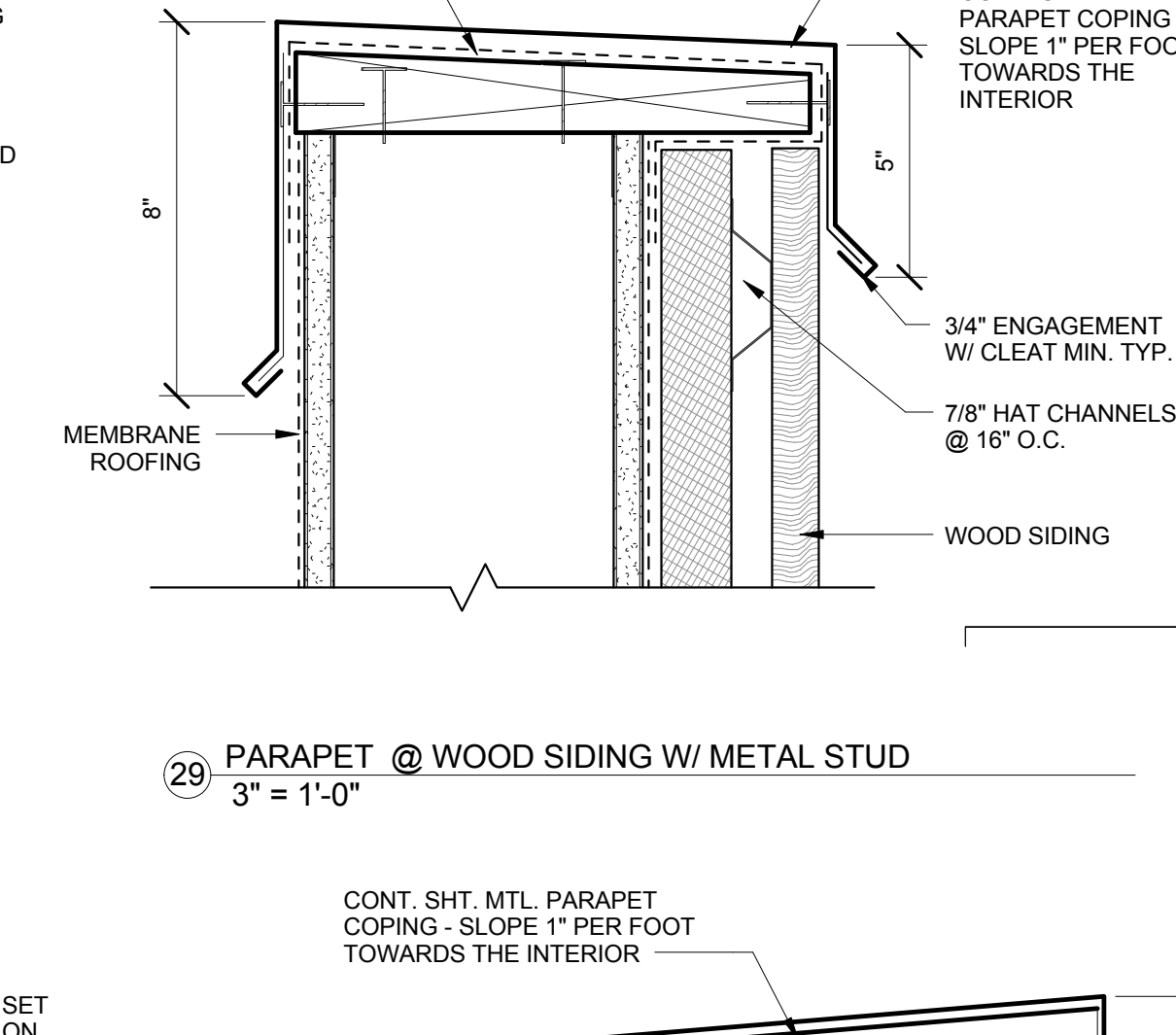
14 WINDOW JAMB @ METAL SIDING  
3" = 1'-0"



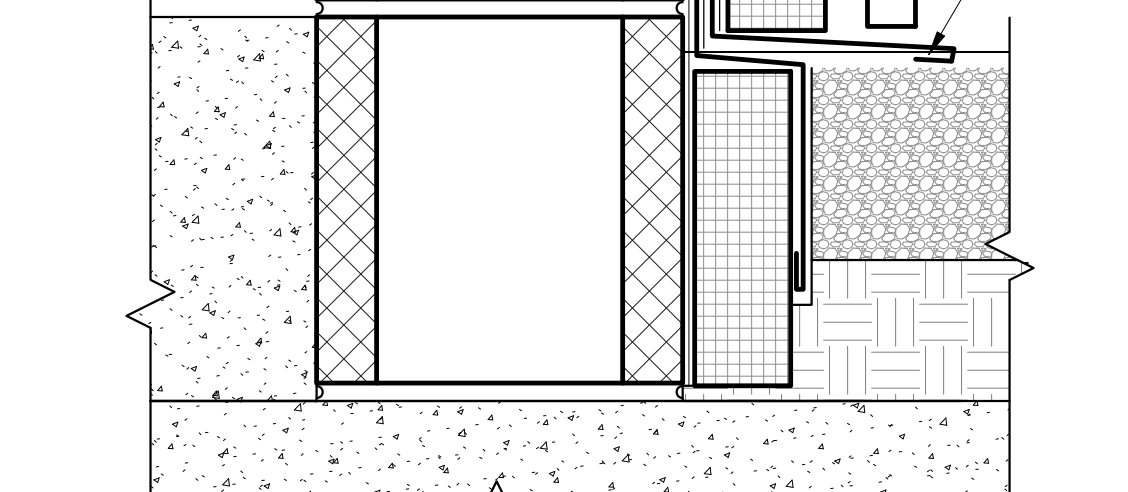
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3" = 1'-0"



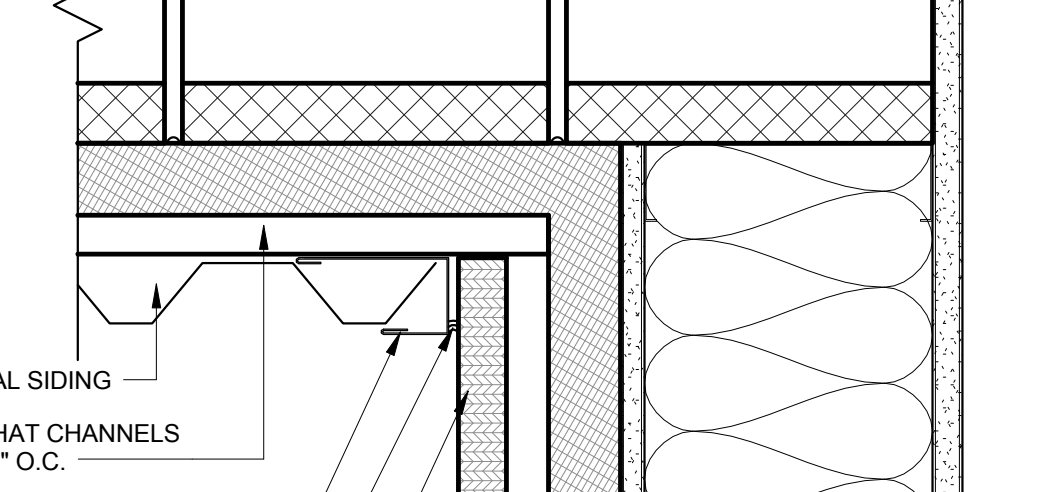
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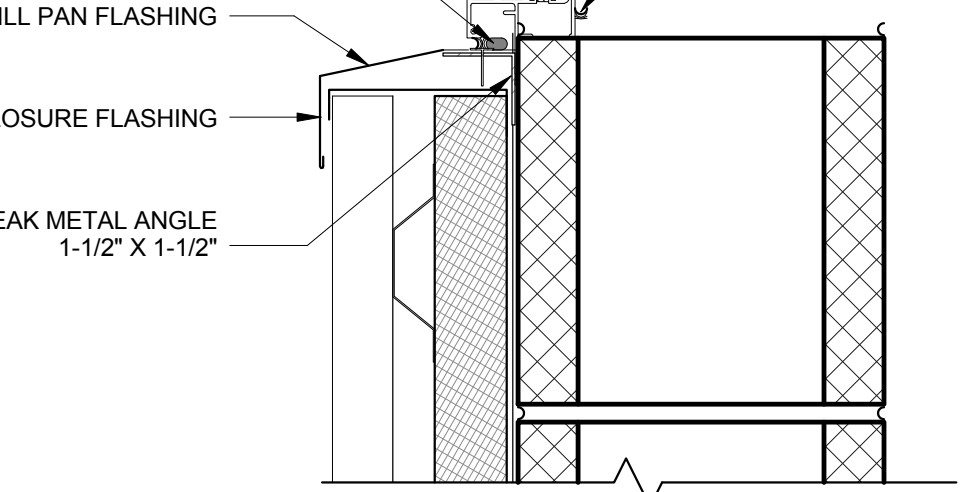
29 PARAPET @ WOOD SIDING W/ METAL STUD  
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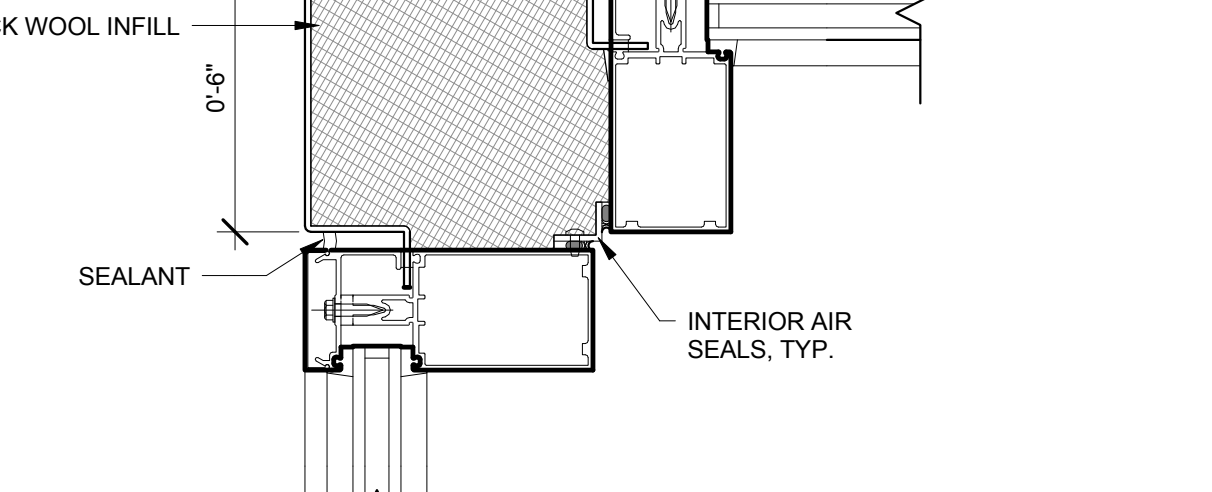
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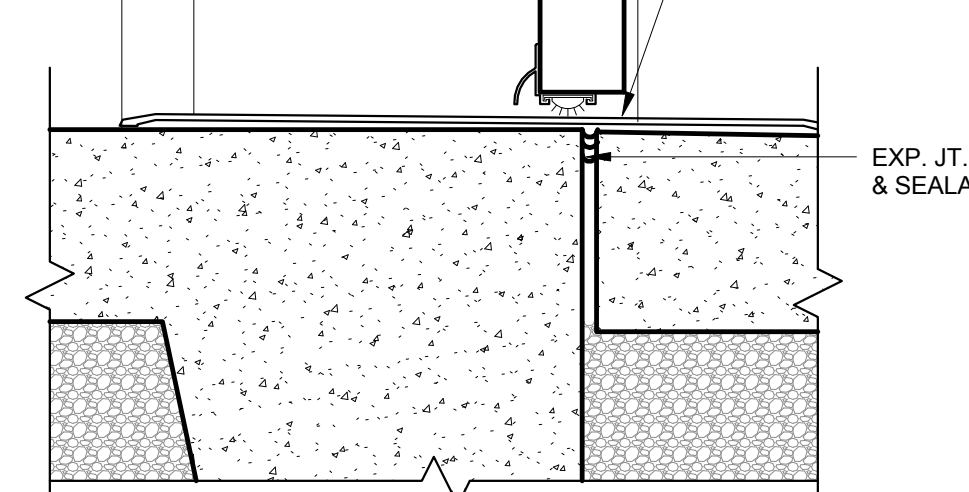
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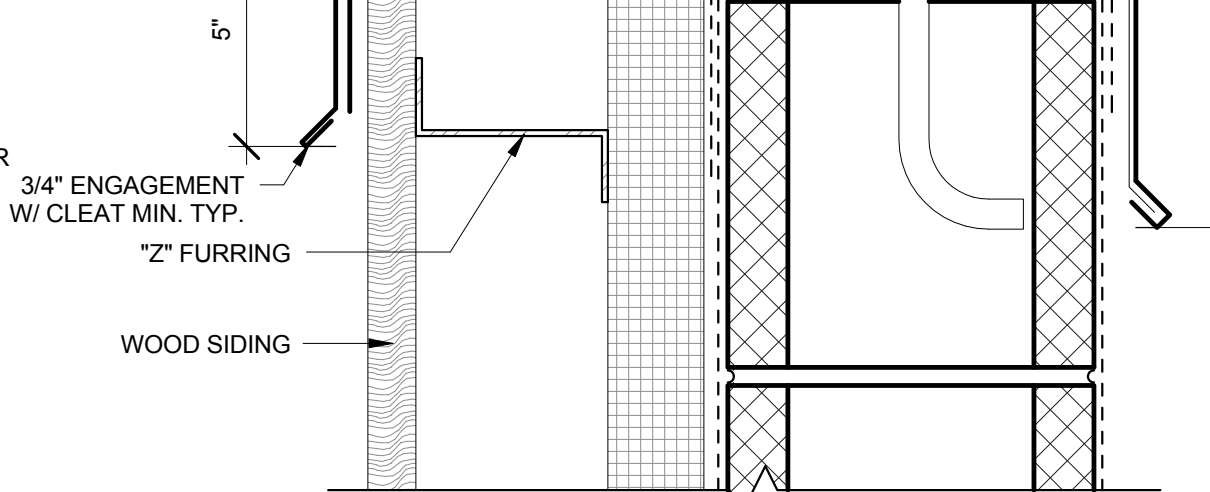
15 WINDOW SILL @ METAL SIDING  
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20 OUTSIDE CORNER @ CURTAIN WALL  
3" = 1'-0"



25 DOOR @ THRESHOLD  
3" = 1'-0"

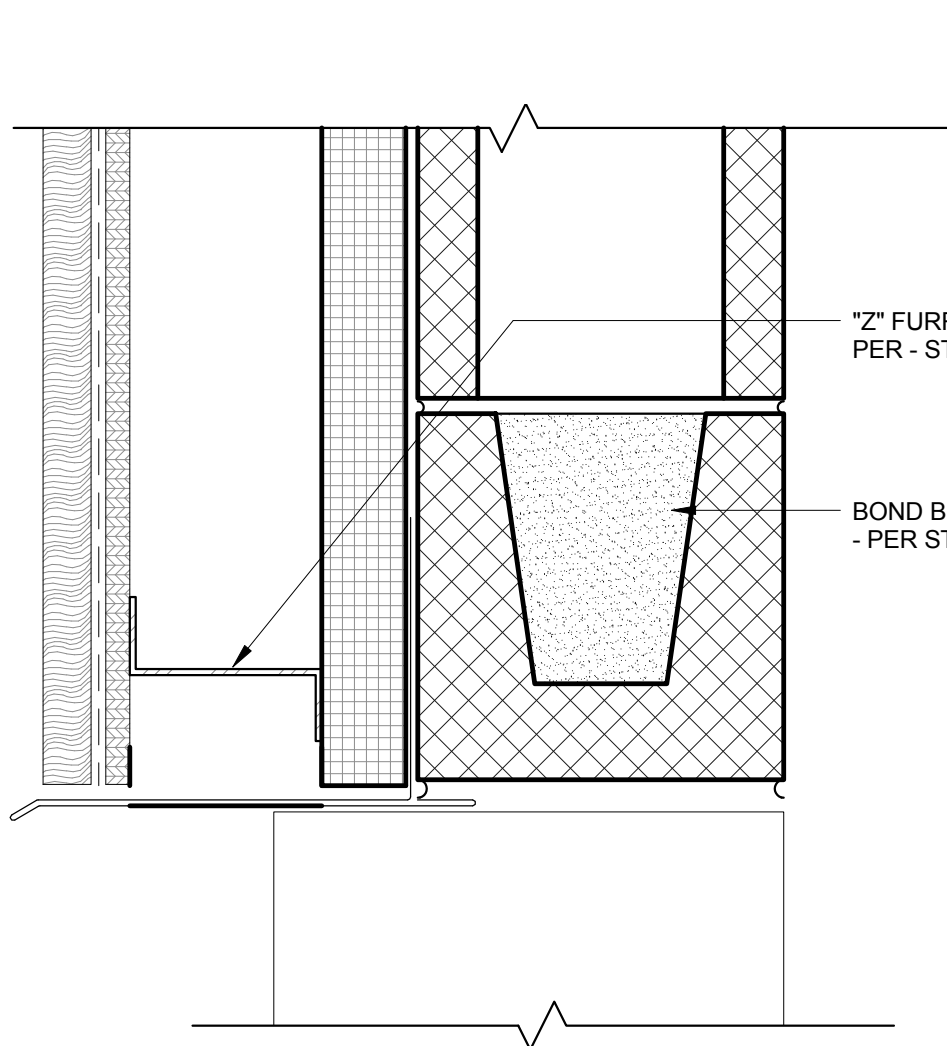


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3" = 1'-0"

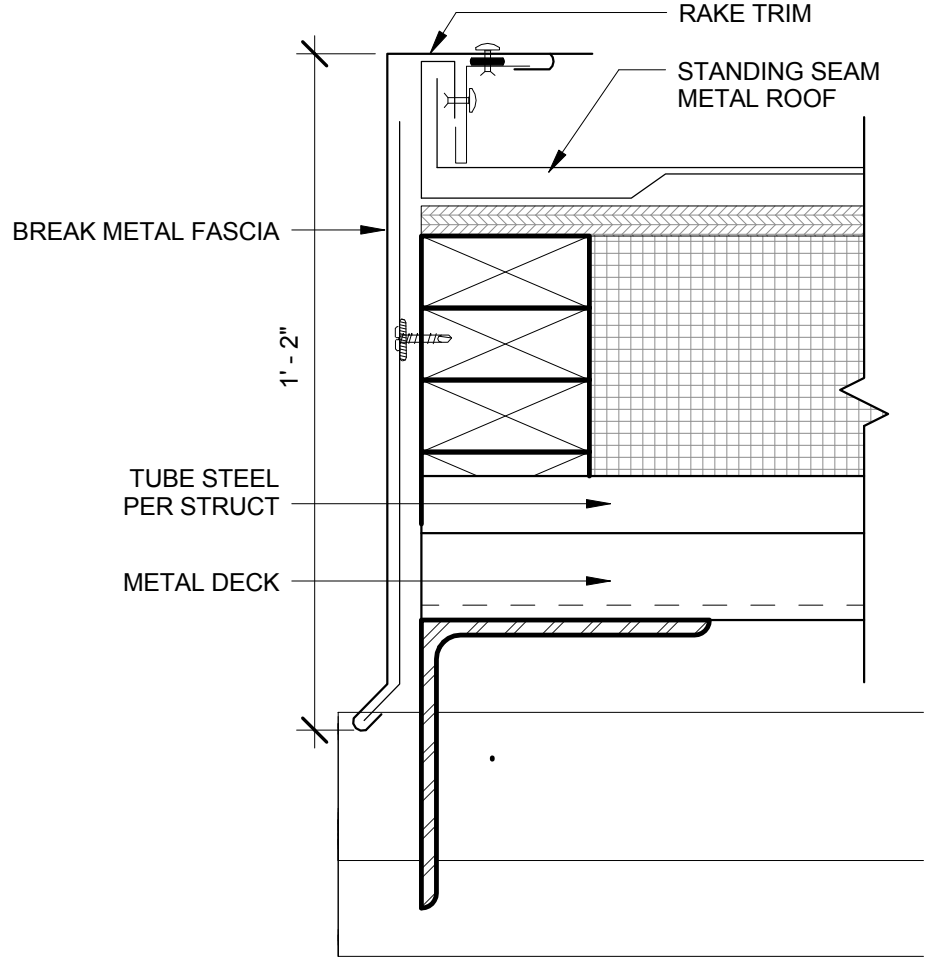
PERMIT SET

NORTH	PLAN
SCALE	3" = 1'-0"
PROJECT	HEALTH AND WELLNESS CENTER
ISSUED	Northwest Indian College
DETAILS	
PROJECT	20140104
DRAWN	Author
CHECK	Checked
DATE	08/30/16
ISSUED	
A7.01	
PRINT	11/28/2017 3:14:46 PM

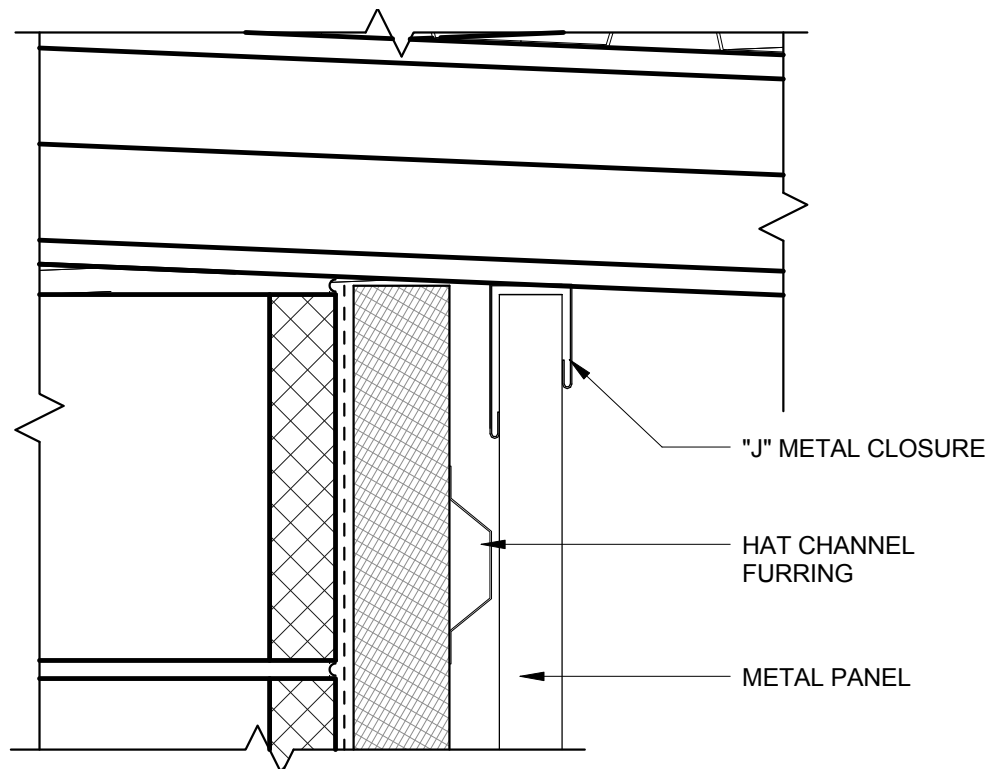




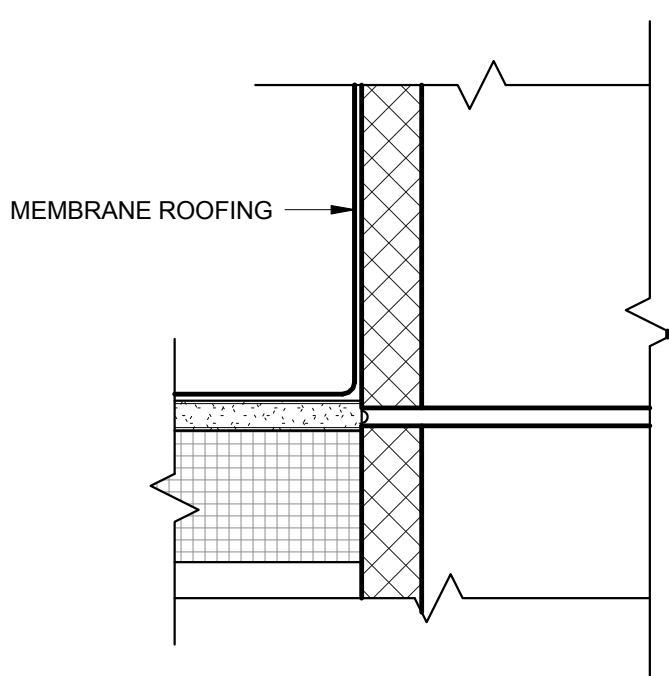
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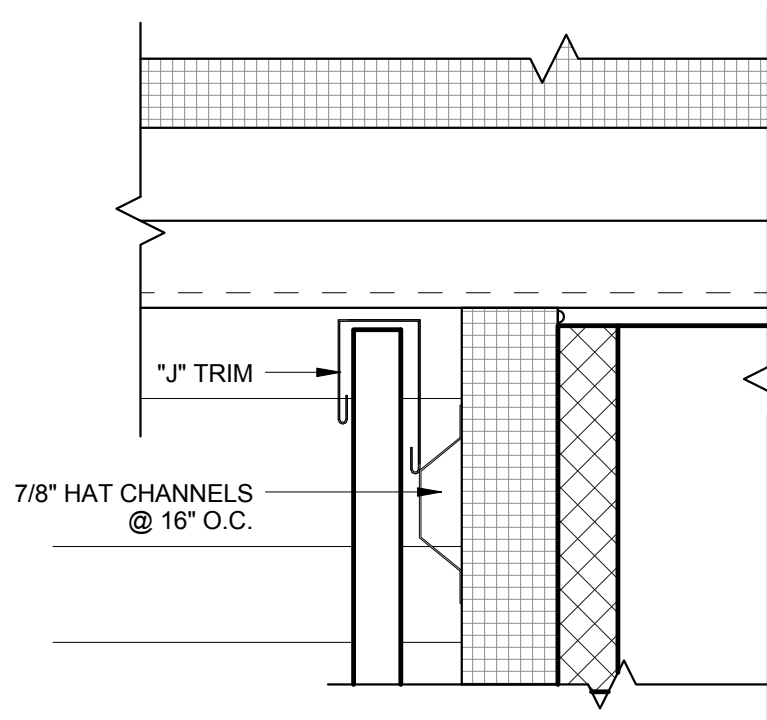
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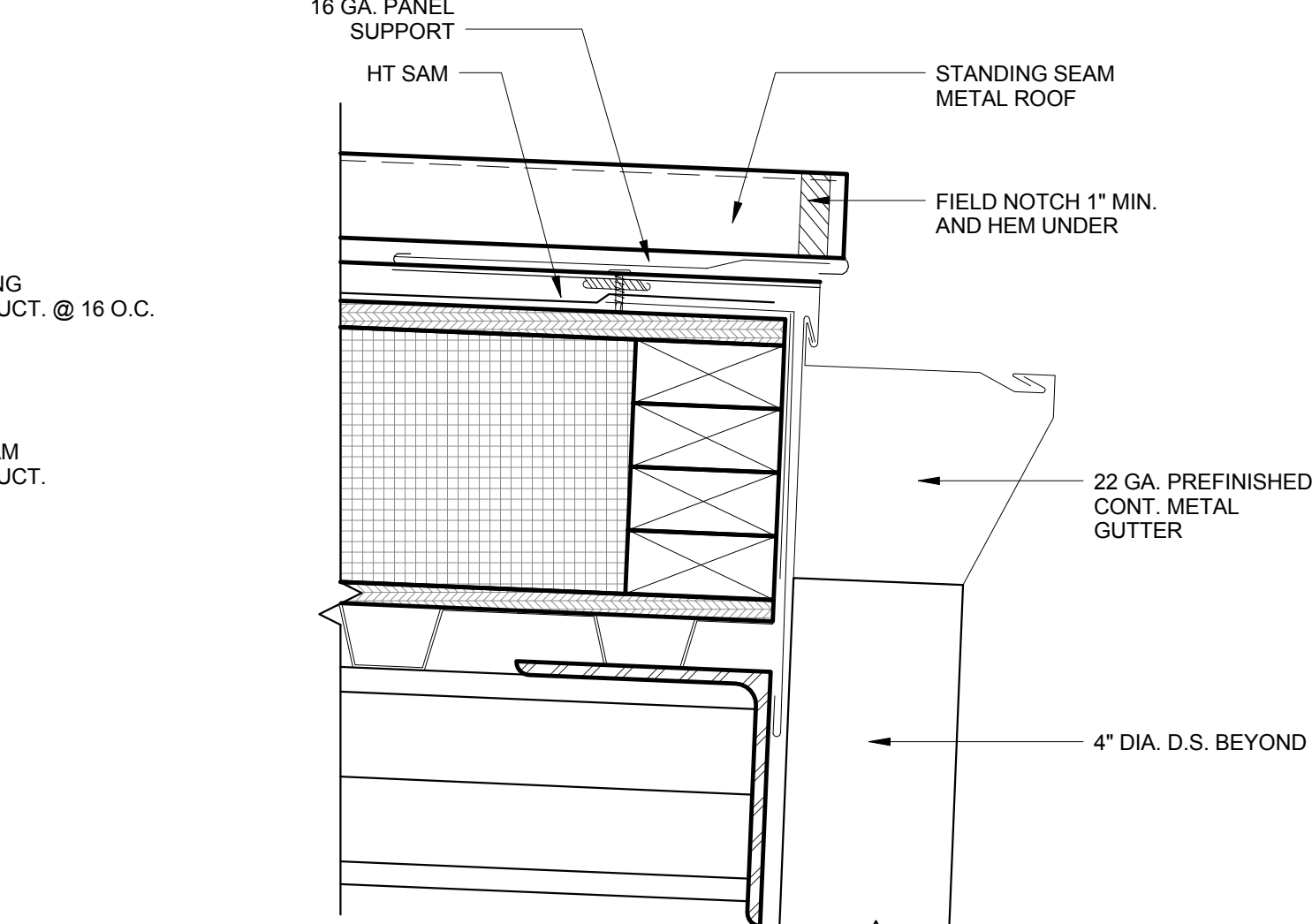
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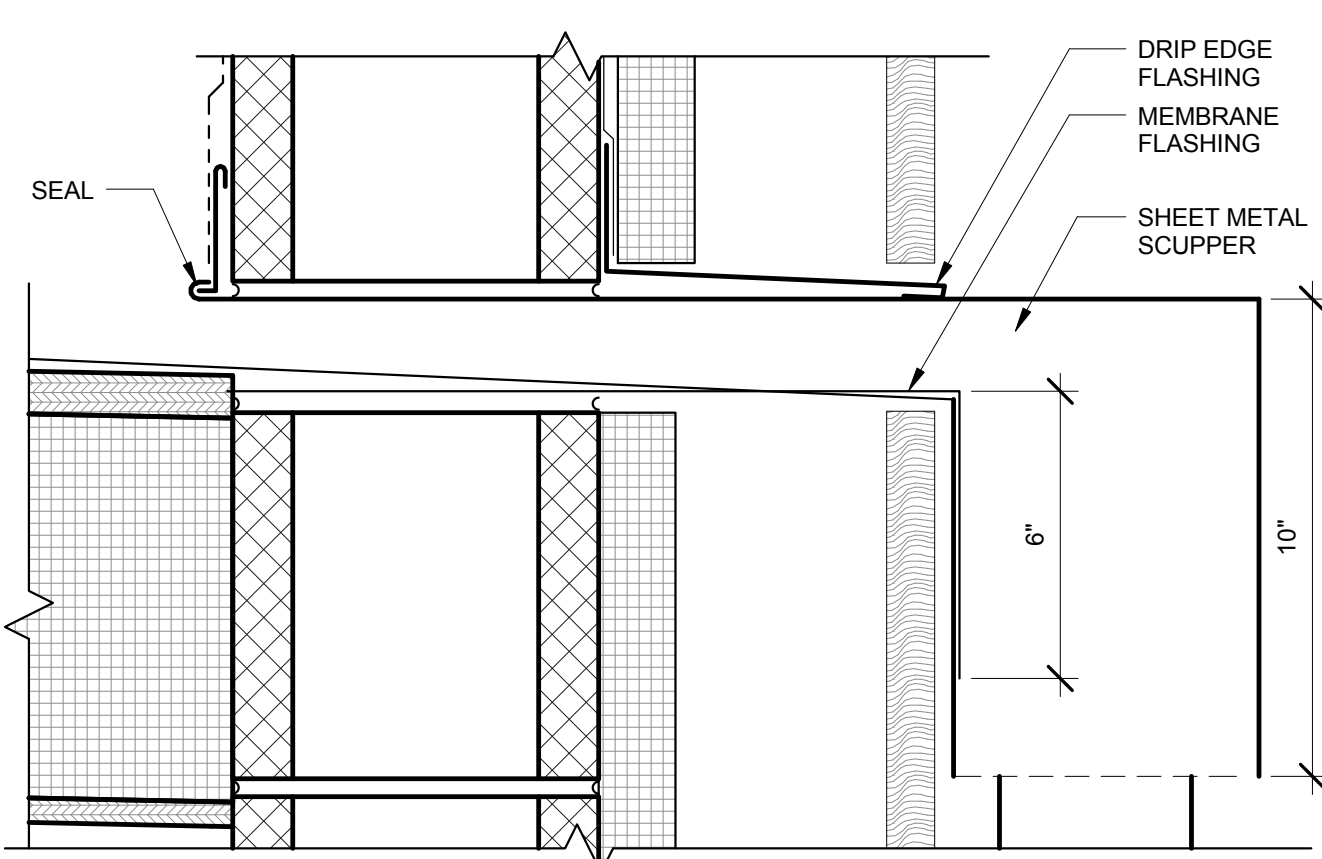
4 HEADWALL @ CMU  
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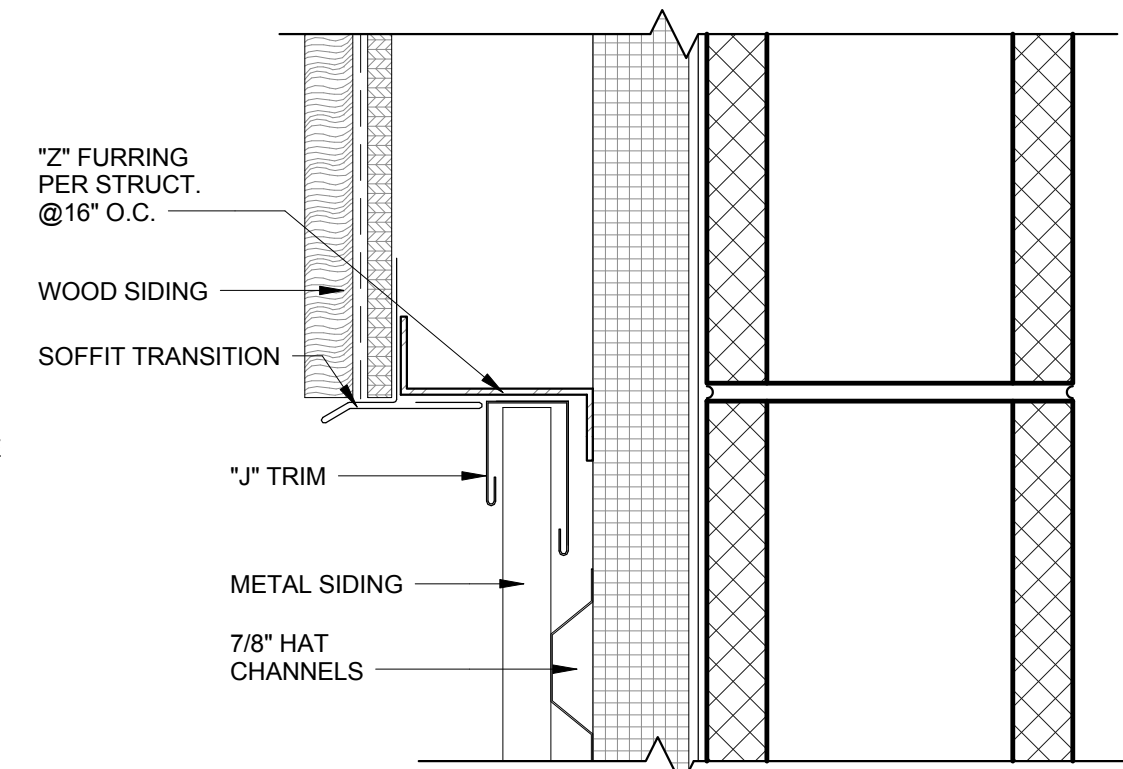
5 SOFFIT TRANSITION @ EAVE METAL SIDING  
3" = 1'-0"



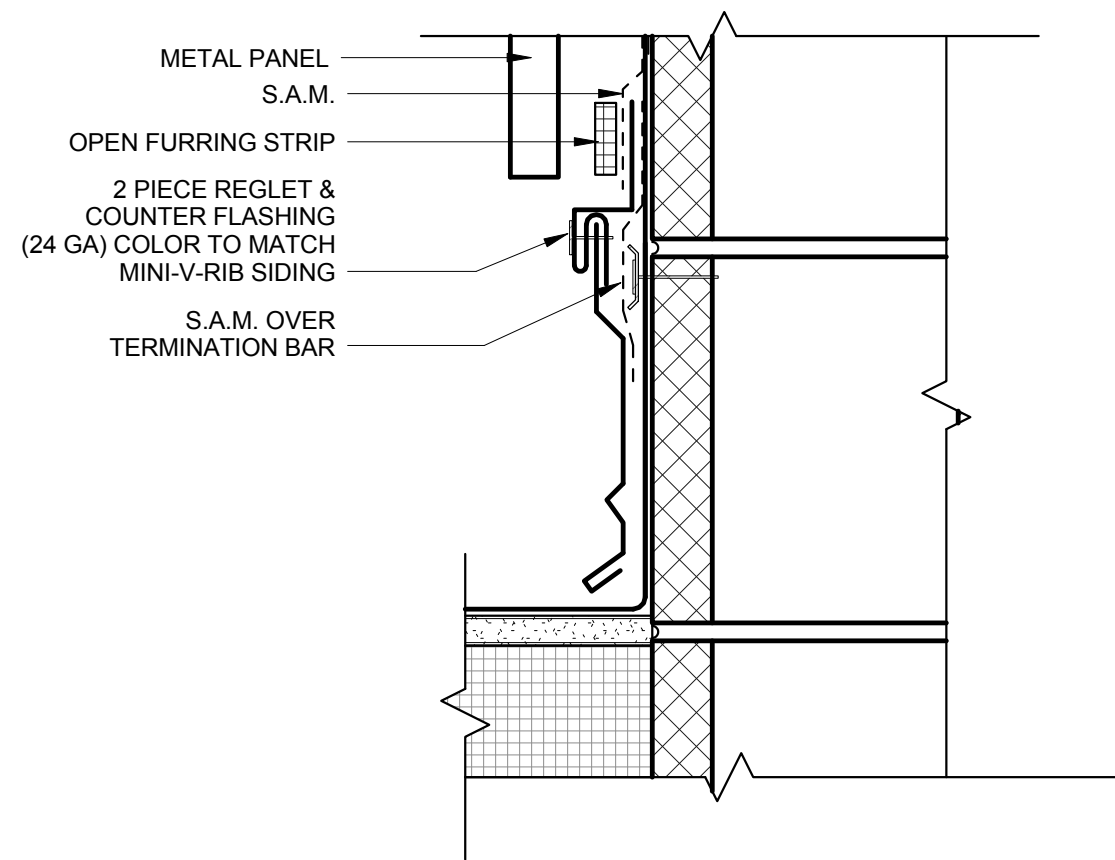
6 EAVE & GUTTER @ METAL ROOF  
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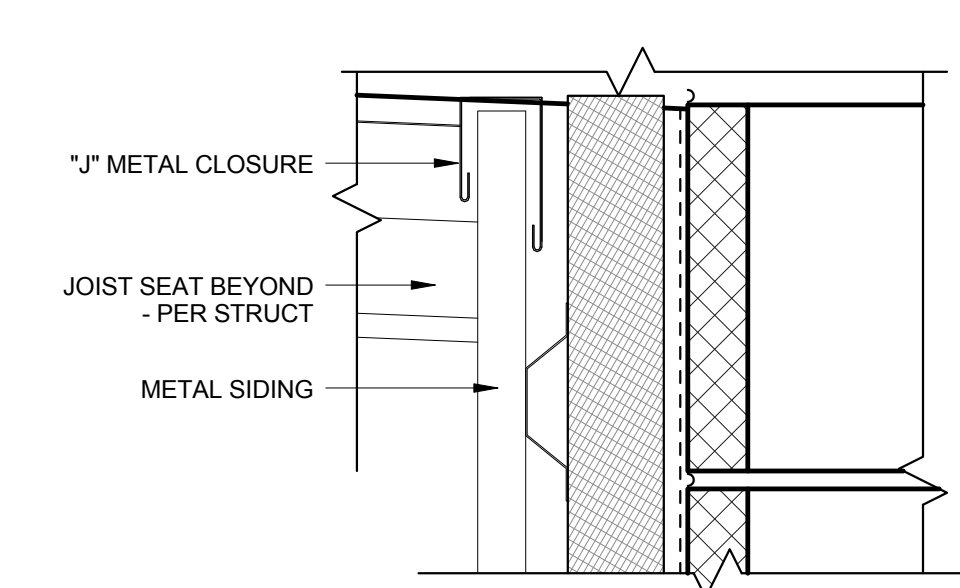
7 Scupper Detail  
3" = 1'-0"



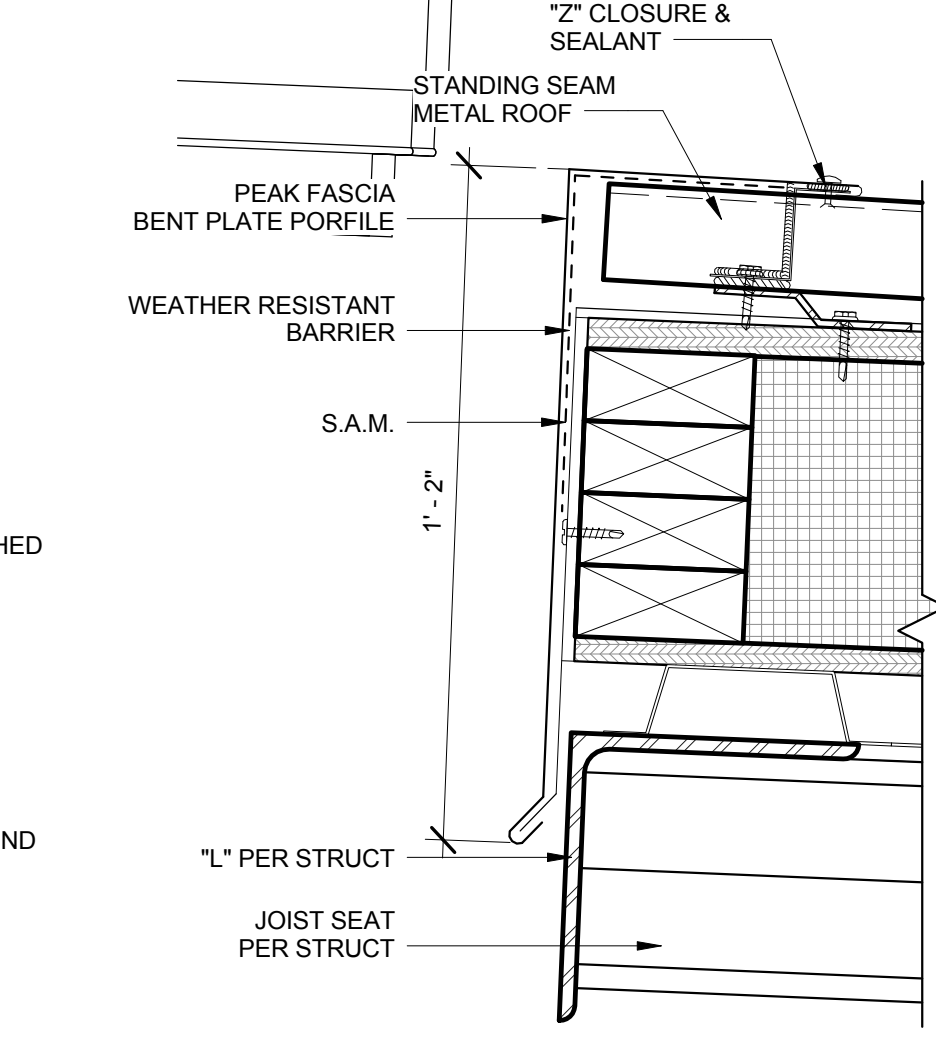
8 SOFFIT @ WOOD AND METAL TRANSITION  
3" = 1'-0"



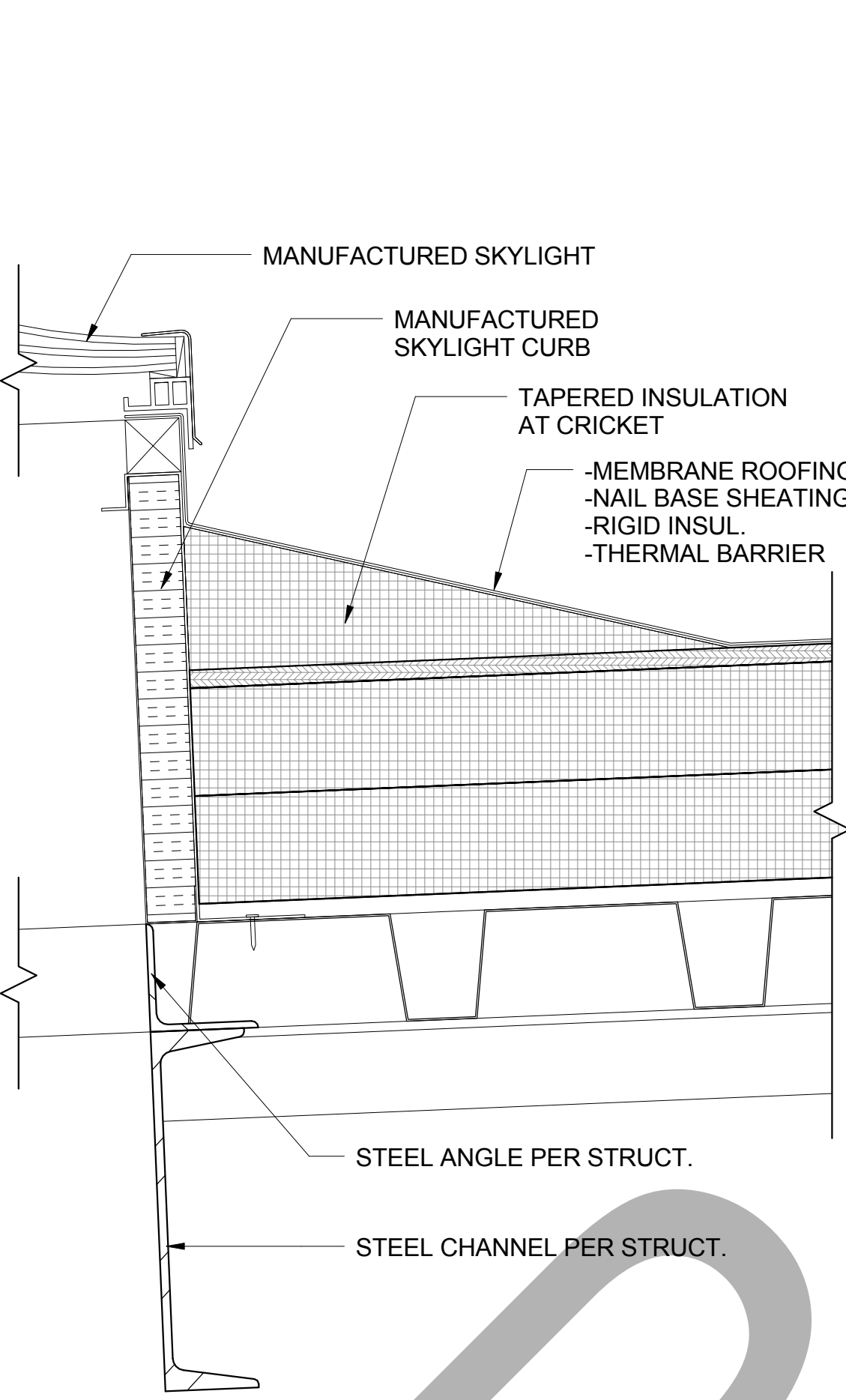
9 HEADWALL @ METAL SIDING  
3" = 1'-0"



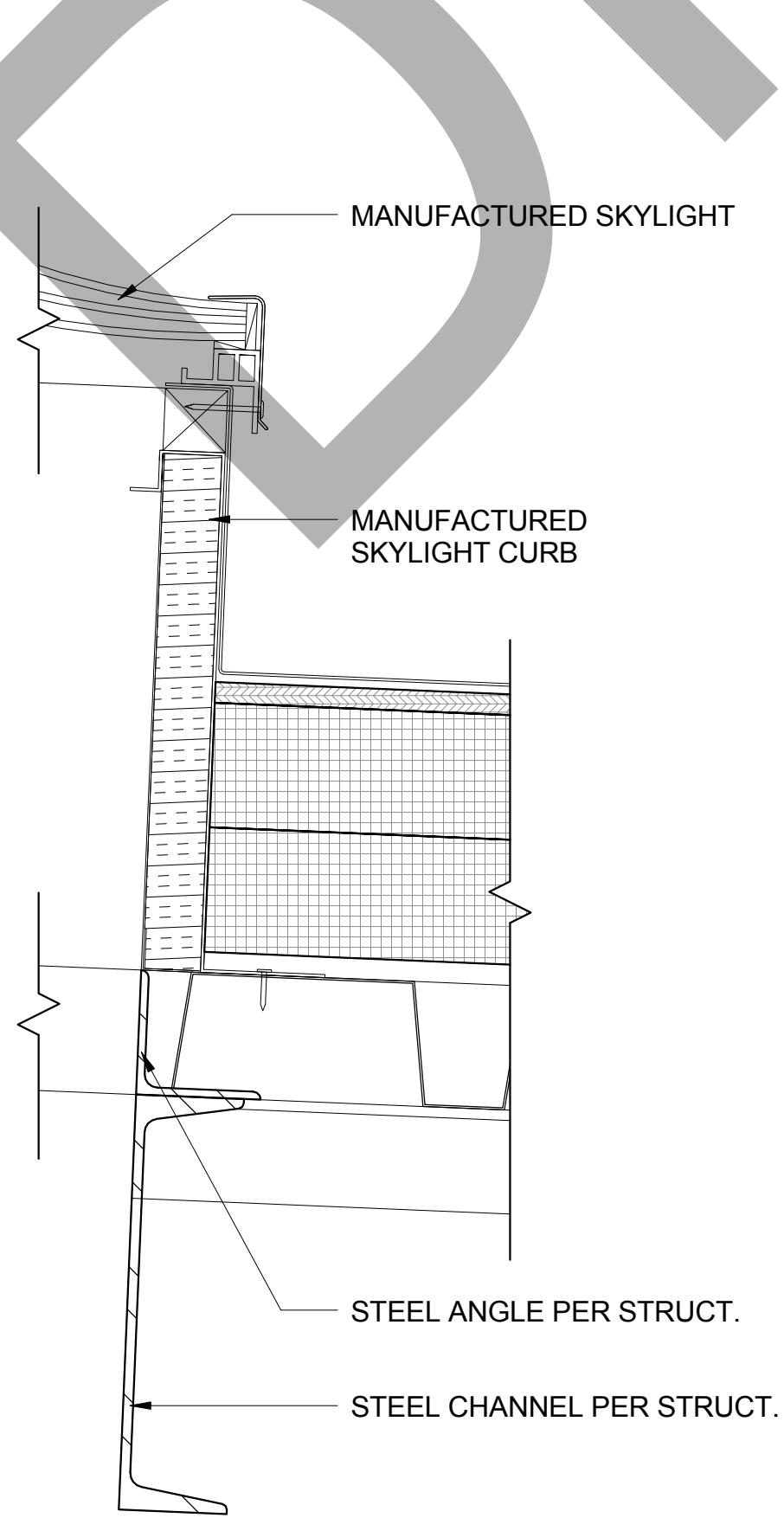
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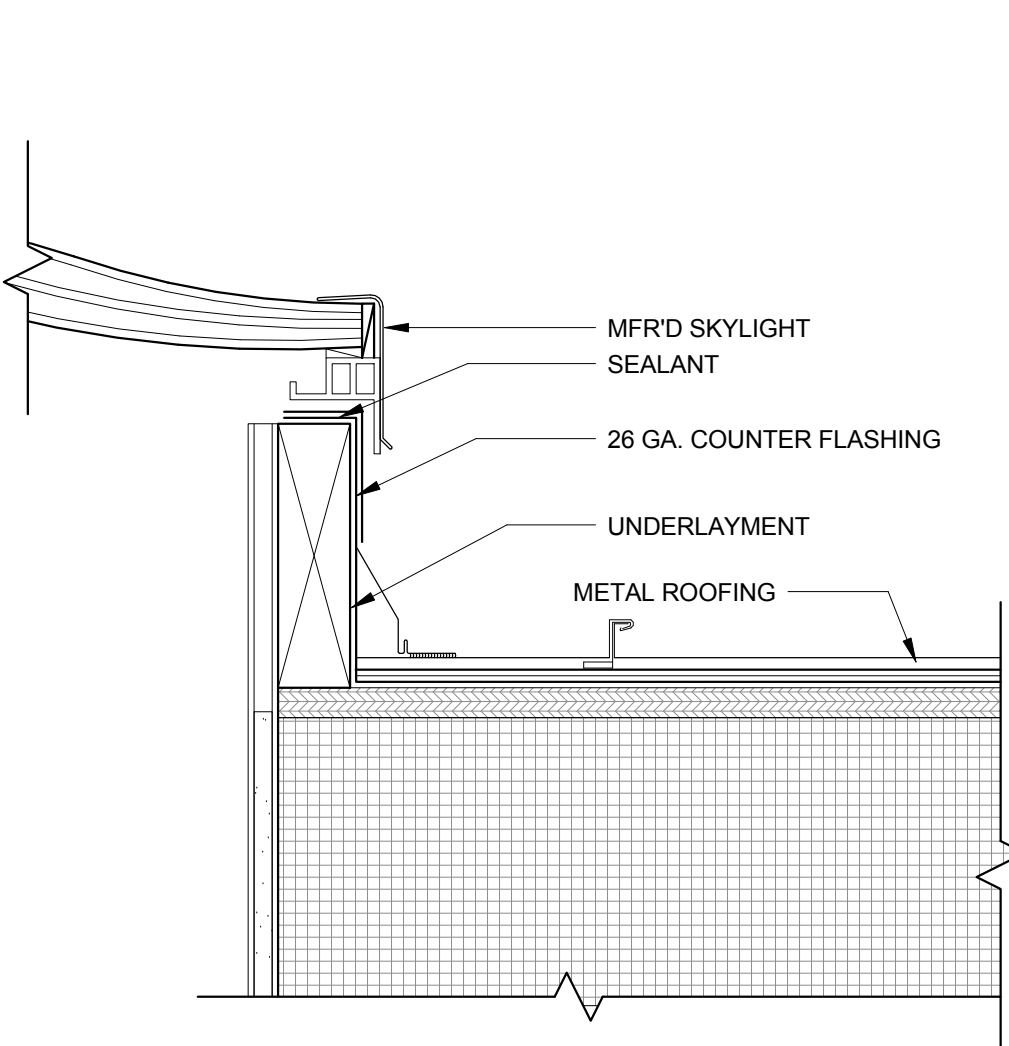
11 PEAK FASCIA @ METAL ROOF  
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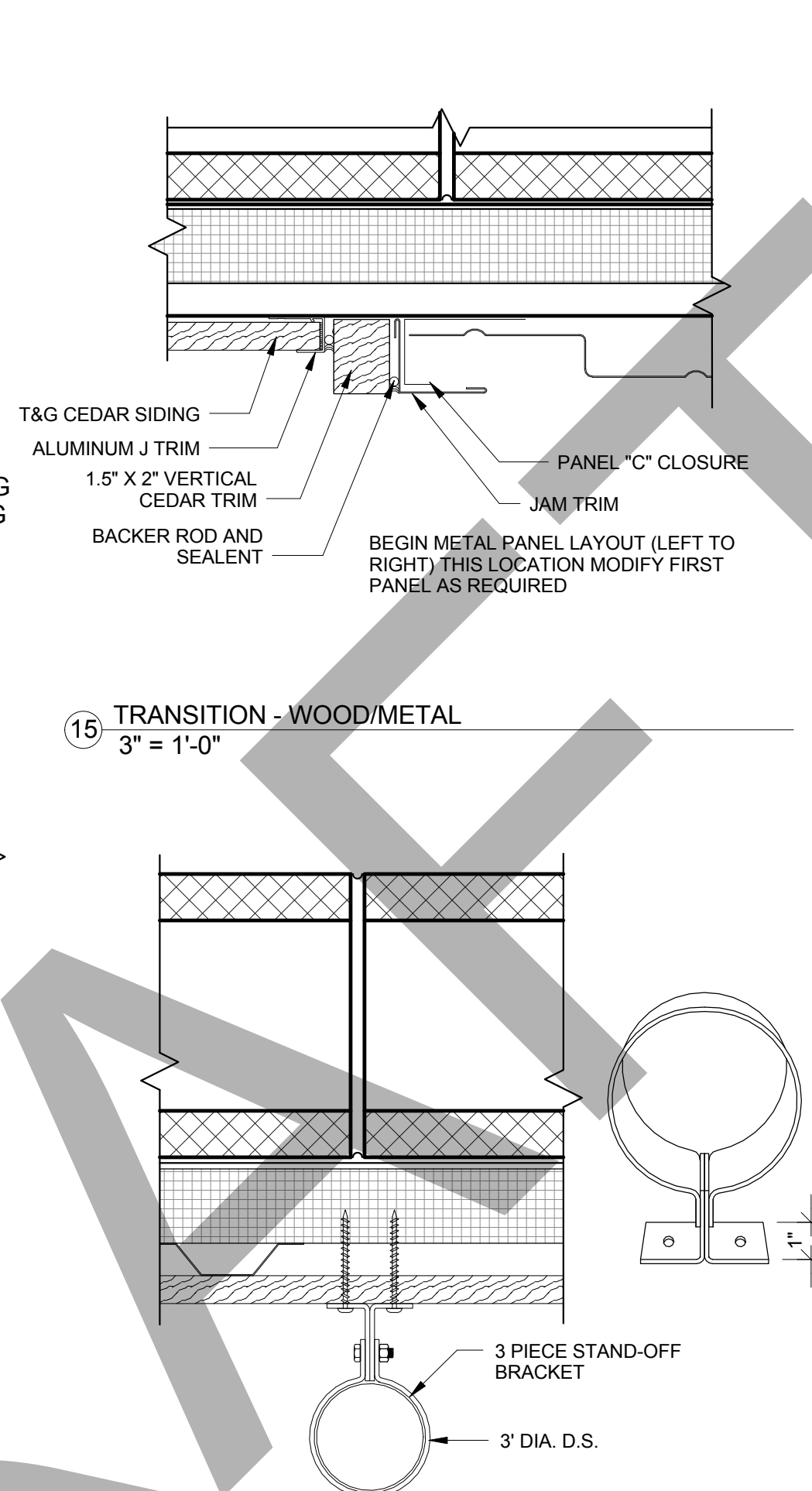
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13 SKYLIGHT DETAIL 2 @ METAL ROOF  
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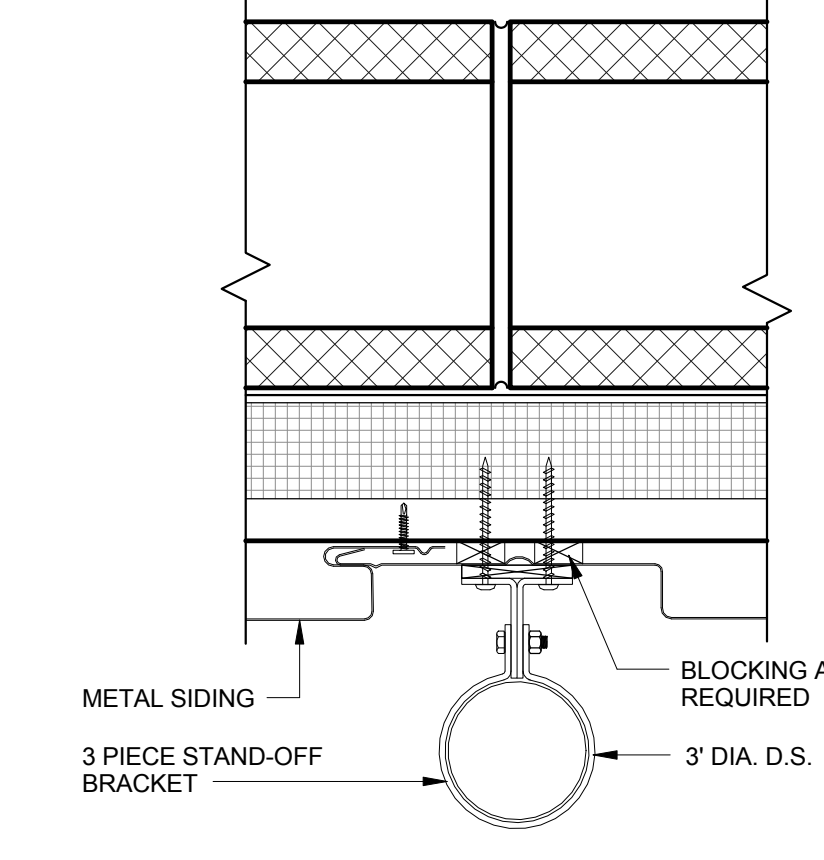


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3" = 1'-0"

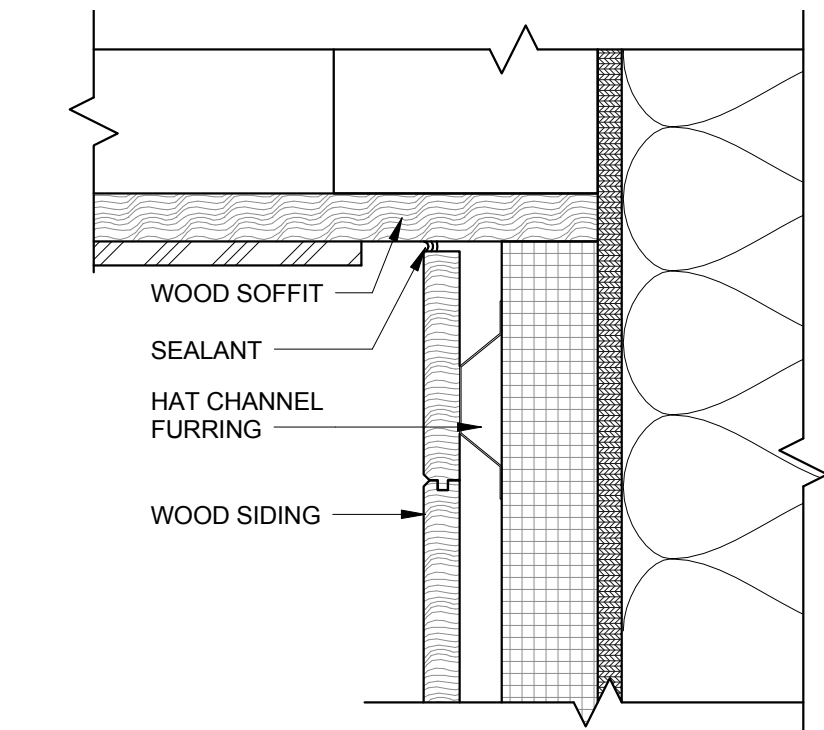


15 TRANSITION - WOOD/METAL  
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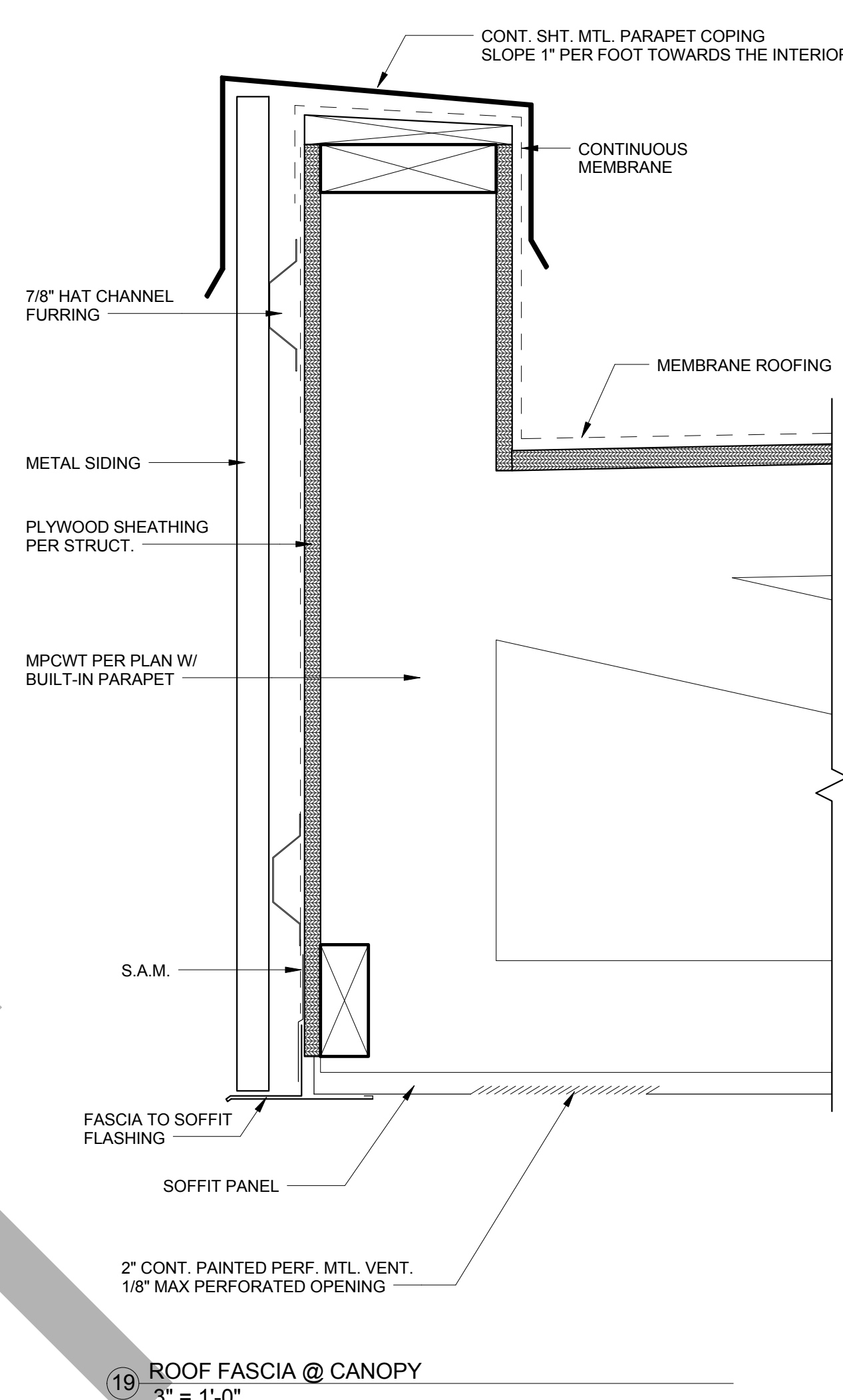
16 DOWNSPOUT BRACKET @ WOOD SIDING  
3" = 1'-0"



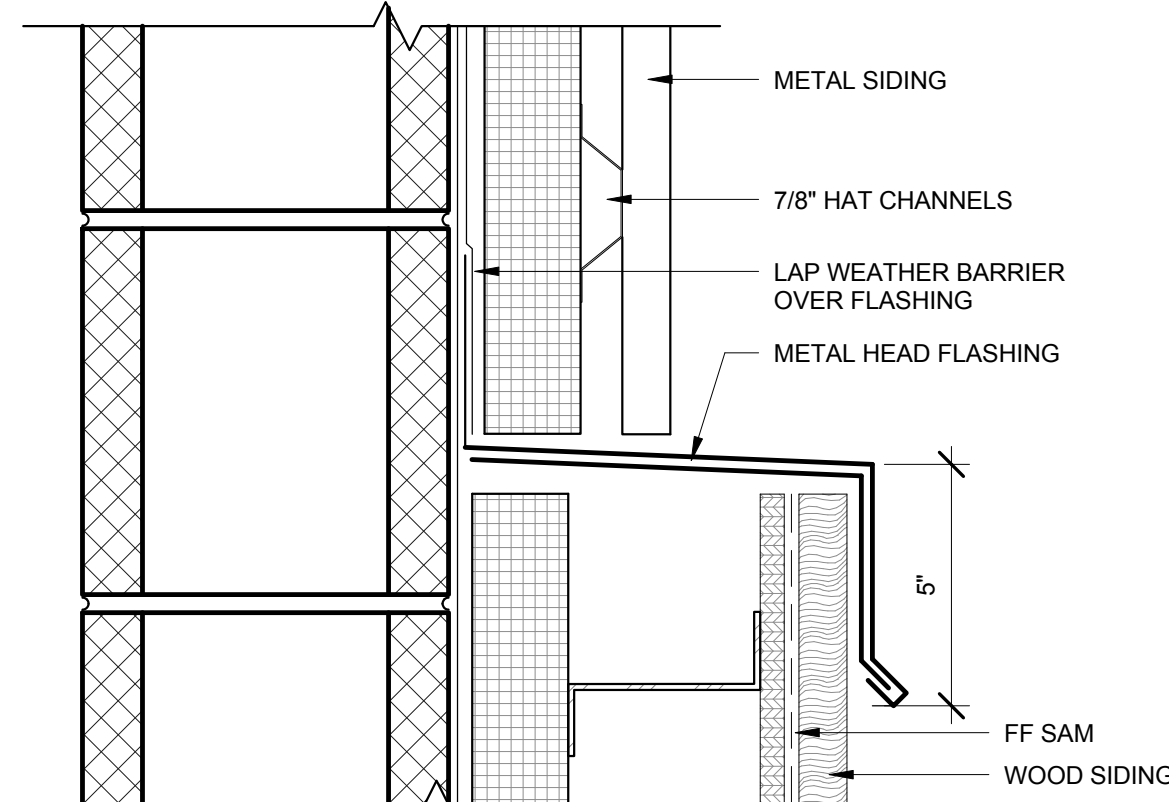
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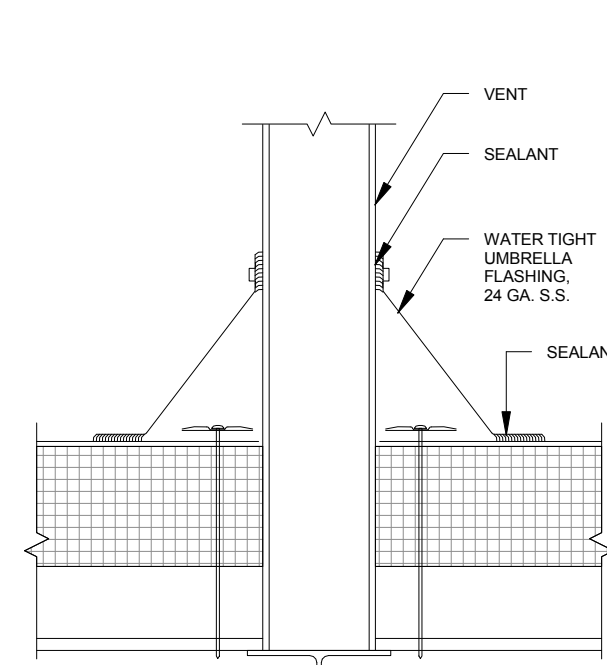
18 SOFFIT TRANSITION @ WOOD SIDING  
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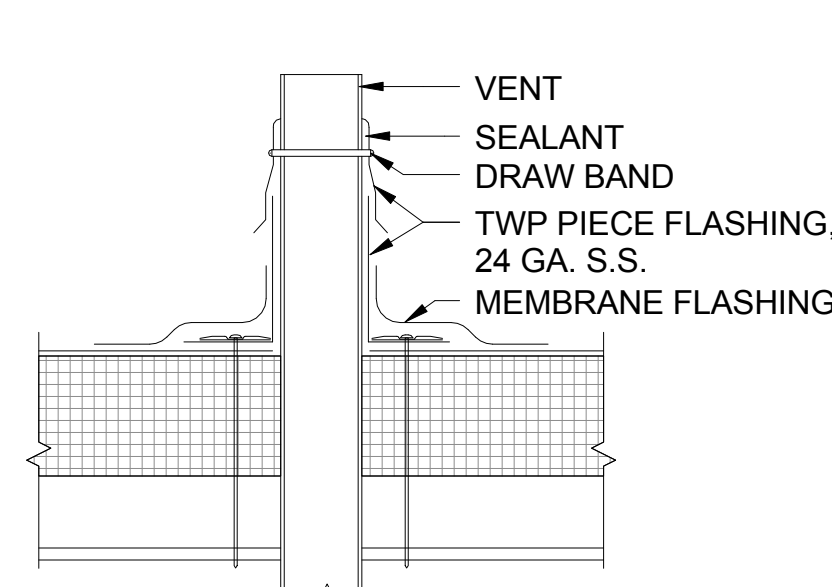
19 ROOF FASCIA @ CANOPY  
3" = 1'-0"



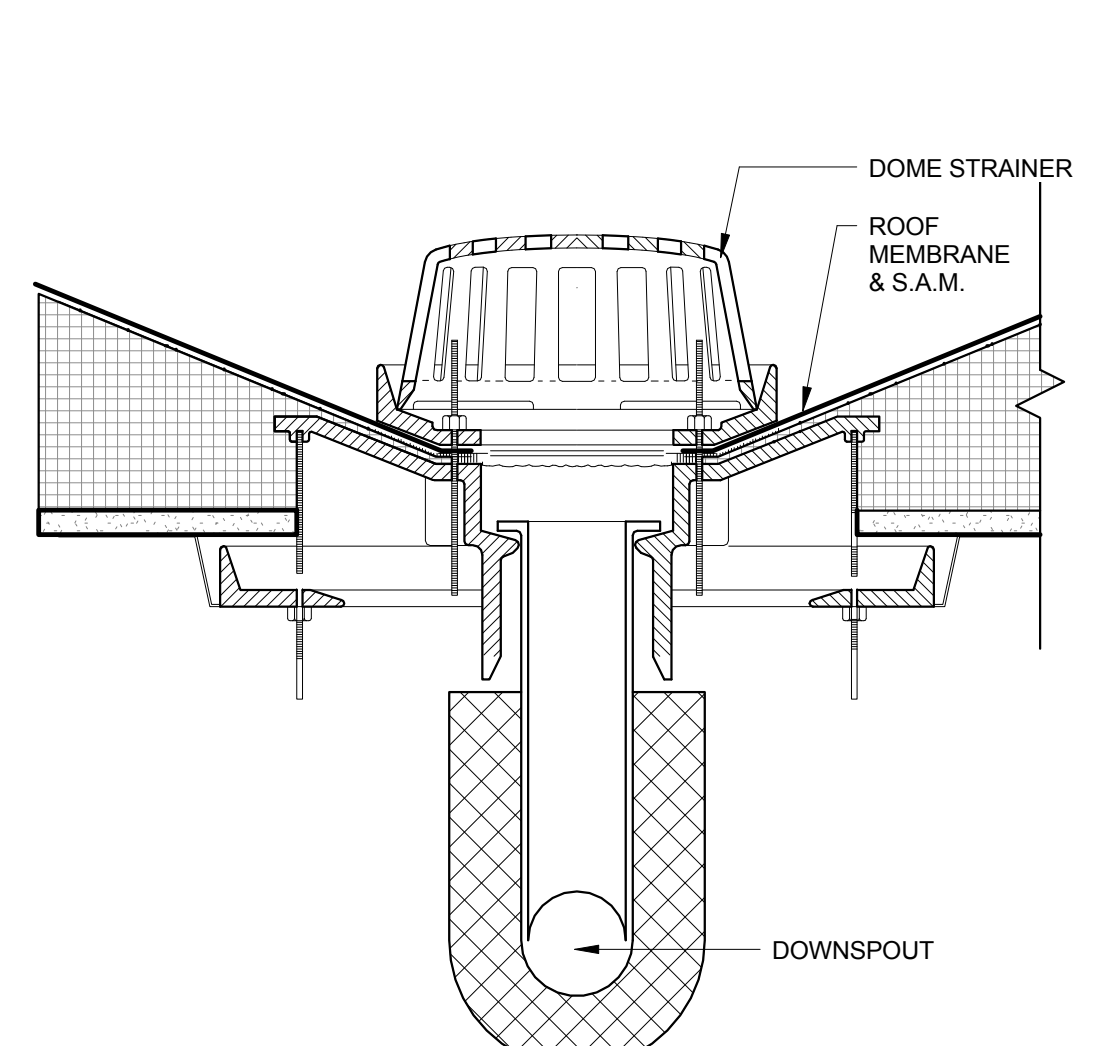
20 WOOD METAL @ TRANSITION  
3" = 1'-0"



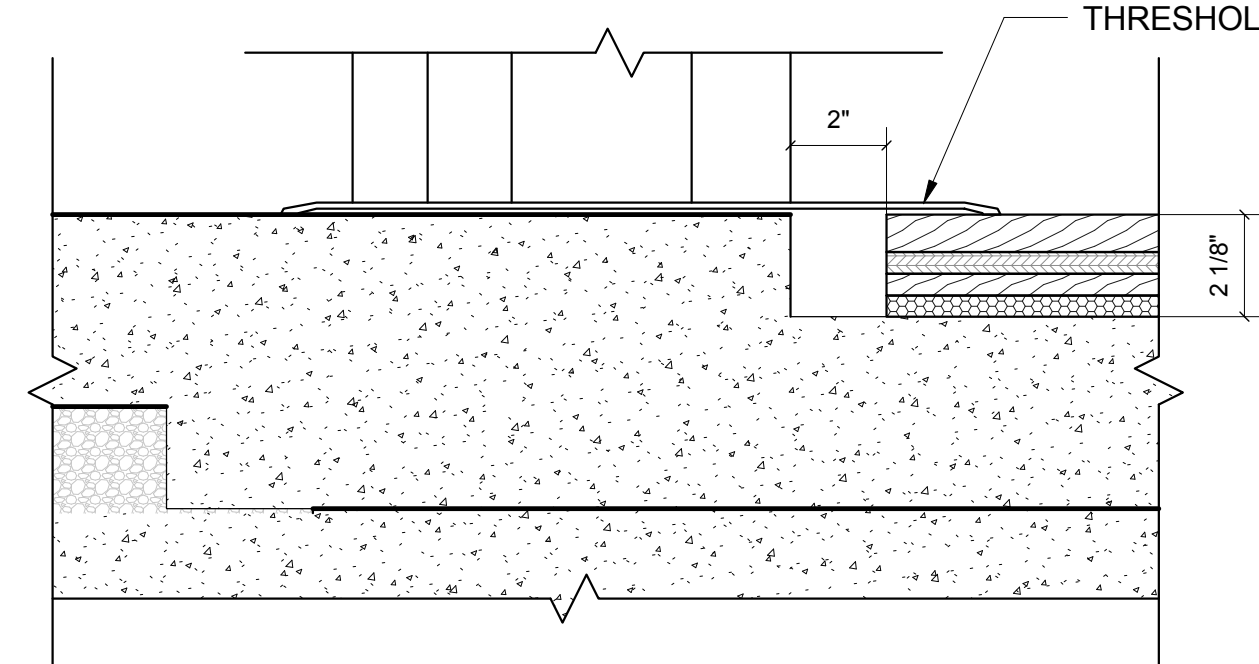
21 PIPE PENETRATION @ MEMBRANE  
3" = 1'-0"



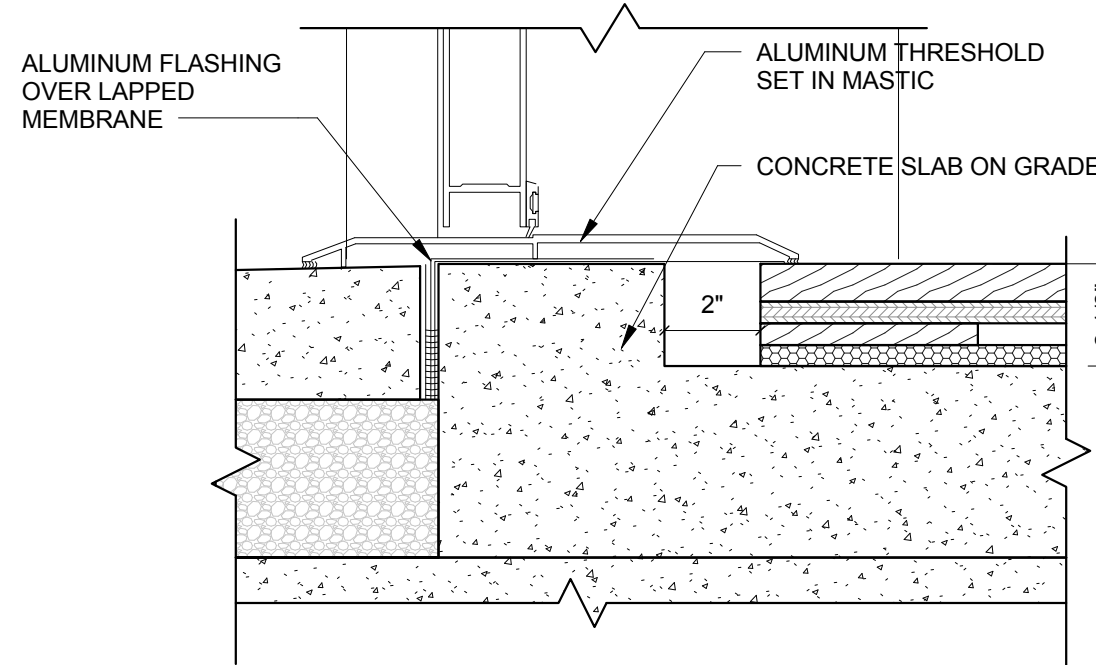
22 VENT PENETRATION @ MEMBRANE  
3" = 1'-0"



23 ROOF DRAIN - TYP.  
3" = 1'-0"



24 DOOR THRESHOLD @ GYM AND LOBBY  
3" = 1'-0"



25 Door Threshold @ Exterior Door and Gym Floor  
3" = 1'-0"

REV.	DATE	BY	ISSUED FOR
1	7.16.2017	TS	PERMIT RESPONSE
2	11.2.2017	TS	PERMIT RESPONSE

## PERMIT SET

NORTH  
SCALE  
3" = 1'-0"  
HEALTH AND WELLNESS CENTER  
Northwest Indian College

## DETAILS

PROJECT# 20140104  
DRAWN: Author | CHECK: CHS  
ISSUED: 09/12/16

A7.02

**APPENDIX B.**  
**2015 Critical Areas Assessment Summary**

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# CRITICAL AREAS ASSESSMENT

Northwest Indian College Expansion

Lummi Indian Reservation



May 2015



**prepared for**

Land Development Engineering  
& Surveying, Inc.  
5160 Industrial Way, Ste. 108  
Ferndale, WA 98248  
360.383.0620

**prepared by**

Northwest Ecological Services, LLC  
2801 Meridian Street, Suite 202  
Bellingham, WA 98225  
360.734.9484



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## 1.0 INTRODUCTION

---

Land Development Engineering & Surveying, Inc. (LDES) contracted with Northwest Ecological Services LLC (NES) to complete a critical area assessment for the Northwest Indian College (NWIC) proposed expansion. The project includes construction of a gravel parking area and multi-purpose building at the southwest corner of the existing NWIC building complex.

### 1.1 Scope of Work

The assessment included identification of wetlands, streams, and shorelines as observed within the review area. It did not include identification of the following: geologically hazardous areas and critical aquifer recharge areas.

All information contained in this report is based on available information and site conditions at the time of the site visits. This report is intended for inclusion with future permit applications to the Lummi Nation, the US Environmental Protection Agency (EPA), and the U.S. Army Corps of Engineers (Corps), as may be required.

#### **Project Representative:**

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Northwest Indian College  
2522 Kwina Road  
Bellingham, WA 98226  
T: 360.392.4347

#### **Critical Areas Assessment Report prepared by NES staff:**

Vikki Jackson, PWS  
Katrina Poppe  
Northwest Ecological Services  
2801 Meridian Street, Suite 202, Bellingham, WA 98225  
T: 360.743.9484  
Email: vikki@nwecological.com  
katrina@nwecological.com

### 1.2 Location

The review area is approximately 3.5 acres in size and is located in the western portion of parcel X130Y075, at the intersection of Kwina Rd and Lummi Shore Rd on the Lummi Indian Reservation (Section 07, Township 38N, Range 02E, W.M.) (Figure 1, Appendix B). The review area is immediately south of the existing paved parking lot at the southwest corner of the NWIC building complex.

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## EXECUTIVE SUMMARY

Land Development Engineering & Surveying, Inc. (LDES) contracted with Northwest Ecological Services LLC (NES) to complete a critical area assessment for the proposed Northwest Indian College (NWIC) expansion project. The review area is located in the western portion of parcel X130Y075, at the intersection of Kwina Rd and Lummi Shore Rd on the Lummi Indian Reservation.

The assessment included identification of wetlands, streams, and shorelines as observed within the review area. It did not include identification of the following: geologically hazardous areas and critical aquifer recharge areas.

All information contained in this report is based on available information and site conditions at the time of the site visit. This report is intended for inclusion with future permit applications to the Lummi Nation, the US Environmental Protection Agency (EPA), and the U.S. Army Corps of Engineers (Corps), as may be required.

Vikki Jackson and Katrina Poppe, NES ecologists, reviewed available resource documents, proposed design drawings, and conducted site visits on May 5<sup>th</sup> and May 12<sup>th</sup> of 2015. NES identified two wetlands (Wetlands A and B) within the review area.

Wetlands A and B are both palustrine forested (PFO), depressionnal, closed wetlands. All wetlands were rated using the Washington Department of Ecology (WDOE) 2014 Wetland Rating System for Western Washington. This rating system is consistent with the classification system contained in the Lummi Nation Water Resources Protection Code (WRPC 17.06.045). Wetlands A and B are Category IV wetlands. Wetland A is expected to require a 25-foot buffer, while Wetland B is under the minimum size threshold for regulation by the Lummi Nation, and therefore may not be regulated.

All on-site wetlands are expected to be regulated by one or more of the following agencies: Lummi Nation, EPA, and/or the Corps.



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## NES QUALIFICATIONS

NES is a specialized service-oriented environmental consulting firm based in Bellingham, Washington. We provide a range of biological services to both the public and private sectors. Our services include: wetland assessments, biological assessments, wetland restoration and mitigation plans, natural resource analysis, environmental regulatory compliance, landscape and ecological design, and environmental impact assessment of plants, animals, fish and sensitive habitats. NES professionals have performed wetland and biological assessment over 30,000 acres [1991-2014] in Whatcom, Skagit, Island, Snohomish and King Counties.

NES staff qualifications summary:

- Vikki Jackson is an ecologist with NES and has provided environmental consulting services within the north Puget Sound area since 1992. Ms. Jackson obtained a Master of Science from Western Washington University with emphasis on ecological processes and wetlands. She is certified through the Society of Wetland Scientists (SWS) as a Professional Wetland Scientist (PWS), #000514.
- Michele Bodtke is an ecologist with NES and has been providing environmental services within the north Puget Sound area since 2002. Ms. Bodtke also has an extensive understanding of land use laws. Ms. Bodtke has Bachelor of Science in Geology from Michigan State University, and a certificate in wetland science and management from the University of Washington.
- Molly Porter is an ecologist with NES and has provided environmental services within the north Puget Sound area since 2004. Ms. Porter obtained a Bachelor of Science in Environmental Science from Huxley College of the Environment at Western Washington University. She is certified through SWS as a PWS, #2064.
- Katrina Poppe is an ecologist with NES, providing technical support for projects throughout north Puget Sound. Ms. Poppe obtained a Bachelor of Science in Biology from the University of Victoria and is a Master of Science candidate at Western Washington University. Ms. Poppe's graduate research focuses on coastal wetlands and climate change. Her experience also includes botanical surveys and coastal sediment studies.
- Collin Van Slyke is an ecologist with NES, providing technical support for projects throughout north Puget Sound. Mr. Van Slyke obtained a Bachelor of Science in Environmental Science from Huxley College of the Environment at Western Washington University. His experience includes surface water quality analysis, fish surveys, and outdoor recreation management.

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## DISCLAIMER

Wetland, stream, and lake delineations and determinations are based upon protocols defined in manuals and publications produced by federal, state and local agencies. The wetland methodology used in this report is consistent with methods described in the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (Corps, 2010) and the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987), as required by WAC 173-22-035. The findings were based on observations of conditions at the time of the site visit(s). This report is provided for the use of the named recipient only and is not intended for use by others parties for any other purpose. This report does not guarantee agency concurrence or permit approval.

This report is provided for the use and named recipient only and is not intended for use by other parties for any purpose.

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7. DRAINAGE MAP

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### D: DATA SHEETS

### E: WDOE WETLAND RATING FORMS

## 2.0 ASSESSMENT METHODS

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The critical areas assessment consisted of an office review of existing documentation followed by site visits on May 5<sup>th</sup> and May 12<sup>th</sup> of 2015. NES then completed a functional assessment for any identified critical areas. NES conducted the site investigations and assessments in accordance with methodology specific to each resource area (wetlands, fish and wildlife habitats, and shorelines) as described below.

### 2.1 Document Review

NES reviewed available maps, drawings, and applicable reports pertaining to the project area. Specifically, NES reviewed existing documents related to soils, hydrology, vegetation, wetlands, fish and wildlife habitats, shorelines, and frequently flooded areas. The following is a list of resources reviewed for this project:

- Aerial photographs: Whatcom County Aerial Imagery (GIS) (Whatcom County, 2013)
- Lummi Nation Atlas (LIBC, 2014)
- U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) *Soil Survey of Whatcom County Area, Washington*, NRCS Web Soil Survey (USDA, NRCS, 2015)
- Washington Coastal Atlas Map (WDOE, 2015)
- Washington Department of Fish and Wildlife (WDFW) SalmonScope (WDFW, 2015a)
- WDFW Priority Habitats and Species (PHS) Data on the Web Interactive Map (WDFW, 2015b)
- FEMA National Flood Insurance Rate Maps (FEMA, 2015)
- Lummi Coastal Zone Management Plan (Lummi Nation, 1988)

### 2.2 Field Methods

#### 2.2.1 Wetlands

The wetland delineation was conducted in accordance with the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region* (Corps, 2010) and the *Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987). This methodology is consistent with the Lummi Nation Code of Laws (LCL), Water Resource Protection Code Title 17. To make a positive wetland determination, this methodology requires evidence that at least one positive wetland indicator be found for each of three parameters (vegetation, soils, and hydrology). An area is not considered a regulatory wetland if the area lacks indicators for any one of these three parameters under normal environmental conditions. Upland/wetland boundaries are delineated by locating the transition where soils, vegetation, or



hydrology no longer indicate that wetland parameters are met. Methods for each of these parameters are as follows:

- **Vegetation:** The plant community at each sample site is considered to be hydrophytic (wetland) vegetation if the vegetation exhibits indicators of hydrophytic vegetation as defined in the delineation methodology (Corps, 2010). Most often the “Dominance Test” is used as the indicator. The sample plot meets the dominance test for hydrophytic vegetation if more than 50 percent of the dominant species from all strata have obligate wetland, facultative wetland, and/or facultative indicator status. Indicator status is taken from the Regional National Wetland Plant List (Lichvar, et al., 2014). Dominant species are the most abundant species that individually or collectively account for more than 50 percent of the total coverage of vegetation in the stratum (absolute percent cover), plus any other species that, by itself, accounts for at least 20 percent of the total. The wetland indicator status for each dominant species is then used to determine whether the plant community is dominated by hydrophytic vegetation. Occasionally, the “Prevalence Index” is used as the indicator of hydrophytic vegetation. The Prevalence Index is a weighted-average of all plant species in the sample plot.
- **Soils:** Soil test pits are hand dug to approximately 20 inches and soils are examined for hydric soil indicators. Formal soil test pits are labeled with a sample plot number and located on the delineation map. Soil color, including concentrations, depletions, or gleying, if present, are colored using a Munsell color chart (Gretag-Macbeth, 2000). *Field Indicators of Hydric Soils in the United States* (USDA, NRCS, 2010) is used to determine hydric soil presence or absence.
- **Hydrology:** Wetland hydrology is assessed by an inspection at representative sample plots. Depth to shallow groundwater and/or saturation in each sample plot is recorded, as are observations of other indicators of hydrology including but not limited to water marks, drift lines, sediment deposits, and drainage patterns. These data provide information on timing and duration of ponding and/or saturation in the study area.
- **Growing Season:** Vegetation and hydrology indicators are dependent upon conditions during the “growing season.” The growing season, as defined by the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region*, is when non-evergreen plants show biological activity (plant growth) and/or the soil temperature at 12 inches below the surface is a minimum of 41 degrees Fahrenheit (F) (Corps, 2010).

### 2.2.2 Streams and Lakes

If streams or lakes were identified on the property, NES flagged the ordinary high water mark (OHWM) consistent with Washington state law as defined in RCW 90.58.030. NES used field indicators to determine the OHWM based on the methodology contained in *Determining the Ordinary High Water Mark on Streams in Washington State* (Olson and Stockdale, 2010), Ecology Publication #08-06-001. During the site visits, the investigating ecologists also completed a

stream characterization of basic stream attributes including depth, vegetation, substrate, and habitat features. If lakes were present, NES documented basic lake attributes including size, surrounding vegetation, and hydrologic connectivity.

### **2.2.3 Fish and Wildlife**

NES documented observations of any state Priority species or federal Threatened, Endangered, or Proposed species protected under the Endangered Species Act (ESA) during the site visits. NES also reviewed the site for general wildlife habitat conditions and habitat connectivity. If streams were present, NES documented any obvious fish passage barriers, characterized general stream attributes (as described above), and documented any observations of fish during the site visits.

### **2.2.4 Shorelines**

NES reviewed the Lummi Coastal Zone Management Plan (Lummi Nation, 1988) text and maps to determine the potential presence of a regulated shoreline within the review area. During the site visits, NES field verified the presence of any shoreline and determined the extent of SMP jurisdiction based on SMP mapping, OHWM, floodways, wetlands, and floodplains. If shorelines were present, NES determined the OHWM consistent with Washington state law as defined in RCW 90.58.030 and described under Streams and Lakes, above.

### **2.2.5 Frequently Flooded Areas**

NES reviewed the Federal Emergency Management Agency (FEMA) Nation Flood Insurance Rate Maps to determine the potential presence of a frequently flooded area within the review area. During the site visits, NES observed site conditions to help support the presence or absence of such a feature. If present, NES identified the potential source(s) of flooding.

## **3.0 FINDINGS**

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Vikki Jackson and Katrina Poppe, NES ecologists, conducted site visits on May 5<sup>th</sup> and May 12<sup>th</sup> of 2015. The following description is based on observations from the site visits and information gathered during the document review. Photographs taken at the time of the site visits are included in Appendix C.

### **3.1 Landscape Setting and Parcel Overview**

#### **3.1.1 Document Review**

The following provides a summary of the findings contained within documents reviewed:

- **Aerial Photograph: Whatcom County Aerial Imagery (GIS) (Figure 2)**  
The review area is forested, with the NWIC complex of buildings, parking lots, and grass lawns immediately to the north and east. The greater surrounding landscape is

primarily forested, with single-family residential buildings and some large developments particularly along Kwina Rd.

- **Lummi Nation Atlas**

The review area is mapped within Watershed K, within the lower Nooksack River basin.

- **USDA, NRCS *Soil Survey of Whatcom County Area, Washington* (Figure 4)**

The NRCS soil survey (USDA, NRCS, 2015) maps two soil units within the project area: Laxton loam, on zero to three percent slopes (#96) and Laxton loam, on eight to fifteen percent slopes (#98).

Laxton loam, on zero to three percent slopes (#96) is a deep, moderately well-drained soil unit mapped as 5% hydric. This soil unit is in hydrologic group C, with a seasonally high water table depth of 2.5 to 3.5 feet. Laxton loam, on eight to fifteen percent slopes (#98) is completely non-hydric. This soil unit is also in hydrologic group C with a seasonally high water table depth of 2.5 to 3.5 feet. Both soils are derived from volcanic ash and loess over glacial outwash.

### **3.1.2 Field Observations**

At the time of the site visits, conditions were consistent with the review documents.

The review area contains wetland and upland components.

## **3.2 Wetlands**

The review area contains two wetland (Wetlands A and B).

### **3.2.1 Document Review**

The following provides a summary of the findings contained within documents reviewed:

- **USFWS NWI Wetlands Mapper**

The Wetlands Mapper does not identify wetlands in the review area.

### **3.2.2 Field Observations**

NES identified two wetlands within the review area (Wetlands A and B). Both wetlands appear to be in closed depressions with no outlets.

NES documented wetland conditions at Sample Plot (SP) 1. SP1 is representative of soil conditions in both Wetlands A and B. NES documented upland conditions at SP2, which is representative of uplands adjacent to both Wetlands A and B. The wetland boundaries and SPs are shown in Figure 3 (Appendix B). Data sheets from the delineation are located in Appendix D of this report. The wetland is summarized in Table 1, and described below.

**Table 1. Wetland Classification Summary**

Wetland	Hydrogeomorphic Class	Cowardin Classification	Size (acres)	Size (sq ft)
A	Depressional- Closed	PFO	0.327	14,244
B	Depressional- Closed	PFO	0.008	357

(PFO: Palustrine Forested)

### Wetland A

Wetland A is a palustrine forested (PFO) depressional closed wetland located just south of the parking lot at the west end of the NWIC campus. Dominant plant species observed within this wetland included: paper birch (*Betula papyrifera*), red alder (*Alnus rubra*), red osier dogwood (*Cornus sericea*), salmonberry (*Rubus spectabilis*), vine maple (*Acer circinatum*), and lady fern (*Athyrium filix-femina*), with false lily of the valley (*Maianthemum dilatatum*) and Pacific bleeding heart (*Dicentra formosa*) occurring along the edges.

NES documented a representative soil sample in Wetland A at SP1. In SP1, topsoil was black (10YR 2/1) silt loam. The sub-soil was a very dark grayish brown (10YR 3/2) silt loam with concentrations of dark yellowish brown (10YR 4/6). Soil in SP1 met NRCS hydric soil indicator F6 (redox dark surface).

Wetland A contains areas of seasonal inundation and saturation. Indicators of wetland hydrology included: high water table, algal mats, and sparsely vegetated concave surfaces. Potential sources of hydrology include direct precipitation, surface run-off, and potentially a seasonally high or perched groundwater table. No outlet was observed.

### Wetland B

Wetland B is a smaller PFO depressional closed wetland located just west of Wetland A. Similar to Wetland A, dominant plant species observed in this wetland included: paper birch, red alder, red osier dogwood, salmonberry, vine maple, and lady fern. Vegetation is present at the edges of the wetland, with the majority of the center of the wetland unvegetated.

The soil sample described above from Wetland A at SP1 is considered representative of Wetland B. This soil met NRCS hydric soil indicator F6 (redox dark surface).

Wetland B contains areas of seasonal inundation and saturation. Potential sources of hydrology include direct precipitation, surface run-off, and potentially a seasonally high or perched groundwater table. No outlets were observed for Wetland B.

### **3.2.3 Wetland Categorization and Functional Assessment**

NES categorized the identified wetland(s) using the WDOE Wetland Rating System for Western Washington: 2014 Update (Rating System) (Hruby, 2014) and the associated wetland rating form (January 2015). The Washington State Wetland Rating System categorizes wetlands based on specific attributes based on rarity, sensitivity to disturbance, and the functions they provide.



This methodology identifies and quantifies the potential of various functions operating within a wetland. This determination is based on the physical characteristics of water quality, hydrologic, and habitat functions in the wetland and its buffers. Using this system, wetlands are given a score based on the functions provided by the wetland, and are classified as Category I (highest) through Category IV (lowest). A Category I rating is assigned to wetlands that have the highest value, opportunity and potential to provide functions, and are most difficult to replace.

The Rating System scores wetland function for three categories: water quality, hydrology, and habitat. Each functional category is rated for site potential, landscape potential, and value. Rating scores are given as either "High," "Medium," and "Low."

Wetlands that rate "high" for water quality site potential typically have physical features that give the wetland the potential to provide water quality treatment. Wetlands that rate "high" for water quality landscape potential typically are in a position in the landscape that may receive potentially polluted runoff and therefore the wetlands has the opportunity to provide treatment. Wetlands that rate "high" for water quality value are typically valuable to society because they improve water quality in a basin with documented water quality impairment.

Wetlands that rate "high" for hydrologic site potential typically have physical characteristics that enable the wetland to reduce flooding and erosion by providing water storage. Wetlands that rate "high" for hydrologic landscape potential typically are in a setting where the wetlands receive runoff from developed or partially developed areas. Wetlands that rate "high" hydrologic value are typically valuable to society because they provide functions in a basin where flooding occurs.

Wetlands that rate "high" for wildlife habitat site potential typically have the physical features that provide breeding habitat, cover, and/or foraging habitat for a variety of species. Wetlands that rate "high" for habitat landscape potential are typically in a landscape position where little habitat fragmentation or loss has occurred and the wetland has the opportunity to provide wildlife habitat as multiple species may be present. Wetlands that rate "high" for habitat value typically provide value to society because the wetlands are adjacent to habitats or species that are protected by local, state, or federal regulations.

Functions with a "moderate" rating provide the above functions to a lesser degree. Functions with a "low" rating are typically in wetlands that are degraded, are not supported by the surrounding landscape, or do not provide functions that are a value to society.

The WDOE Rating Forms for the identified wetland(s) are included at the end of this report in Appendix E. A summary of WDOE rating and scores are shown in Table 2.

**Table 2. Wetland Functional Assessment**

Wetland	Improving Water Quality	Hydrologic	Habitat	Total Score	WDOE Category
A	5 (M)	5 (M)	5 (M)	15	IV
B	4 (L)	4 (L)	5 (M)	13	IV

### 3.3 Upland Areas

#### 3.3.1 Document Review

The following provides a summary of the findings contained within documents reviewed:

- **USFWS NWI Wetlands Mapper**

The Wetlands Mapper does not identify any wetlands in the project area.

#### 3.3.2 Field Observations

The review area is composed of a patchwork of wetland and upland areas. The observed upland areas are predominantly forested. Species observed include: paper birch, red alder, black cottonwood (*Populus balsamifera*), red osier dogwood, vine maple, salmonberry, Pacific bleeding heart, fringecup (*Tellima grandiflora*), sword fern (*Polystichum munitum*), and Himalayan blackberry (*Rubus armeniacus*).

NES documented upland soils at SP2. This sample plot was located on a hummock near the edge of Wetland A, and is considered representative of uplands associated with both Wetlands A and B (Figure 3, Appendix B). Soils did not meet hydric soil indicators at SP2.

No indicators of wetland hydrology were observed at SP2.

### 3.4 Streams

No streams were identified within the review area. The locations of the nearest streams are described below, however there appear to be hydrologic barriers between these streams and Wetlands A and B.

#### 3.4.1 Document Review

The following provides a summary of the findings contained within documents reviewed:

- **WDFW SalmonScape (WDFW, 2015a) (Figure 6)**

Salmonscape does not show any streams flowing through the review area. The nearest mapped stream begins approximately 800 feet south of the review area that flows south to Scott Rd, then northeast to S Slater Slough. Another mapped stream begins east of Lummi Shore Rd approximately the same distance from the review area, and flows east toward S Slater Slough.

- **Lummi Nation Atlas (Lummi Nation, 2014)**

The Lummi Nation Atlas does not map any streams in the review area. The stream south of the review area is shown to begin just north of Scott Rd and is therefore much further from the review area (approximately 2,500 feet) than depicted by WDFW Salmonscape. The Lummi Nation Atlas also maps the stream east of Lummi Shore Rd in approximately the same location as WDFW Salmonscape.

- **WDNR Forest Practices interactive Water Typing map**

The WDNR Water Typing map shows the two nearest streams in the location described above under WDFW SalmonScape. The Water Typing map documents the stream east of Lummi Shore Rd as a Type “N” stream, indicating the lack of fish presence. The stream south of the review area is mapped as Type “N” for approximately 1,500 feet, followed by a Type “F” (fish-bearing) reach. This stream type break appears to be located in the same location as head of the stream as mapped by the Lummi Nation Atlas.

### 3.4.2 Field Observations

Observations made during the site visits confirm resource document mapping. NES did not observe any streams within or in the near vicinity of the review area.

## 3.5 Fish and Wildlife

The review area and surroundings contain the following Habitat Conservation Areas (HCAs):

### 3.5.1 Document Review

The following provided a summary of the findings contained within documents reviewed:

- **WDFW SalmonScape (WDFW, 2015a) (Figure 6)**

The WDFW SalmonScape maps both the streams east and south of the review area with modeled presence of coho (*Oncorhynchus kisutch*), winter steelhead (*O. mykiss*), fall chum (*O. keta*), and Dolly Varden/bull trout (*Salvelinus malma*/ *S. confluentus*).

- **WDFW PHS Data on the Web Interactive Map (WDFW, 2015b) (Figure 5)**

No Priority Habitat or Species are mapped within the review area. However, multiple wetlands are mapped within the vicinity, approximately 1,500 feet to the west and northwest of the review area. WDFW also maps Peregrine Falcon (*Falco peregrinus*) occurring approximately 700 feet to the east of the review area. No Priority fish species are mapped in the nearby streams described above.

### 3.5.2 Field Observations

No federally Threatened, Endangered, Candidate, or Sensitive plant or animal species were observed within the review area at the time of the site visits. Overall, the review area contains moderate quality wildlife habitat for a variety of species. The review area provides suitable habitat for wildlife species that occupy mixed forest habitat and wooded wetland habitat. The review area provides suitable nesting and breeding habitat for a variety of bird species.

## 3.6 Shorelines

No regulated Shorelines were identified within the review area.

### 3.6.1 Document Review

The following provides a summary of the findings contained within documents reviewed:

- **Whatcom County SMP and Map**  
No Shorelines are mapped by Whatcom County within the review area.

### 3.6.2 Field Observations

Field observations confirm County mapping.

## 3.7 Frequently Flooded Areas

The following provides a summary of the findings contained within documents reviewed:

### 3.7.1 Document Review

- **County-wide CAO Maps: Frequently Flooded Areas**  
No frequently flooded areas are mapped within the review area.
- **FEMA Maps Service Center (FEMA, 2015)**  
No frequently flooded areas are documented within the review area.

### 3.7.2 Field Observations

Field observations confirm County mapping. NES did not observe indications of frequent or recent flooding.

## 4.0 REGULATIONS

Agencies with regulatory authority over site wetlands, streams, fish and wildlife habitats, shorelines, and/or frequently flooded areas are summarized in Table 3. A regulatory summary for each agency is provided below.

**Table 3. Critical Areas Summary**

Feature	WDOE Category/ Lummi Stream Type	Regulating Authority			Corps Hydrology Classification	Regulated Buffer/Setback (ft)
		Lummi Nation	EPA	Corps*		
Wetland A	IV	X	X		Isolated	25
Wetland B	IV		X		Isolated	

\* A significant nexus determination may be required to verify these classifications. Only the Corps has the authority to make a jurisdictional determination.



## 4.1 Lummi Nation

The Lummi Nation Code of Laws (Title 17) states that it is the intent of the Lummi Nation to achieve no net loss of streams, wetlands and their functions, and in the long term, to achieve a net gain of stream and wetland functions within the boundaries of the Reservation. No activity or development shall be allowed within Reservation streams, wetland or their buffers without a permit issued by the Lummi Planning Department unless the activity is specifically exempted or allowed under Chapter 17.06 of the Water Resource Protection Code (WRPC). Permits may be issued with conditions or may require mitigation for activities which affect wetlands.

The WRPC exempts some wetlands on the Reservation from regulation (LAR 17.06.050). The WRPC exempts artificial wetlands that can be documented as being intentionally created from non-wetland sites, some Category 2 wetlands less than 2,500 sf in size, some Category 3 wetlands less than 2,500 sf in size, and Category 4 wetlands less than 10,000 sf in size. No site wetlands appear to have been intentionally created from non-wetland sites. Wetland A appears to be above the minimum size threshold, while Wetland B does not. **The Lummi Nation appears to have jurisdiction over Wetland A.**

The Lummi Nation requires buffers around regulated wetlands and streams to protect functions. Buffers should be naturally vegetated with native species except where it can be enhanced to improve the diversity of species and functions. Table 4 lists Lummi regulated buffer widths for all Categories of wetlands.

**Table 4. Lummi Nation Wetland Buffer Widths**

Wetland Category	Buffer Width (feet)
Category I	100
Category II	75
Category III	50
Category IV	25

**According to the Lummi Nation Code of Laws (Title 17), a 25-foot buffer is required on Wetland A.**

## 4.2 U.S. Environmental Protection Agency

The U.S. EPA delegates the Clean Water Act Section 401 Water Quality Certification to the Lummi Nation. Projects within the Reservation must ensure maintenance of water quality in adjacent surface waters, including wetlands and streams. Projects must show compliance with water quality standards and obtain a 401 Water Quality Certification from the Lummi Nation prior to start of work.

## 4.3 U.S. Army Corps of Engineers

The Corps regulates waters of the United States under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The Corps requires notification for all disturbances to

wetlands, streams, and other drainages with connections to regulated navigable waters. It is incumbent upon the landowner to disclose all disturbances to wetlands and drainages.

It appears that both on-site wetlands are isolated, lacking a connection to Corps-recognized Traditional Navigable Waters (TNWs) by streams or ditches that qualify as relatively permanent waters (RPWs), flowing for more than three months of the year. Therefore the **Corps may consider Wetlands A and B isolated and may not exert jurisdiction over these wetlands.** Only the Corps has the authority to make a jurisdictional determination.

A disturbance under one-half acre of non-isolated wetland requires an application for a Nationwide Permit from the Corps. Fills exceeding one-half acre require an Individual Permit from the Corps. Mitigation is required for most wetland fill. The Corps also has discretion to disallow disturbance to high quality wetlands. In all cases the Corps requires concurrence with Section 7 of the Endangered Species Act. The Corps also requires documentation that the project complied with Section 106 of the National Historic Preservation Act.

## 5.0 Mitigation Sequencing

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Local and federal agencies require projects impacting wetlands, streams, or wildlife HCAs, and/or shorelines to follow mitigation sequencing. Mitigation sequencing is a process where applicants show they have avoided all impacts to regulated areas and their buffers to the furthest extent possible. In some cases, if alteration to the regulated area is deemed unavoidable, impacts may be allowed if all adverse impacts resulting from a development proposal are mitigated using best available science so as to result in no net loss of critical area functions and values. When alteration or impact to a regulated area is proposed, the applicant must demonstrate that all reasonable efforts have been taken to mitigate impacts in the following, prioritized, order: 1) Avoid, 2) Minimize, 3) Rectify, 4) Reduce, 5) Compensate.

**APPENDIX C.**  
**Lummi Land Use Permit and Building Permit**

DRAFT



**LUMMI PLANNING DEPARTMENT**  
**Land Development Division**  
**LAND USE PERMIT**  
**CONDITIONS OF APPROVAL**

<b>Date :</b>	<b>September 9, 2015</b>	<b>Staff :</b>	Peter Frye
<b>Applicant Name :</b>	Jay Conway		2665 Kwina Road
	Northwest Indian College		Bellingham, WA 98226
<b>Mailing Address :</b>	2522 Kwina Rd.	<b>Phone:</b>	360-312-2343
	Bellingham, WA 98226	<b>Fax:</b>	360-380-6990
<b>Phone # :</b>	360-676-2772	<b>e-mail:</b>	peterf@lummi-nsn.gov
<b>Permit # :</b>	<b>LUP 15-067</b>		

The Lummi Technical Review Committee has reviewed the above-proposed application. Project approval is contingent upon compliance with the conditions stated below. Non-compliance with the conditions of this permit may result in a stop work order and/or a penalty assessment in accordance with Titles 10, 13, 15, 16, 17 and 22 of the Lummi Nation Tribal Codes.

**Compliance with the conditions outlined below is the responsibility of the applicant. This permit is valid for two years from date of issuance.**

**For the property located at:** 2505 Kwina Rd., parcel # 30

**Description of work:** Health and wellness center (building #24)

- I. Issuance of this permit shall not be construed as approval of any violation of any applicable code, ordinance or law. The issuance shall be based upon the information provided and shall not prevent any regulatory official from thereafter requiring a correction of errors.

- II. Conditions placed by the Lummi Natural Resources Department on LUA 15-067 are the following:

*The Northwest Indian College is proposing to clear, perform test pit exploration, grade, and complete installation of utilities on assignment number 30 in preparation for later construction of a new Health and Wellness Center. The total disturbed area for this project is estimated to be 89,325 square feet (2.05 acres). Impervious surfaces will not be installed during this phase of the project. There are two wetlands located in the area to be developed which will be filled. Wetland A is rated as a Category IV wetland and is 0.327 acres in size. Wetland B is rated as a Category IV wetland and is 0.008 acres in size. Wetland A is regulated by both the Lummi Nation and the US Army Corps of Engineers (Corps), Wetland B is an exempt wetland per LCL Title 17 10.06.050, but is regulated by the Corps. The jurisdiction for both wetlands was transferred to the Corps to expedite the permitting process. A timber cutting permit is required.*

1. A NPDES Construction General Permit for storm water from the U.S. Environmental Protection Agency is required prior to the occurrence of the land disturbing activity. This Permit requires development of a Storm Water Pollution Prevention Plan (SWPPP) that meet the requirements described in FR 77, No. 40, pages 12286 - 12293 (February 29, 2012), which requires compliance with Lummi Code of Laws (LCL) Title 17.
  - o The Construction General Permit requires compliance with the Endangered Species Act.
  - o A permanent storm water management plan is also required and should be integrated with the SWPPP.
  - o For more information regarding this NPDES permit and associated requirements, please see the following EPA website: ([http://www.epa.gov/npdes/pubs/cgp2012\\_finalpermit.pdf](http://www.epa.gov/npdes/pubs/cgp2012_finalpermit.pdf))
  - o For more information regarding Stormwater Pollution Prevention Plans for construction activities, including a customizable SWPPP template, please see the following EPA website: (<http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>). All SWPPP's must comply with the format and content of this template.



2. Spill Prevention:

Any sewage spills or overflows that occur during construction or movement of utility lines must be contained on site and promptly cleaned-up.

All pollutants other than sediment that occur on-site during the project (e.g., cement, petroleum products) shall be handled and disposed of in a manner that does not cause contamination of storm or marine waters. A Spill Prevention, Control, and Countermeasures Plan (SPCC) Plan is required for this project. The SWPPP and SPCC Plan must provide detailed information on how this will be accomplished. This can be achieved by actions such as:

- Storing products in weather-resistant sheds where possible.
- Lining the storage area with double layer of plastic sheeting or similar material.
- Creating an impervious berm around the perimeter. The bermed area should have the capacity of 110 percent of the largest container.
- Clearly labeling all products.
- Keeping storage tanks off the ground and securely fastening lids.
- Telling contractors what to do in case of spills and posting information for procedures in case of spills. Persons trained in handling spills should be on-site or on-call at all times.
- Keeping materials for cleaning up spills on-site and easily available. Spilled material must be cleaned up immediately and the contaminated material disposed of properly.
- Specifying a staging area for all vehicle maintenance activities. This area should be located away from all drainage courses.
- All storage sheds, dumpsters, or other storage facilities should be regularly monitored for leaks and repaired as necessary. Workers should be reminded during subcontractor or safety meetings about proper storage and handling of materials.

3. Solid Waste Management:

Pursuant to Lummi Code of Laws 18.040.010, adequate disposal facilities for solid waste during construction and operations must be provided. Solid waste generated during construction activities (e.g., beverage cans, coffee cups, lunch-wrapping paper and plastic, cigarette packages, leftover food, sanitary wastes) or encountered on the project site should be removed and disposed of at authorized disposal areas. Any useful materials should be salvaged and recycled.

4. Sanitary facilities must be convenient and well maintained.

5. Clean Water Act Section 404 Compliance:

The Lummi Code of Laws (LCL) Title 17.06.020 and 17.06.030 states that the removal, excavation, grading, or dredging of soil, sand, organic matter, or material of any kind in streams and wetlands requires appropriate permitting from federal agencies. The United States Army Corps of Engineers (Corps) has jurisdiction and regulates activities in navigable waters and wetlands. The project covered under this Land Use Application is a regulated activity and requires compliance with Section 404 of the Clean Water Act. As such Nationwide Permit 39 (Reference NWS-2015-619) was issued by the Corps for all wetland fill associated with this project.

6. Section 401 Water Quality Certification:

A Section 401 Water Quality Certification by the Lummi Natural Resources Department is required for this project. Please contact Jeremy Freimund, P.H. At 360-312-2314 for further information.

7. Clean Fill:

All fill material must have no contaminants which could potentially impair the water quality of the surface and/or ground water resources on the Reservation.

8. Pre-Construction Meeting:

A pre-construction meeting with the General Contractor and Lummi Water Resources staff shall be conducted to clarify roles and responsibilities with regard to implementation of Stormwater Pollution Prevention Plan (SWPPP) prior to the start of ground disturbing activity.

9. Timber Harvest Permit:

Please contact the Lummi Natural Resources Department Forestry Manager, Tom Branson at 360-312-2325, to obtain a timber harvest permit.

10. Site Re-Vegetation

Disturbed areas should be re-vegetated with native plant species as soon as practical.

III. The following conditions are placed by the Lummi Nation Tribal Historic Preservation Office:

The Lummi Nation Tribal Historic Preservation Office (LNTHPO) has completed a review of the above-referenced permit application using records on file with the Cultural Resources Management Program. Based on the review, a professional archaeological assessment is not recommended at this time.

While the presence of cultural resources is not anticipated, please comply with the following standard inadvertent discovery language:

Should archaeological materials (e.g. shell midden, faunal remains, stone tools) or human remains be observed during project activities, all work in the immediate vicinity shall stop, and the area shall be secured. The Lummi Nation Tribal Historic Preservation Office (360-384-2298) shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required.

Comments are based upon information available at this time. Any changes in the scope of this proposal should be reviewed by the LNTHPO.

Should you have any questions or concerns, please do not hesitate to call LNTHPO at (360) 384-2298.

If you have any questions regarding this permit, please contact the Planning office at the above number.

Approved By: For Planning Director

Date:

9/4/15



# LUMMI BUILDING PERMIT # 20-016

1. Project approval is contingent upon compliance with the conditions stated below. Non-compliance with the conditions of this permit may result in a stop work order and/or a penalty assessment in accordance with Title 22 of the Lummi Nation Tribal Codes. Compliance with the conditions outlined below is the responsibility of the applicant.
2. **Issuance of this permit shall not be construed as approval of any violation of any applicable code, ordinance or law. The issuance shall be based upon the information provided by the applicant and shall not prevent any regulatory official from thereafter requiring a correction of errors.**
3. This permit is valid for two years from date of issuance.

**Site Built Structure**

## THIS PERMIT MUST BE POSTED AND VISIBLE AT THE JOB SITE

<b>Applicant Name:</b>	Northwest Indian College – Jay Conway	<b>Date:</b>	2-16-2022
<b>Address:</b>	2522 Kwina Rd.	<b>Staff:</b>	Peter Frye
<b>City, State, Zip:</b>	Bellingham, WA 98226		2665 Kwina Rd.
<b>Phone #:</b>	360-392-4347		Bellingham, WA 98226
<b>Property Owner:</b>	Same	<b>Phone:</b>	360-312-2343
<b>Contractor:</b>	Unknown	<b>Fax:</b>	360-380-6990
<b>Fee:</b>	\$47,250.00	<b>e-mail:</b>	peterf@lummi-nsn.gov

<b>Project Address:</b>	2505 Kwina Rd., parcel # 30, Building # 24
<b>Project Description:</b>	Northwest Indian College Health and Wellness Center <b>RENEWAL</b>

### Permit Conditions:

1. Compliance the Lummi Code of Laws Title 22 (Building Code).
2. A Lummi Business License is required for all work performed within reservation boundaries.
3. Obtain an electrical permit from Washington State Department of Labor and Industries, submit copies of inspection reports and final sign-off to Lummi Planning.
4. Special Inspections as required on sheet S1.0 of the approved plans
5. Special Inspections required for (including, but not limited to, send copy of results to Lummi Planning):
  - Welding
  - Soil Testing
  - Concrete/masonry, including prism testing and grout test
  - Epoxy bolting
  - Bolting
  - Air balance (sheet M.O)
6. Compliance with applicable building codes
7. Pre-construction meeting mandatory. Contact Ken Donovan, the Lummi Building Inspector, at 961-5559 to arrange for a pre-construction meeting and subsequent inspections.

**Note:** Inspection and sign-off by the Lummi Building Inspector does not imply that all provisions of the Uniform Building Code have been met. Compliance with the Uniform Building Code is the responsibility of the Owner/Architect/Engineer/Contractor.

Approved By: *Peter D. Frye*

Date: *2-16-2022*

# Inspection Record – NWIC Health & Wellness Center

Item	Approved	Date	Comments/Corrections	Corrections O.K.
<b>Foundation</b>				
Location on property				
Floodplain requirements				
Footings				
Walls				
Below-grade pipes, ducts				
<b>Plumbing</b>				
Waste and drains				
Water distribution				
Sewer connection				
<b>Mechanical</b>				
Fuel gas piping				
Ducts and vents				
Heating and cooling equipment				
Range hoods				
<b>Masonry</b>				
Walls, veneer and stucco				
Reinforcement				
<b>Shear walls</b>				
Special connections				
Sheathing nailing				
<b>Framing</b>				
Framing				
Special inspection requirements				
<b>Insulation</b>				
Floors				
Walls				
Ceiling				



<b>Penetration Protection</b>				
<b>Fire protection</b>				
Alarms				
Fire suppression systems				
Sprinkler systems				
Fire extinguishers				


**Note:** Inspection and sign-off by the Lummi Building Inspector does not imply that all provisions of the Building Code have been met. Compliance with the Building Code is the responsibility of the Owner/Architect/Engineer/Contractor.

## Intermediate and Additional Inspection Record

Item	Approved	Date	Comments/Corrections	Corrections O.K.

**APPENDIX D.**  
**Lummi Nation THPO Cultural Resources**  
**Communication**

DRAFT

**From:** Jay Conway jconway@nwic.edu   
**Subject:** FW: Proposed NWIC Health & Wellness Center, Section 106 and THPO  
**Date:** June 8, 2022 at 10:33 AM  
**To:** Desiree Douglass dld@douglassconsulting.net

JC

Here you go.

**Jay Conway**  
*NWIC Construction Manager*  
2522 Kwina Road  
Bellingham, WA 98226  
360-392-4347 Direct

---

**From:** Lena A. Tso <LenaT@lummi-nsn.gov>  
**Sent:** Tuesday, June 7, 2022 7:41 PM  
**To:** Jay Conway <jconway@nwic.edu>  
**Subject:** Re: Proposed NWIC Health & Wellness Center, Section 106 and THPO

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Jay,

The Lummi Nation has received notice of the above-referenced permit dated Insert date and is responding as an affected Tribe.

The Lummi Nation Tribal Historic Preservation Office (LNTHPO) has coordinated an internal review using records on file with the Lummi Nation's Cultural Resource Management Program. Based on the review, an archaeological assessment is not recommended at this time. While the presence of cultural resources is not anticipated, please insert the following inadvertent discovery language:

Should archaeological materials (e.g. shell midden, faunal remains, stone tools) or human remains be observed during project activities, all work in the immediate vicinity shall stop, and the area shall be secured. The Lummi Nation Tribal Historic Preservation Office 360.312.2257 shall be contacted immediately in order to help assess the situation and determine how to preserve the resource(s). Compliance with all applicable laws pertaining to archaeological resources is required.

Further, Title 15 of the Lummi Code of Laws requires a Lummi Land Use permit for all land use development activities on the Reservation. The required permit(s) can be obtained through the Lummi Nation Planning Department at 360.312.2122

These comments are based on the information available at the time of the review. The LNTHPO should review any changes related to the proposed project activities. Should you have any questions or concerns, please do not hesitate to call me at 360.312.2257

Sincerely,

Lena A. Tso  
Tribal Historic Preservation Office, Compliance Officer  
Lummi Repatriation Office, Manager

Lummi Indian Business Council  
2665 Kwina Road, Bellingham, WA 98226  
Direct line: 3603122257  
LIBC Main line: 3603122000

"To Preserve, Promote and Protect Our Sche'lang'en"

---

**From:** Jay Conway <[jconway@nwic.edu](mailto:jconway@nwic.edu)>  
**Sent:** Tuesday, June 7, 2022 2:40 PM  
**To:** Lena A. Tso <[LenaT@lummi-nsn.gov](mailto:LenaT@lummi-nsn.gov)>  
**Cc:** Dave Oreiro <[doreiro@nwic.edu](mailto:doreiro@nwic.edu)>; Billie Kinley <[bjkinley@nwic.edu](mailto:bjkinley@nwic.edu)>  
**Subject:** RE: Section 106 and THPO

Hi Lena,

It looks like the NEH has give NWIC the authority to initiate the Section 106 review (see attachment).

Thank you for reaching out to them. It looks like we can work directly with you and your office. Please let me know what I can do to help.

Regards,

**Jay Conway**  
*NWIC Construction Manager*  
2522 Kwina Road  
Bellingham, WA 98226  
360-392-4347 Direct

---

**From:** Lena A. Tso <[LenaT@lummi-nsn.gov](mailto:LenaT@lummi-nsn.gov)>  
**Sent:** Tuesday, May 24, 2022 11:38 AM  
**To:** Jay Conway <[jconway@nwic.edu](mailto:jconway@nwic.edu)>  
**Subject:** Fw: Section 106 and THPO

<b>CAUTION:</b> This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.
--

Afternoon Jay. Can you please remind me where on camps the health and wellness center



will be built.

I see you mentioned you have a 2015 LuApp and LNTHPO sent comments but just need a little more of a reminder please.

Sincerely,

Lena A. Tso

Tribal Historic Preservation Office, Compliance Officer  
Lummi Repatriation Office, Manager

Lummi Indian Business Council  
2665 Kwina Road, Bellingham, WA 98226  
Direct line: 3603122257  
LIBC Maine line: 3603122000

"To Preserve, Promote and Protect Our Sche'lang'en"

---

**From:** Jay Conway <[jconway@nwic.edu](mailto:jconway@nwic.edu)>

**Sent:** Monday, May 23, 2022 12:57 PM

**To:** Lena A. Tso <[LenaT@lummi-nsn.gov](mailto:LenaT@lummi-nsn.gov)>

**Cc:** Dave Oreiro <[doreiro@nwic.edu](mailto:doreiro@nwic.edu)>

**Subject:** FW: Section 106 and THPO

Hi Lena,

I am following up on my letter a couple of weeks ago and hoped you can consult with the NEH, they would like confirmation that there will be no Adverse Effect under Section 106 in building our Health and Wellness Center.

The contact information is below.

Thank you,

**Jay Conway**

*NWIC Construction Manager  
2522 Kwina Road  
Bellingham, WA 98226  
360-392-4347 Direct*

---

**From:** Piesen, Ann <[apiesen@neh.gov](mailto:apiesen@neh.gov)>

**Sent:** Thursday, May 19, 2022 4:51 PM

**To:** Jay Conway <[jconway@nwic.edu](mailto:jconway@nwic.edu)>

**Subject:** RE: Section 106 and THPO

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you, Jay. If Ms. Tso would like to consult directly with NEH, I am available. We are seeking confirmation that there is no Adverse Effect under Section 106, given that the ground disturbance associated with the site occurred before consideration of federal assistance.

Also, let me know if you have the information for the other Federal Agency grant. If we can adopt another federal agencies environmental assessment, that would be helpful.

Sincerely,

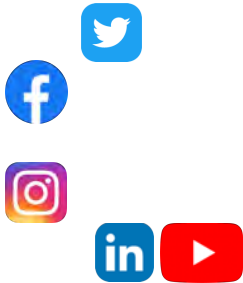
**Ann E. Piesen, MCP**

Federal Preservation and Environmental Officer  
Office of Grant Management  
National Endowment for the Humanities

pronouns are: She/her

202.606.8576 | [apiesen@neh.gov](mailto:apiesen@neh.gov)

**Follow us on social media for the latest updates!**



---

**From:** Jay Conway <[jconway@nwic.edu](mailto:jconway@nwic.edu)>

**Sent:** Wednesday, May 11, 2022 3:54 PM

**To:** Piesen, Ann <[apiesen@neh.gov](mailto:apiesen@neh.gov)>

**Subject:** Section 106 and THPO

Hi Ann,

It was good talking with you the other day and we look forward to working with you. I have attached a letter which I wrote to our Tribal Historic Preservation Office, letting them know we will be having a Sec 106 review.

This also gives you the name and contact with THPO.

Let me know if I can do anything else for this.

Thanks,

**Jay Conway**

*NWIC Construction Manager*

*2522 Kwina Road*

*Bellingham, WA 98226*

*360-392-4347 Direct*

**CAUTION:** This email has been received from outside the Lummi Indian Business Council – Think before clicking on links, opening attachments, or responding.

**CAUTION:** This email has been received from outside the Lummi Indian Business Council – Think before clicking on links, opening attachments, or responding.

DRAFT



## NATIONAL ENDOWMENT FOR THE HUMANITIES

### OFFICE OF GRANT MANAGEMENT

#### **Notice of Delegation of Authority Section 106 Consultation under the National Historic Preservation Act (NHPA), National Endowment for the Humanities Infrastructure and Capacity Building Challenge Grants, and Sustaining Cultural Heritage Collections Programs**

Dear NEH Award Recipient,

After reviewing your organization's funded grant application, the National Endowment for the Humanities (NEH) has identified construction, alteration, renovation, or ground disturbing activities in your project that represent an "undertaking" under the National Historic Preservation Act (NHPA) ([54 USC 300101 et seq](#)). Consequently, NEH needs to conduct further review and consultation under Section 106 of the NHPA (Section 106) (54 [USC](#) § 306108) prior to releasing NEH funds.

Historic properties include any district, site, building, structure, or object that **is eligible for or listed on the National Register of Historic Places (NRHP)**. NEH has determined that the following activities constitute an undertaking subject to Section 106 review: 1) all new construction and facility expansion projects; 2) alteration and renovation projects where exterior changes to the building façade or surroundings may be made (including roof, windows, and parking lots); 3) projects where interior renovations may be made to a building that is over fifty (50) years old, or is historically, architecturally, or culturally significant; and 4) ground disturbances (such as grading, other site preparation or archeology).

Under Section 106, NEH must assess the potential effects of undertakings on historic properties in your project, and notify and consult with all interested parties, **before you commence work on the project. You may, however, conduct architectural and engineering planning, and acquire necessary licenses, permits, and other approvals before NEH completes its Section 106 review.**

The NHPA regulations [36 CFR §800.2\(c\)\(4\)](#) allow recipients or their authorized representatives – instead of the Federal funding agency – to initiate the Section 106 compliance consultations when authorized to do so by the Federal agency. **Therefore, NEH hereby authorizes your organization to initiate the Section 106 process directly with the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officer (THPO) in your district. Your organization may not transfer this delegation of responsibility to any other agency or party.** Although NEH makes every effort to notify respective SHPO/THPOs that your organization is authorized to initiate Section 106 consultations, please present this letter as part of your consultation request. As part of this process, your organization will initiate the Section 106 process, identify historic properties and an assessment of adverse effect (36 CFR §§ 800.3 through



800.5) to the SHPO/THPO. The SHPO/THPO will concur or disagree in writing with the finding.

Your organization may independently perform the Section 106 work and consultation described in 36 CFR §§ 800.3 through 800.5 on behalf of the NEH, except when there is a:

1. Consultation with federally recognized Indian tribes in accordance with federal requirements for government-to-government consultation;
2. Dispute that cannot be resolved within 90 calendar days, regardless of the nature (designation of Area of Potential Effect, suitability of consulting parties, phased identification, eligibility, and effects determinations). The NEH shall be involved in the resolution in accordance with [36 CFR Part 800](#);
3. Consultation for projects where a recipient and SHPO have determined that adverse effects to historic properties are unavoidable;
4. Resolution of adverse effects through a Memorandum of Agreement (MOA) or Programmatic Agreements, where there is a dispute regarding the resolution of adverse effects; or
5. Potential for anticipatory demolition, removal, or abandonment as specified in Section 110(k) ([54 USC §306113](#)) of the NHPA.

In any of the circumstances above, your organization must notify NEH through eGMS Reach and coordinate Section 106 activities with me. In accordance with 36 CFR [§800.2\(c\)\(2\)\(ii\)\(B\) and \(C\)](#), NEH will ensure that it conducts all consultations with Indian Tribes in a sensitive manner respectful of tribal sovereignty and the government-to-government relationship between the Federal Government and Indian Tribes. This letter, therefore, is not intended to modify or limit such requirements nor mandate that Indian Tribes consult with recipients or provide information if the Indian Tribes conclude that consultation should be directly with NEH.

Your organization may use your non-federal matching funds to hire consultants to complete the Section 106 process and other related historic preservation responsibilities. In many cases, doing so is helpful and may streamline the process. Your organization's staff conducting Section 106 activities and any consultants your organization hires to conduct Section 106 activities must have qualifications that meet the [Secretary of the Interior's \(SOI\) Professional Qualifications Standards \(Qualifications\)](#).

**It is important to remember that physical work cannot be initiated on the project until NEH notifies the recipient organization that the Section 106 process is complete.** You must upload all documentation and correspondence with the SHPO/THPO and other consulting parties into eGMS Reach. Information regarding the Section 106 process, resources, and contact information for appropriate SHPO/THPO can be found at [/insert name of NEH Section 106 page once available/](#).

If you have any questions about your and NEH's Section 106 responsibilities, please contact Ann Piesen, the NEH Federal Preservation Officer, at 202.606.8576, or via email at [FPO@neh.gov](mailto:FPO@neh.gov).

Sincerely,



Ann Piesen  
Federal Preservation Officer

**APPENDIX E.**  
**US Army Corps Nationwide 39 Permit &**  
**Certificate of Compliance**

DRAFT



REPLY TO  
ATTENTION OF

**DEPARTMENT OF THE ARMY**  
**SEATTLE DISTRICT, CORPS OF ENGINEERS**  
**P.O. BOX 3755**  
**SEATTLE, WASHINGTON 98124-3755**

August 4, 2015

Regulatory Branch

Mr. Dave Oreiro  
2522 Kwina Road  
Bellingham, Washington 98226

Reference: NWS-2015-619  
Northwest Indian College  
(Expansion)

Dear Dave Oreiro:

We have reviewed your application to place fill in 0.34 acre of wetlands to construct a Wellness Center building with associated utilities, paved parking lot, and stormwater treatment system on the Lummi Indian nation reservation near Bellingham, Whatcom County, Washington. Based on the information you provided to us, Nationwide Permit (NWP) 39, *Commercial and Institutional Developments* (Federal Register February 21, 2012, Vol. 77, No. 34), authorizes your proposal as depicted on the enclosed drawings dated May 2015. In order for this authorization to be valid, you must ensure the work is performed in accordance with the enclosed *NWP 39, Terms and Conditions* and the following special conditions:

- a. The permittee must install and maintain sediment and erosion controls during construction at the site until all disturbed soils have been revegetated or otherwise stabilized.
- b. You shall implement and abide by the "*Bank Use Plan, Northwest Indian College Expansion, Lummi Indian Reservation*," dated June 2015 and addendum dated 4 August 2015 and obtain mitigation bank credits from the Lummi Nation Wetland and Habitat Mitigation Bank in accordance with Table 1 of the Bank Use Plan Addendum.
- c. You shall obtain from the Lummi Nation Wetland and Habitat Mitigation Bank sponsor documentation of the completed mitigation bank transaction. You shall submit to the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch documentation on the completed mitigation bank transaction prior to performing work in waters of the United States authorized by this permit. All submittals must prominently display the reference number NWS-2015-619.

We have reviewed your project pursuant to the requirements of the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act and the National Historic Preservation Act. We have determined this project complies with the requirements of these laws provided you comply with all of the permit general and special conditions.

Please note that Seattle District NWP Regional General Condition 6, Cultural Resources and Human Burials, found in the *Nationwide Permit Terms and Conditions* enclosure, details procedures should an inadvertent discovery occur. You must ensure that you comply with this condition during the construction of your project.

You must obtain the appropriate Water Quality Certification (WQC) authorization from the Lummi Nation prior to commencing any work. For further information on how to obtain WQC for your project, please contact:

Director, Environmental Programs  
The Lummi Nation  
2616 Kwina Road  
Bellingham, Washington 98268  
telephone: (360) 384-2225.

We have prepared and enclosed a *Preliminary Jurisdictional Determination* (JD) dated August 3, 2015, which is a written indication that wetlands and waterways within your project area may be waters of the United States. Such waters will be treated as jurisdictional waters of the U.S. for purposes of computation of impact area and compensatory mitigation requirements associated with your permit application. If you believe the Preliminary JD is inaccurate, you may request an Approved JD, which is an official determination regarding the presence or absence of waters of the United States. If one is requested, please be aware that we may require the submittal of additional information to complete an approved JD and work authorized in this letter may not occur until the approved JD has been finalized.

Our verification of this NWP authorization is valid until March 18, 2017 unless the NWP is modified, reissued, or revoked prior to that date. If the authorized work has not been completed by that date and you have commenced or are under contract to commence this activity before March 18, 2017, you will have until March 18, 2018 to complete the activity under the enclosed terms and conditions of this NWP. Failure to comply with all terms and conditions of this NWP verification invalidates this authorization and could result in a violation of Section 404 of the Clean Water Act. You must also obtain all State and local permits that apply to this project.

Upon completing the authorized work, you must fill out and return the enclosed *Certificate of Compliance with Department of the Army Permit* form. Thank you for your cooperation during the permitting process. We are interested in your experience with our Regulatory Program and encourage you to complete a customer service survey form. This form and information about our program is available on our website at [www.nws.usace.army.mil](http://www.nws.usace.army.mil) select "Regulatory Branch, Permit Information" and then "Contact Us."

A copy of this letter with enclosures will be furnished to Ms. Katrina Poppe of Northwest Ecological Services, LLC at 2801 Meridian Street, Suite 202, Bellingham, Washington, 98225. If you have any questions, please contact me at [randel.j.perry@usace.army.mil](mailto:randel.j.perry@usace.army.mil) or at telephone number (360) 734-3156.

Sincerely,

Randel Perry, Project Manager  
Regulatory Branch

Enclosures

DRAFT





US Army Corps  
of Engineers®  
Seattle District

## CERTIFICATE OF COMPLIANCE WITH DEPARTMENT OF THE ARMY PERMIT



Permit Number: NWS-2015-619

Name of Permittee: Northwest Indian College

Date of Issuance: August 4, 2015

Upon completion of the activity authorized by this permit, please check the applicable boxes below, date and sign this certification, and return it to the following address:

Department of the Army  
U.S. Army Corps of Engineers  
Seattle District, Regulatory Branch  
Post Office Box 3755  
Seattle, Washington 98124-3755

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with the terms and conditions of your authorization, your permit may be subject to suspension, modification, or revocation.

<input checked="checked" type="checkbox"/>	The work authorized by the above-referenced permit has been completed in accordance with the terms and conditions of this permit. Date work complete: <u>NOVEMBER 18<sup>th</sup>, 2016</u>
<input type="checkbox"/>	Photographs and as-built drawings of the authorized work (OPTIONAL, unless required as a Special Condition of the permit).
<input type="checkbox"/>	If applicable, the mitigation required (e.g., construction and plantings) in the above-referenced permit has been completed in accordance with the terms and conditions of this permit (not including future monitoring). Date work complete: _____
<input type="checkbox"/>	Photographs and as-built drawings of the mitigation (OPTIONAL, unless required as a Special Condition of the permit).

Printed Name: Jay Conway

Signature: [Signature]

Date: Dec 6, 2016

**APPENDIX F.**  
**Certificate of Completed Wetland Mitigation &**  
**Section 401 Water Quality Certification**

DRAFT

# NORTHWEST INDIAN COLLEGE

*X w l e m i E l h > T a l > N e x w S q u l*



Randel Perry, Project Manager  
U.S. Army Corps of Engineers  
Seattle District  
Regulatory Branch  
4/12/2016

Reference: NWS-2015-619

Dear Randel Perry;

This letter serves as documentation on the completed mitigation bank transaction with the Lummi Nation Wetland and Habitat Mitigation Bank.

Attached is the Credit Transaction Record and the Water Quality Certification (WQC) obtained from Lummi Nation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jay Conway". The signature is written over a large, diagonal "DRAFT" watermark.

Jay Conway  
Construction Manager  
Northwest Indian College

cc: Dave Oreiro, NWIC



# Lummi Nation Wetland and Habitat Mitigation Bank

## Credit Transaction Record

Transaction Date: 3/2/2016 Credits Transacted: 0.29

Abbreviated Legal Description of Mitigation Bank: Township 38 North, Range 2 East of the Willamette Meridian, Washington, all or fractions of Sections 16, 17, 18, 19, 20, and 21

### 3/2/2016 Sale

Project Title: Northwest Indian College Expansion

Customer/Transferee: Dave Oreiro - Northwest Indian College

Address: 2522 Kwina Rd, Bellingham, WA 98226

Project Location: Kwina Road, Bellingham, WA 98226 - NWIC campus

Property ID Number: 3802071300750000

Impact Description: 0.335 acres (14,601 square feet) of wetland fill to Category IV wetlands, for construction of additional buildings on the Northwest Indian College campus.

Phone: (360) 392-4347

#### Wetland Impacts:

Wetland Class: Wetland Acres: Buffer Acres:  
Category IV 0.34 0

#### Project Permits:

Permit Number: NWS-2015-619  
LUP 15-067  
Permit Date: 8/4/2015  
Agency: US Army Corps of Engineers  
Lummi Nation

The Sponsor (the Lummi Nation), its successors and assigns assumes responsibility for accomplishment and maintenance of the transferee's compensatory mitigation requirements associated with the impacting project, upon completion of the credit transaction.

On behalf of the Lummi Nation Wetland and Habitat Mitigation Bank Administrative Panel:

  
Lummi Natural Resources Department Director

3/2/16  
Date

**RETURN DOCUMENT TO:**

Lummi Nation  
Office of the Reservation Atty  
2665 Kwina Road  
Bellingham, WA 98225

*Use dark black ink and print legibly. Documents not legible will be rejected per RCW 65.04.045 & 65.04.047*

**DOCUMENT TITLE(S):**

Wetland & Habitat Mitigation Bank Credit Transaction Record

**AUDITOR FILE NUMBER & VOL. & PG. NUMBERS OF DOCUMENT(S) BEING ASSIGNED OR RELEASED:**

2121002411

Additional reference numbers can be found on page \_\_\_\_\_ of document.

**GRANTOR(S)**

Lummi Indian Business Council

Additional grantor(s) can be found on page \_\_\_\_\_ of document.

**GRANTEE(S):**

Dave Oreiro - Northwest Indian College

Additional grantee(s) can be found on page \_\_\_\_\_ of document.

**ABBREVIATED LEGAL DESCRIPTION: (Lot, block, plat name OR; qtr/qtr, section, township and range OR; unit, building and condo name.)**

Township 38 North, Range 2 East of the Willamette Meridian, Washington, all or fractions of Sections 16, 17, 18, 19, 20, and 21

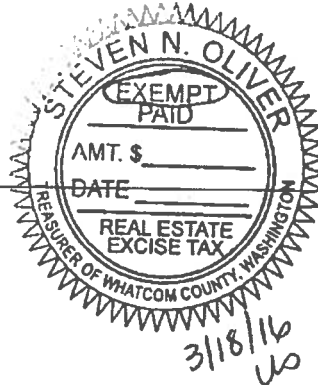
Additional legal(s) can be found on page \_\_\_\_\_ of document.

**ASSESSOR'S 16-DIGIT GEO-PARCEL NUMBER:**

3802 0713 0075 0000

Additional numbers can be found on page \_\_\_\_\_

The Auditor/Recorder will rely on the information provided on this form. The responsibility for the accuracy of the indexing information is that of the document preparer.







## LUMMI INDIAN BUSINESS COUNCIL

2665 KWINA ROAD BELLINGHAM, WASHINGTON 98226 (360) 312-2000

December 7, 2015

Mr. Kirk Vinish, Interim Director  
Lummi Planning Department  
2665 Kwina Road  
Bellingham, WA 98226

**SUBJECT: Lummi Nation Clean Water Act Section 401 Water Quality Certification:  
Health and Wellness Center Project (Lummi Land Use Permit No. 15-067;  
Corps of Engineers Reference No. NWS-2015-619)**

Dear Kirk:

Section 401 of the Clean Water Act (CWA) requires that applicants for Federal permits allowing discharges into waters of the United States, which include Lummi Nation Waters, obtain certification that the discharge will comply with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the CWA. The Lummi Natural Resources Department hereby certifies that the proposed work associated with the Northwest Indian College Health and Wellness Center Project will comply with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the CWA, as amended provided that the conditions listed below are implemented. This certification is valid for three years from the date of this letter subject to the following conditions:

**General Conditions:**

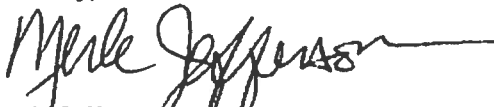
1. This certification does not exempt and is provisional upon compliance with other statutes and codes administered by federal and Lummi tribal agencies.
2. This certification will cease to be valid if the project is performed in a manner not consistent with the Lummi Land Use Permit (No. 15-067), the NPDES General Permit for Storm Water Discharges from Construction Activities (WAR12B54I), and descriptions contained in the Storm Water Pollution Prevention Plan submitted in September 2015 (approved by the LIBC Water Resources Manager on October 8, 2015).
3. This certification will cease to be valid and the applicant must reapply with an updated application if the information contained in the Corps or the Lummi Land Use Permit is voided by subsequent submittals to the federal or tribal agencies. Any future action at this project location, emergency or otherwise, which is not defined in the Corps permit or the Lummi Land Use Permit, is not covered by this certification.
4. A copy of this certification along with the Corps, EPA (NPDES for storm water), and Lummi Land Use Permit conditions shall be kept on the job site and readily available for reference.

**Specific Conditions:**

1. Prior to the start of any construction activity, an on-site meeting shall be conducted with representatives from the Lummi Water Resources Division, the construction contractor, the owner and/or the owner's agent, and the project engineer. Contact the Water Resources Manager (360-312-2314) to schedule the meeting. This meeting will focus on ensuring that there is a complete understanding of the conditions contained in this 401 Water Quality Certification, the project Storm Water Pollution Prevention Plan, the Corps permit conditions, and the Lummi Land Use Permit conditions.
2. Best Management Practices (BMPs) shall be incorporated into the project and will include:
  - a. Equipment used in the work shall be maintained such that no visible sheen from petroleum products appears within the project site or adjacent water.
  - b. Fuel hoses, oil drums, oil, fuel transfer valves, fittings, and similar materials and conveyance lines shall be checked for drips or leaks prior to deployment, and shall be maintained and/or stored properly to prevent spills onto the project site or into Lummi Nation Waters. All mechanized equipment used adjacent to and on the project site shall be checked at the beginning of each workday for oil, fuel, and hydraulic fluid leakage. If a leak is observed, the equipment shall be removed off-site where any accidental spill will not flow into Lummi Nation Waters and all leaks shall be corrected and the equipment washed clean prior to entering the work area.
  - c. Oil spill containment devices (e.g., absorbent pads, absorbent boom, disposal bags) shall be readily available at the project site to contain any accidental leaks of petroleum products to Lummi Nation Waters.
  - d. Any discharge of oil, fuel, or chemicals onto the project site and/or into adjacent waters is prohibited. If a spill occurs, containment and clean-up efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Clean-up shall include proper disposal of any spilled material and used clean-up supplies.
  - e. No cleaning solvents or chemicals used for tool or equipment cleaning may be discharged to the ground or to surface waters.
  - f. When possible, vegetable base hydraulic fluid will be used in construction equipment.
  - g. Erosion and sediment from areas disturbed during construction must be controlled on-site. Disturbed areas should be revegetated as soon as practicable.
3. Conditions and BMPs specified in the Lummi Land Use Permit No. 15-067 shall be included as part of this certification.

For further coordination on this project, please contact Lummi Water Resources Manager Jeremy Freimund (360-312-2314).

Sincerely,



Merle Jefferson, Executive Director  
Lummi Natural Resources Department

cc     Randel Perry, U.S. Army Corps of Engineers  
       Jeremy Freimund, P.H. Lummi Water Resources Division  
       Peter Frye, Lummi Planning Department



# LUMMI INDIAN BUSINESS COUNCIL

2665 KWINA ROAD BELLINGHAM, WASHINGTON 98226 (360) 312-2000

December 7, 2015

Mr. Kirk Vinish, Interim Director  
Lummi Planning Department  
2665 Kwina Road  
Bellingham, WA 98226

**SUBJECT: Lummi Nation Clean Water Act Section 401 Water Quality Certification:  
Health and Wellness Center Project (Lummi Land Use Permit No. 15-067;  
Corps of Engineers Reference No. NWS-2015-619)**

Dear Kirk:

Section 401 of the Clean Water Act (CWA) requires that applicants for Federal permits allowing discharges into waters of the United States, which include Lummi Nation Waters, obtain certification that the discharge will comply with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the CWA. The Lummi Natural Resources Department hereby certifies that the proposed work associated with the Northwest Indian College Health and Wellness Center Project will comply with the applicable provisions of Sections 301, 302, 303, 306, and 307 of the CWA, as amended provided that the conditions listed below are implemented. This certification is valid for three years from the date of this letter subject to the following conditions:

**General Conditions:**


1. This certification does not exempt and is provisional upon compliance with other statutes and codes administered by federal and Lummi tribal agencies.
2. This certification will cease to be valid if the project is performed in a manner not consistent with the Lummi Land Use Permit (No. 15-067), the NPDES General Permit for Storm Water Discharges from Construction Activities (WAR12B54I), and descriptions contained in the Storm Water Pollution Prevention Plan submitted in September 2015 (approved by the LIBC Water Resources Manager on October 8, 2015).
3. This certification will cease to be valid and the applicant must reapply with an updated application if the information contained in the Corps or the Lummi Land Use Permit is voided by subsequent submittals to the federal or tribal agencies. Any future action at this project location, emergency or otherwise, which is not defined in the Corps permit or the Lummi Land Use Permit, is not covered by this certification.
4. A copy of this certification along with the Corps, EPA (NPDES for storm water), and Lummi Land Use Permit conditions shall be kept on the job site and readily available for reference.

**Specific Conditions:**

1. Prior to the start of any construction activity, an on-site meeting shall be conducted with representatives from the Lummi Water Resources Division, the construction contractor, the owner and/or the owner's agent, and the project engineer. Contact the Water Resources Manager (360-312-2314) to schedule the meeting. This meeting will focus on ensuring that there is a complete understanding of the conditions contained in this 401 Water Quality Certification, the project Storm Water Pollution Prevention Plan, the Corps permit conditions, and the Lummi Land Use Permit conditions.
2. Best Management Practices (BMPs) shall be incorporated into the project and will include:
  - a. Equipment used in the work shall be maintained such that no visible sheen from petroleum products appears within the project site or adjacent water.
  - b. Fuel hoses, oil drums, oil, fuel transfer valves, fittings, and similar materials and conveyance lines shall be checked for drips or leaks prior to deployment, and shall be maintained and/or stored properly to prevent spills onto the project site or into Lummi Nation Waters. All mechanized equipment used adjacent to and on the project site shall be checked at the beginning of each workday for oil, fuel, and hydraulic fluid leakage. If a leak is observed, the equipment shall be removed off-site where any accidental spill will not flow into Lummi Nation Waters and all leaks shall be corrected and the equipment washed clean prior to entering the work area.
  - c. Oil spill containment devices (e.g., absorbent pads, absorbent boom, disposal bags) shall be readily available at the project site to contain any accidental leaks of petroleum products to Lummi Nation Waters.
  - d. Any discharge of oil, fuel, or chemicals onto the project site and/or into adjacent waters is prohibited. If a spill occurs, containment and clean-up efforts shall begin immediately and be completed as soon as possible, taking precedence over normal work. Clean-up shall include proper disposal of any spilled material and used clean-up supplies.
  - e. No cleaning solvents or chemicals used for tool or equipment cleaning may be discharged to the ground or to surface waters.
  - f. When possible, vegetable base hydraulic fluid will be used in construction equipment.
  - g. Erosion and sediment from areas disturbed during construction must be controlled on-site. Disturbed areas should be revegetated as soon as practicable.
3. Conditions and BMPs specified in the Lummi Land Use Permit No. 15-067 shall be included as part of this certification.

For further coordination on this project, please contact Lummi Water Resources Manager Jeremy Freimund (360-312-2314).

Sincerely,



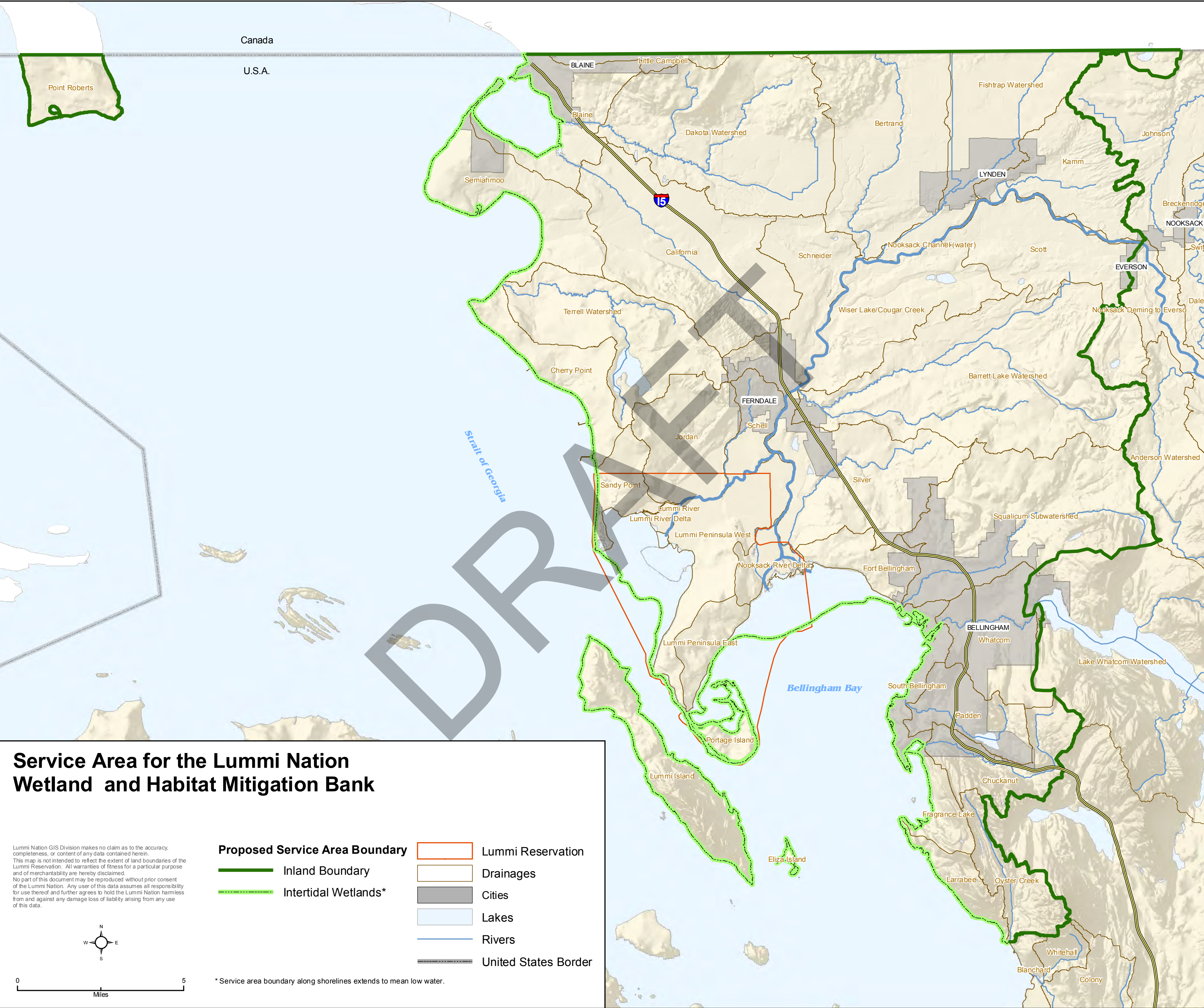
Merle Jefferson, Executive Director  
Lummi Natural Resources Department

cc     Randel Perry, U.S. Army Corps of Engineers  
        Jeremy Freimund, P.H. Lummi Water Resources Division  
        Peter Frye, Lummi Planning Department

**APPENDIX G.**  
**Lummi Nation Wetland Mitigation Bank Brochure**

DRAFT









*Phase 1A Site: Wetland area in the Nooksack River delta protected into perpetuity through a conservation easement and is being enhanced through the planting of willows and conifers.*

For over 20 years wetland professionals have agreed that after mitigation sequencing (avoid, minimize, mitigate) has occurred, mitigation banking is a viable and potentially a more desirable alternative to conventional on-site mitigation of unavoidable wetland impacts associated with development because:

- Mitigation banks provide “advanced” mitigation (ecological benefits occur prior to impacts);
- The size and location of mitigation banks can provide more of an ecological “lift” than smaller, distributed mitigation efforts;
- Mitigation banks have a higher success rate—more accountability; and
- Mitigation banks are a more efficient use of permitting agency resources.



*Blockhouse Site: Historic salt marsh areas in the Lummi River delta will be restored by re-establishing connection to marine waters and direct tidal influence.*



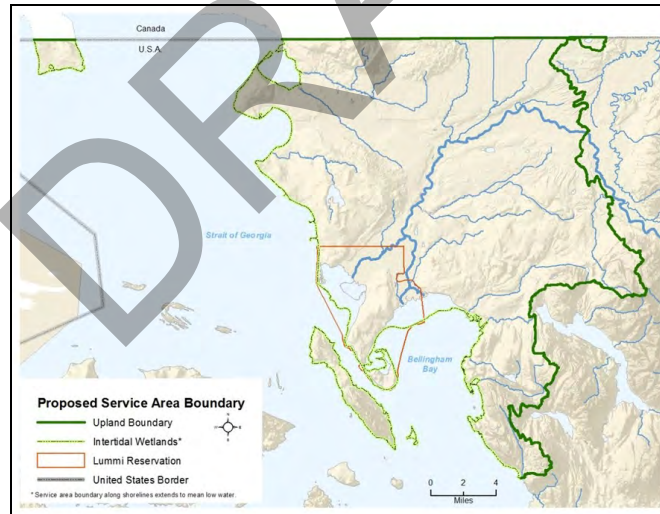
**If you have questions about the Lummi Nation Wetland and Habitat Mitigation Bank, please contact:**

Merle Jefferson, Lummi Natural Resources  
Department (LNR) Director:  
(360) 312-2328, merlej@lummi-nsn.gov  
or

Leroy Deardorff, LNR Deputy Director:  
(360) 312-2318, leroyd@lummi-nsn.gov  
or

Kara Kuhlman, Interim Water Resources Manager  
(360) 312-2128, karak@lummi-nsn.gov  
or

Access the Lummi Natural Resources Department internet site about the mitigation bank at: <http://lnnr.lummi-nsn.gov/LummiWebsite/Website.php?PageID=66>.



*The Service Area for the Lummi Nation Wetland and Habitat Mitigation Bank includes the lowland areas of the Nooksack River watershed, certain coastal watersheds, Point Roberts, Lummi Island, and portions of the City of Bellingham.*

# LUMMI NATION

## Wetland and Habitat Mitigation Bank



### Purpose:

The Lummi Nation Wetland and Habitat Mitigation Bank (WHMB) provides an administratively efficient, technically sound, and legally defensible mechanism to effectively mitigate for unavoidable impacts to wetlands and related habitat impacts occurring on the Lummi Indian Reservation and within the Bank service area.



*The Lummi Nation WHMB is comprised of approximately 1,965 acres on three separate sites in the Lummi River and Nooksack River floodplains. The mitigation bank is being developed in phases—currently only Phase 1A is operational.*

## Process for Using Mitigation Bank Credits

- **Conduct Mitigation Sequencing:** Avoid and minimize impacts to wetlands and aquatic resources to the extent practicable.
- **Service Area Determination:** Determine if the unavoidable impacts to wetlands and aquatic resources are within the service area of the mitigation bank.
- **Mitigation Credit Determination:** Determine the number of credits needed to mitigate for impacts to wetlands and their buffers using the following table:

Resource Impact	Bank Credits : Impact Acreage
Wetland – Category I	Case-by-Case
Wetland – Category II	1.2:1
Wetland – Category III	1:1
Wetland – Category IV	0.85:1

- **Mitigation Credit Application Form:** Obtain a copy of the Lummi Nation WHMB Mitigation Credit Application form from the Lummi Nation Water Resources Manager or directly from the Lummi Natural Resources Department website. Submit the completed application to the Water Resources Manager.
- **Wetland Mitigation Bank Use Plan:** Develop a Wetland Mitigation Bank Use Plan following the Interagency Review Team Guidance document and submit the plan to the regulatory agencies with jurisdiction over the proposed project and the Lummi Nation Water Resources Manager.
- **Cultural Resources Protection:** An archaeological assessment of the proposed project impacts must be provided to the U.S. Army Corps of Engineers and the Lummi Cultural Resources Protection Division.
- **Obtain Regulatory Agency Authorization:** The regulatory agencies with jurisdiction over the proposed project must approve the use of the mitigation bank to offset unavoidable project impacts.
- **Obtain Lummi Nation Agreement:** The Lummi Nation WHMB Administration Panel must agree to allocate bank credits for the project.

## Process for Obtaining Lummi Nation Agreement to Allocate Credits

- **Who decides which projects are allocated credits from the mitigation bank?** Pursuant to Lummi Indian Business Council (LIBC) Resolution 2011-037, the Lummi Nation WHMB Administration Panel, which is comprised of the Lummi Natural Resources Department Director, the Planning Department Director, and the Cultural Resources Protection Department Director, must reach consensus on the number and cost of credits to be allocated to a project.
- **What information is considered by the Administration Panel?** The Panel considers the cultural resources assessment, Economic Development Department input, the number of available credits, and recommendations presented by the Water Resources Manager in the form of a written summary report. The summary report includes information about the proposed project obtained from the completed Credit Application form and other sources.
- **How are decisions by the Administration Panel recorded?** A decision document that includes summary project information, the number of allocated credits, the cost per credit, and the number of available credits remaining is signed by all members of the Administration Panel.
- **How does the Applicant know that the Lummi Nation has agreed to allocate bank credits to a project?** A Credit Transaction Agreement is prepared by the Water Resources Manager and transmitted to the Applicant. This agreement is a sales contract that is not transferable. It identifies the number of credits allocated and the total cost of the transaction. This transaction agreement must be signed by the Applicant and returned with full payment within 60 days.
- **What happens after the Applicant pays for the mitigation credits?** A Credit Transaction Record signed by the Natural Resources Department Director on behalf of the Administration Panel is issued and recorded with the Whatcom County Auditor's Office. The recorded Credit Transaction Record is provided to the Applicant and proves the Applicant has complied with permit conditions that require the purchase of a specific number of credits from the mitigation bank.

## Mitigation Credit Costs

- **How much do mitigation credits cost?** The current cost per credit is \$300,000.
- **How was the cost per credit determined?** Various surveys report that other mitigation banks in the Puget Sound region charge between \$200,000 and \$300,000 per credit. A separate survey of 16 permittee-responsible wetland mitigation projects within or near the service area of the Lummi mitigation bank determined the average cost to be \$540,000 per acre of impact.
- **Are there discounts available?** Yes. One of the goals of the mitigation bank is to support private and government supported residential housing for Lummi tribal members, municipal development by the Lummi government, and government-sponsored and individual Lummi member commercial development. All of these development activities are provided a discount.
- **How much are the discounts?** The available discounts are summarized in the following table:

Market	Discount Rate	Cost per Credit
Individual tribal member housing (non-commercial)	100%	\$0
Tribal Government Housing Development Projects	50%	\$150,000
Tribal Government Municipal Development Projects	50%	\$150,000
Tribal Government Commercial Development Projects	25%	\$225,000
Individual Tribal Member Commercial Development Projects	25%	\$225,000
Non-Member Development Projects	0%	\$300,000

- **Does revenue from credit sales directly fund the development of the mitigation bank?** No. The revenue from credit sales is deposited into the Lummi Nation General Fund. The Lummi Natural Resources Department must seek annual appropriations from the Lummi Indian Business Council pursuant to the Lummi Code of Laws Title 28 (Budget and Finance Code) to manage development of the mitigation bank.

**APPENDIX H.**  
**USDA NRCS Prime Farmland Letter**  
**dated September 2004**

DRAFT

United States Department of Agriculture



Natural Resources Conservation Service  
6975 Hannegan Road  
Lynden, Washington 98264  
Phone: (360) 354-2035  
Fax: (360) 354-4678

September 28, 2004

Desiree Douglas  
Douglas Consulting  
4116 Woodland Park Ave.  
Seattle, WA 98103

RE: Prime Farmland Assessment; Northwest Indian College Master Plan

Dear Ms. Douglas,

I concur with your evaluation of the subject property regarding viability for agricultural use. Soils on the site meet USDA criteria for prime farmland. However since the site is designated to be used for college, it is not available for agricultural use. The Lynden and Hale soils on this site are located outside the 100-year floodplain. The Hale series is considered hydric and therefore areas of Hale may meet wetland criteria. Please call me if you have additional questions on this determination.

Sincerely,

John Gillies  
Resource Conservationist

The Natural Resources Conservation Service provides leadership in a partnership effort to help people conserve, maintain, and improve our natural resources and environment.

An Equal Opportunity Provider and Employer