Stratum Group

PO Box 2546, Bellingham, Washington 98227 Phone: (360) 714-9409

February 23, 2012

Marlo Mytty
The Nature Conservancy
1917 First Avenue
Seattle, Washington 98101

Re: Report

Environmental Site Assessment: Phase I

Barnum Point Property
Island County Parcels R33108-495-0500, R33105-065-0680, and R33105-086-1670
Camano Island, Washington 98282

Dear Nature Conservancy:

Stratum Group is pleased to present the results of our Phase I Environmental Site Assessment for the Barnum Point Property on Camano Island, Washington. This Phase I Assessment was conducted in conformance with the Federal Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and in general conformance with the methodology of ASTM Standard Practice E 1527-05.

We found no environmental concerns regarding the Barnum Point Property during the conduct of this report and therefore no further investigation is warranted.

Should you have any questions concerning this Environmental Site Assessment, please do not hesitate to contact us at (360) 714-9409.

Sincerely,

Stratum Group

Kim Ninnemann, B.Sc., L.G

Kim Ninremann

Licensed Geologist

Dan McShane, M.Sc., L.E.G.

Jan Math

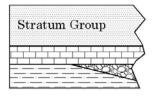
Licensed Engineering Geologist

REPORT ENVIRONMENTAL SITE ASSESSMENT PHASE I

BARNUM POINT PROPERTY ISLAND COUNTY PARCELS R33108-495-0500, R33105-065-0680, AND R33105-086-1670 CAMANO ISLAND, WASHINGTON 98282

For:
The Nature Conservancy
1917 First Avenue
Seattle, Washington 98101

By:



PO Box 2546 Bellingham, WA 98227 (360) 714-9409

February 23, 2012

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Report - Environmental Site Assessment: Phase I

SECTION 1: EXECUTIVE SUMMARY

Stratum Group conducted a Phase I Environmental Site Assessment of the Barnum Point Property, located south of South Sunrise Boulevard and Moe Road along Port Susan Bay, along the east side of Camano Island, Washington on January 23, 2012.

The subject property is comprised of three irregularly shaped tax parcels that total approximately 80 acres. The site is occupied by upland forest and meadow along with shoreline bluffs, beach, and tidelands along Port Susan Bay. No structures are located on the site and no indications of environmental conditions were identified during our site visit.

Our historic review indicates that the site has been undeveloped and forested since at least the late 1950s. The property has been in the Stay family since the 1880s. Some selective logging took place on the site prior to 1958 and prior to 1978. Family oral history indicated that a one-room school house may have previously been located on the site, but no indications of structures were identified in our site visit or our historic review. No environmental conditions were identified in association with the previous uses of the site.

No potential off-site contamination sources were identified within the search radius of the subject property.

SECTION 2: INTRODUCTION

2.1 Purpose and Scope

The purpose of this Phase I Environmental Site Assessment is to identify, to the extent feasible pursuant to the processes prescribed within the Federal Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and ASTM Standard Practice E 1527, recognized environmental conditions in connection with the subject properties. A recognized environmental condition is defined as the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property, even under conditions in compliance with existing laws. The term is not intended to include *de minimis* conditions that generally do not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

The scope of our services included:

• Inspection of the property for indication of hazardous substances, petroleum products, stained soil, stressed vegetation, or careless manufacturing or industrial practices.

February 23, 2012 Barnum Point Property, Camano Island, WA

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- Document the storage and waste management practices and the condition of the materials, if present.
- Review of Federal, State, and local records as to locations of nearby hazardous waste sites, leaking underground storage tanks, and landfills
- Review of historic aerial photographs, assessor's notes, and interviews to determine past usage of the property and surrounding areas
- Interview with Ms. Leslie Johnson Stay, an owner of the subject property
- Review of the physical setting, geology, and geohydrology of the site
- Preparation of this report describing the conditions encountered and recommendations for further study, if necessary.

2.2 Special Terms and Conditions

Stratum Group has prepared this report using reasonable efforts in each phase of its work to estimate the liabilities associated with recognized environmental conditions on the subject properties and in the vicinity of the subject properties. No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. This report is intended to reduce, but not eliminate, uncertainty regarding the existence of recognized environmental conditions in connection with the subject property, in recognition of reasonable limits of time and cost. Stratum Group makes no warranty, expressed or implied, as to the accuracy of information contained in public records.

This report is not definitive and should not be assumed to be a complete or specific definition of all conditions above or below grade. Recognized environmental conditions in the subsurface, if present, can only be identified by a subsurface investigation.

Should the conditions on the subject property differ from the descriptions provided in this report please contact Stratum Group for an additional evaluation.

2.3 Qualifications and Methodology Used

The methodology used during the production of this report is as prescribed Federal Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) and as generally prescribed in the ASTM E 1527 standard.

We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of this part [Federal All Appropriate Inquiries].

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Stratum Group 2 1.17.12

2.4 Data Gaps and Limiting Conditions

Only portions of the tidelands were accessible due tide levels at the time of our site visit. Observations of the beach from the top of the bluff and interviews with the property owners indicate that no contamination issues are present along the tidelands. This data gap does not impact our assessment of the subject property. No other data gaps or limiting conditions were encountered during the conduct of this Phase I Environmental Site Assessment.

SECTION 3: SITE CHARACTERIZATION

3.1 Location

The property is located along the south side of South Sunrise Boulevard and Moe Road on the eastern half of Barnum Point on Camano Island within Island County, Washington. The property occupies approximately 80-acres within the southwest quarter of Section 5, Township 31 North, Range 3 East and the northwest quarter of Section 8, Township 31 North, Range 3 East of the Willamette Meridian. The location of the subject property is presented in Figure 1 in Appendix I.

3.2 Site and Vicinity Physical Characteristics

The subject property is located within a mixed forest and rural residential area of Camano Island. The property has a topographic high at approximately 125 feet above mean sea level in the north-central portion of the property. Southwest facing slopes cover the western portion of the site with fairly level to undulating property in the eastern portion. A steep shoreline bluff extends along Port Susan Bay along the south and southeastern property boundaries, which extends down to sea level. No surface streams were observed on the site. The property is located within the Triangle Cove and Port Susan Bay watersheds.

3.2.1 Geologic Summary

The following descriptions of the surficial deposits in the vicinity of the subject property were interpreted from the *Geologic Map of the Juniper Beach 7.5-Minute Quadrangle, Island and Snohomish Counties, Washington* (Schasse, Kalk, Polenz of USGS, 2009). The map indicates that the upland of the subject property and vicinity are underlain by Vashon stade glacial till (Qgt_v). The glacial till consists of an unsorted mixture of materials that range in size from clay to boulders that was deposited directly by the glacial ice. The glacial till is very compact and forms the vertical faces along the shoreline bluff. Glacial outwash sands (Qgas_v) are mapped along the southeastern shoreline of the subject property. The outwash sands are up to 200 feet thick and are located beneath the glacial till deposits. The sands are exposed along the south and southeastern shoreline.

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The sands erode to form angled slopes down to the beach. Beach deposits (Qb) are mapped along the southern end of the property.

The Soil Survey of Island County (USDA, online 2010), describes the soils on the upland portion of the site as Everett-Alderwood complex with 3 to 15 percent slopes and Sucia loamy sand with 2 to 10 percent slopes. The Everett and Alderwood soils are located through the forested, central portion of the site. The Everett and Alderwood soils form on hillslopes within glacial outwash and glaciodrift materials. The soils are moderately to excessively well drained with varying degrees of capacity to transmit water. The soil profiles within the Everett and Alderwood soils consist of sandy loam, gravelly sandy loam, extremely gravelly coarse sand and gravelly silty clay loam with a thin top layer of decomposed plant matter in the top five feet. The Everett and Alderwood soil types are so intricately mixed that they could not be mapped separately. The Sucia loamy sand soils are mapped in the non-forested areas in the western half of the property. The Sucia soil forms in valleys within glacial drift materials. The Sucia soil is moderately well drained with moderately low to low capacity to transmit water. The soil profile of the Sucia soil consists of loamy sand, gravelly loamy sand, loam, and silt loam in the top five feet. The shoreline slopes of the site are mapped as Aquic Dystroxerepts and Oxyaquic Xerorthents complex with 15 to 70 percent slopes. All of the soil types form on hill slopes within glacial drift or outwash materials. The soils at the base of the hill slopes are formed within colluvium from the hill slope and beach materials. The soils are moderately to somewhat excessively well drained and consist of thin layers of organic plant matter over sandy loam and sand to a depth of at least five feet.

3.2.2 Geohydrologic Summary

Shallow ground water flow direction is generally a function of topography. The property is located on land that generally slopes to the southwest or southeast. Based on the surficial topography, the western half of the site has shallow groundwater flow to the southwest and the eastern portion of the site has shallow groundwater flow to the southeast. No surface water features were observed on the site. The site is adjacent to the Port Susan Bay and the regional "sea level" aquifer that ranges in depth from 30 feet above sea level to 200 feet below sea level is likely influenced by the adjacent sea water and tidal cycle.

3.3 Site Description

A representative of Stratum Group, Kim Ninnemann, visited the subject property on January 23, 2012. The subject property does not have any structures, but is utilized as forest, shoreline, and tidal lands. An aerial photograph of the site and vicinity is provided in Figure 2. Site photographs are provided in Figures 3 through 13. Figures 1 through 13 are provided in Appendix I.

3.3.1 Public Utilities

No utilities are in use at the subject property.

3.3.2 Building Conditions

No buildings were located on the subject property at the time of our site visit on January 23, 2012.

3.3.3 Surface Conditions

Forest covers the majority of the upland portion of the site. The forest has numerous mown grass walking trails throughout. A pond is located on the northeastern portion of the forest.

An open, unforested area is located along the western boundary of the site. Grasses and thickets of Nootka rose cover the non-forested portion of the site.

A steep shoreline bluff is located along the southwest corner of the property, which extends down to a driftwood covered beach. Driftwood covered the beach along the entire length of shoreline. Sandy slopes were located along much of the steep portions of the shoreline bluff. The shoreline bluff is approximately 100 feet along the south-central shoreline.

Natural landscaping and driftwood logs that were cabled into the beach were observed adjacent to a beach front home along the eastern property boundary. The residence is not part of the subject property. A tarp-covered metal structure that was used to store some buoys, a rowboat, crab pots, some lights and other miscellaneous water-related equipment is present north of the residence, just west of the beach. No chemicals or potentially hazardous materials were observed within the storage area.

Our January 23, 2012 exterior observations as required by ASTM Standard Practice E 1527 are presented in Table 1.

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TABLE 1
Exterior Observations Checklist

| ASTM OBSERVATION | YES/NO | COMMENTS |
|----------------------|--------|--|
| Hazardous Containers | No | |
| Storage Tanks | No | |
| Solid Waste Disposal | No | |
| Odors | No | |
| PCBs | No | |
| Pits, Ponds, Lagoons | Yes | A small pond is located in the northeast portion of the forested upland. |
| Stained Soil | No | |
| Stressed Vegetation | No | |
| Waste Water | No | |
| Septic Systems | No | |

3.3.4 Adjoining Properties

A residence and orchard bound the upland portion of the site to the north. A row of residential homes is located along the upper bluff along Port Susan Bay. Shrub-covered property, three residential homes, grass-covered land, and a bed and breakfast called Inn at Barnum Point bound the subject property to the west. Port Susan Bay bounds the property to the south and east. A forested property with two residences is located between the main upland portion of the site and eastern beach area. One residence is located along the beach and one is located on the top of the steep forested slope on the site.

3.4 Site Documents

The Island County Auditor recorded documents were reviewed for environmental liens through an on-line recorded document search on February 23, 2012. No environmental liens are recorded in association with the subject property. According to Washington laws, federal, state and local environmental liens are effective only after the lien has been filed with the county auditor in the county where the real property is located (RCW 60.68.015 and 70.105D.055).

No environmental reports were available for review during the conduct of this phase I site assessment.

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3.5 Interviews

We contacted the Island County Environmental Health Department regarding any potential environmental concerns on the subject property on January 23, 2012. The health department did not find any records of violations, complaints, dumping or indications of contamination on the parcels.

Ms. Leslie Johnson Stay, an owner of the subject property, was interviewed about the subject property on February 22, 2012. Ms. Johnson Stay stated that the site has been passed down through her husband's family since the 1800s. She stated that the site has always been forested. She stated that no agricultural crops or shellfish operations have taken place on the site. She indicated that the family histories talk about a one-room school house having been located on the property, but she and her husband have been unable to find any building materials or indications of where the structure was located. She stated that some selective logging took place on the site years ago. Ms. Johnson Stay did not know of any environmental liens or land use restrictions on the site. She stated that no chemicals have been stored on the site and no contamination or cleanups have taken place on the property. Ms. Johnson Stay did not know of any contamination issues on the site and does not suspect any contamination issues on the site. A copy of the questionnaire, completed by Kim Ninnemann during a telephone interview, is provided in Appendix II.

The site has been in the ownership of the Stay family since the 1880s, the great-grandparents of the current owners. Based on this length of ownership, previous owners were not interviewed as part of this report.

3.6 Past Use of Site and Adjoining Properties

Historic aerial photographs, assessor records, and interviews were used for gathering information regarding the past use of the subject property and adjoining properties. Sanborn Fire Insurance Maps and Polk City Directories do not cover this area.

Copies of the historic aerial photographs of the subject property and vicinity from 1958, 1978, 1985, and 1997 are provided in Appendix II. A list of the references for the historic research is provided in Appendix II.

3.6.1 Summary of Past Site Use

The property has been undeveloped and vegetated with forest and meadow since at least the mid 1950s. Tree removal in the northwestern and central portions of the site took place prior to 1958 and again by 1978. The cleared areas of the property have since reforested. The northeast and

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southeast portions of the upland have remained forested since at least 1958. A dirt access road extended diagonally from the northeast corner of the upland through the central portion of the property by 1990. The former roadway is now maintained as a grass-covered walking trail. No structures were visible on the site in the aerial photographs or on the 1943 topographic map of the property. No in-water structures, that would indicate former commercial, industrial, or shellfish harvest areas were observed on the topographic map or aerial photographs.

Ownership of the site has been in the Stay family since the 1800s, according to Ms. Leslie Johnson Stay, an owner of the site.

3.6.2 Summary of Past Site Use of Adjoining Properties

North: Forest was cleared north of the upland portion of the subject property by the late 1950s. A residential home, pole barn, and greenhouse were constructed on the property by 1964. The property was likely planted with a fruit orchard around the same time. The orchard and structures are visible in the 1978 aerial photograph. No significant changes have taken place on the site since the property's development.

South: Port Susan is located to the south and east. No in-water structures, that would indicate former commercial, industrial, or shellfish harvest areas were observed on the topographic map or aerial photographs.

West: One residential home, forest, and open meadow area bound the subject property to the west in 1958. A mobile home was placed in 1961 and residential homes were constructed on large acreage properties to the west in 1975, 1979, and 1997. A bed and breakfast was constructed just west of the southern portion of the subject property in 1993. The adjacent lands to the west continue to be used for low density residential with some open meadow, grass, and shrub covered properties.

East: A large piece of land is located between the east side of the upland portion of the subject property and west of the tidelands portion of the subject property. The land has been largely covered by forest since at least the late 1950s. A residence was hand-built on the top of the slope in approximately 1957. A house was constructed along the beach in 1992. No other significant changes were observed during our aerial photograph reviews.

SECTION 4: POTENTIAL CONTAMINANT SOURCES

4.1 Standard ASTM Environmental Record Sources

The public documents, listed in Table 2, have been reviewed to identify off-site contamination sources in the vicinity of the subject property that have a potential to negatively impact the subject property's soil, ground water, or surface water. The sites found within the ASTM search radius were

then evaluated to determine their potential effect on the subject property.

No potential off-site contamination sources were identified in the public databases within the ASTM search radius.

The Federal, state, and local public records including landfills, underground storage tank records, hazardous waste handler and generator permits, federal and state government listings of sites identified as priority cleanup sites, leaking tank sites, and sites with restrictive covenants were reviewed by Kim Ninnemann of Stratum Group based on information retrieved on February 23, 2012. A list of the references used to determine the potential off-site contamination sites is presented in Appendix II.

TABLE 2 Environmental Records Review

| AGENCY | DOCUMENT | SEARCH RADIUS | IDENTIFIED SITES |
|---|--|------------------|---------------------|
| | National Priorities List (NPL or SUPERFUND) | 1 Mile | 0 |
| | De-listed NPL Site | ½ Mile | 0 |
| | Resource Conservation and Recovery Act Transfer, Storage, and/or Disposal Facility with no corrective action (RCRA TSD, non-CORRACTS) | ½ Mile | 0 |
| Federal Environmental Protection Agency | RCRA CORRACTS TSD (corrective action underway) | 1 Mile | 0 |
| | RCRA Hazardous Waste Handler or Generator records and permits (HWG) | Adjacent | 0 |
| | CERCLIS (Active) and De-listed CERCLIS Sites (NFRAP) | ½ Mile | 0 |
| | National Response Center Database (NRC), formerly ERNS | Subject Property | 0 |
| | Institutional or Engineering Control Registry | Subject Property | 0 |
| Washington State Department of Ecology | Confirmed and Suspected Contaminated Sites (CSCS) | 1 Mile | 0 |
| | Leaking Underground Storage Tank List (LUST) | ½ Mile | 0 |
| | Underground Storage Tank List (UST) | Adjacent | 0 |
| | State Brownfield Site | ½ Mile | 0 |
| | Institutional or Engineering Control Registry | Subject Property | 0 |
| Island County | Solid Waste Landfill Sites (SW) | ½ Mile | 0 |

4.2 Potential Off-Site Source Information

No sites were identified through our review of the public databases within the ASTM search radius of the subject property as potential off-site contamination sources.

4.3 Potential On-Site Sources

Stratum Group visited the subject property on January 23, 2012. The purpose of the site visit was to identify, to the extent feasible pursuant to the processes prescribed within the Federal All Appropriate Inquiries and the ASTM Standard Practice E 1527, recognized environmental conditions in connection with the subject property.

The site consists of Nootka rose and grass covered fields, forest with walking trails, steep shoreline bluffs glacial till and sand shoreline slopes, driftwood covered beaches, and tidelands. No structures are located on the site. The site is used for passive recreational purposes such as walking and wildlife viewing. No solid waste dumping or indications of contamination were observed in connection with the current uses of the subject property.

Our historical research on the site indicates that the site has been covered by forest and meadow since at least the 1950s. Forest was cleared from the northwestern and central portions of the site prior to 1958 and prior to 1978. The land in these areas has since reforested. No indications of current or historic structures were observed during our site visit. No contamination is suspected based upon the former uses of the site.

It is our opinion that no further investigation is warranted on the subject property based upon the former or current uses of the subject property.

SECTION 5: CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM Practice E 1527 and the Federal Standards for All Appropriate Inquiries 40 CFR Part 312 for the approximately 80-acre Barnum Point Property on Camano Island, Washington.

The property consists of meadow, forest with walking trails, steep shoreline bluff slopes, driftwood-covered beaches and tidelands. No indications of contamination were observed during our site visit.

Our historical research on the site indicates that the site has been covered by forest and meadow since at least the 1950s. Forest was cleared from the northwestern and central portions of the site prior to 1958 and prior to 1978. The land in these areas has since reforested. No indications of current or historic structures were observed during our site visit. No contamination is suspected based upon the former uses of the site.

No potential off-site contamination sources were identified through our public records review within the ASTM search radius.

Based on our site visit, historical review, and assessment of potential off-site contamination sources, it is reasonable and prudent to believe that the risk of contamination at the property is so minimal that no further investigation is warranted.

APPENDIX I

Figure 1 - Site Vicinity Map

Figure 2 - Aerial Photograph of Site and Vicinity

Figure 3 through 13- Site Photographs

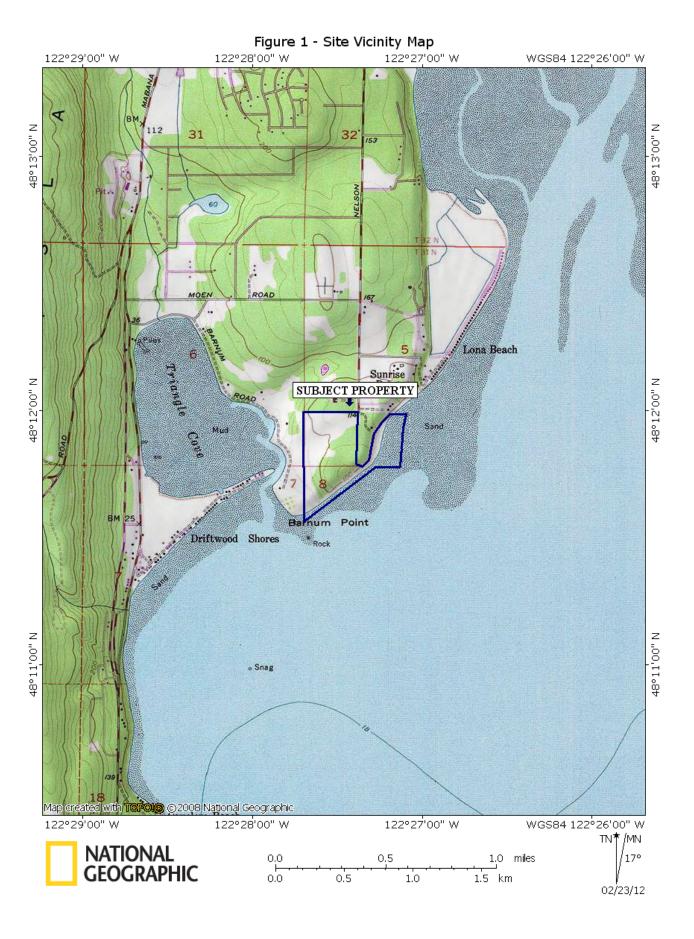




Figure 2. Aerial photograph of approximate subject property boundaries and vicinity (Google Earth, 2011). Site photographs are taken from the locations indicated (photos 3 through 13).



Figure 3. View of the access to the property from the northeast corner.



Figure 4. View of the forest in the northwest corner of the site, where logging has previously taken place.



Figure 5. View of the forest along the northwestern property boundary.



Figure 6. Meadow area in the west-central portion of the property.



Figure 7. Southwestern corner of the property.



Figure 8. Mature madrone in central portion of the site



Figure 9. Pond in the northeastern portion of site.



Figure 10. Beach along southern boundary.



Figure 11. Bluff and beach along central boundary.





Figure 12 and 13. Views of the shoreline along the eastern property boundary.

APPENDIX II

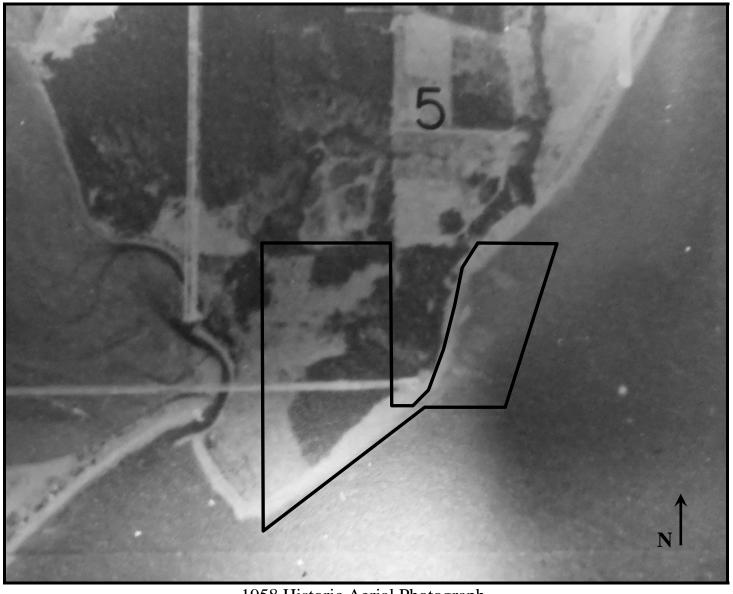
Environmental Questionnaire

Historic Aerial Photographs dated 1958, 1978, 1985, 1990 and 2005

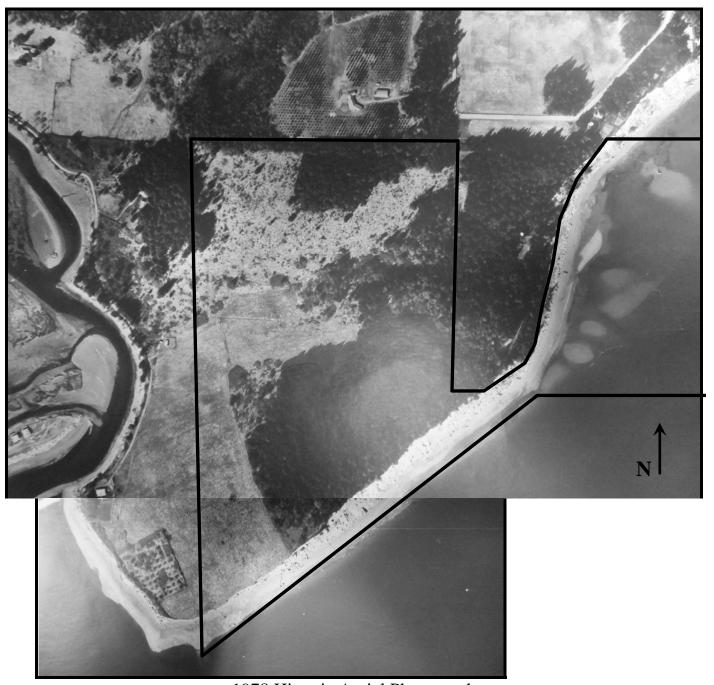
Historical Use and Public Records Search References

Stratum Group Indemnity

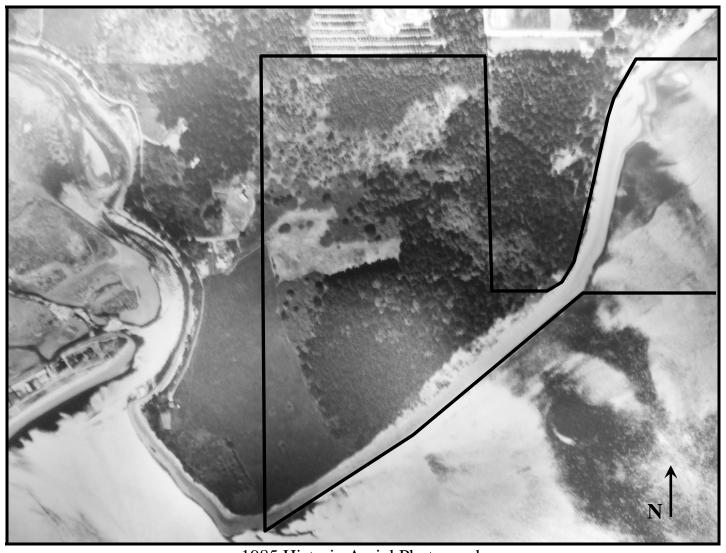
Historic Aerial Photographs



1958 Historic Aerial Photograph



1978 Historic Aerial Photograph



1985 Historic Aerial Photograph



1990 Historic Aerial Photograph



2005 Historic Aerial Photograph

Historical Use and Public Records Search References

Historic Use Source References

- 1. Historical aerial photos dated 1958, as maintained by the Island County Public Works in Coupeville, Washington
- 2. Historical aerial photos dated 1978 and 1985, as maintained by the Island County Assessor Office in Coupeville, Washington
- 3. Historic aerial photos dated 2011, 2009, 2006, 2005 and 1990, available online through Google Earth
- 4. Property assessor records maintained by the Island County Assessor's Office in Coupeville, Washington.
- 5. Interview with current property owner
- 6. Sanborn Fire Insurance Maps of the subject property were not available
- 7. Topographic Map: Camano, Washington Quadrangle, USGS, 1955

Public Records Database Search References

Public Records search was completed through internet research. Each database is searched by city, county, zipcode or through mapping programs. Copies of the databases searched for this report can be provided, upon request in .pdf format.

- "Envirofacts Data Warehouse." <u>U.S. Environmental Protection Agency</u>. < http://www.epa.gov/enviro>.
- "National Response Center." <u>U.S. Environmental Protection Agency.</u> < http://www.nrc.uscg.mil/foia.html>
- "Superfund Site Information" <u>U.S. Environmental Protection Agency.</u>, updated monthly http://www.epa.gov/superfund/sites/cursites/index.htm
- "Integrated Site Information System (Web Reporting)." <u>Washington State Department of Ecology</u>, updated weekly
 - < https://fortress.wa.gov/ecy/tcpwebreporting/Default.aspx>.
- "Washington Facility/Site Atlas" <u>Washington State Department of Ecology Geographic Information System</u>
 - < http://apps.ecy.wa.gov/website/facsite/viewer.htm>.

Final Report, Executive Summary, Island County Ground Water Quality Assessment and Monitoring Program, Sweet, Edwards & Associates, 1985

Stratum Group Indemnity

Stratum Group has prepared this report using reasonable efforts in each phase of its work to estimate the liabilities associated with recognized environmental conditions on the subject property and in the vicinity of the subject property. No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property. This report is intended to reduce, but not eliminate, uncertainty regarding the existence of recognized environmental conditions in connection with the subject property, in recognition of reasonable limits of time and cost.

Stratum Group makes no warranty, expressed or implied, as to the accuracy of information contained in public records.

This report is not definitive and should not be considered a complete or specific definition of all conditions above or below grade. Subsurface exploration of the site was not within the scope of this study. Recognized environmental conditions in the subsurface, if present, could only be identified by a subsurface investigation. An evaluation of area-wide atmospheric deposition of contaminants is not evaluated within this report. No asbestos or lead based paint assessments or testing took place as part of this report.

As is now common in the industry, it is understood that, to the fullest extent permitted by law, our clients agree to defend, indemnify and hold harmless Stratum Group, its owners, employees, subcontractors and agents, from any (past, present, or future) pollution-related claims or damages at the site, including potential claims from third parties that may name Stratum Group as a claimant.