

**MINUTES — Regular Meeting**  
**CHUCKANUT COMMUNITY FOREST PARK DISTRICT**  
**Wednesday, July 28th, 2021, at 6 PM**  
 Online Meeting Through Zoom  
 Mailing Address: PO Box 4283, Bellingham, WA 98227

Official email addresses for Commissioners, where public may send comments (subject to public disclosure):

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**Our Mission:** The mission of the Chuckanut Community Forest Park District is to ensure the entirety of the property is protected in perpetuity in public ownership, with respect for its ecological, recreational, and educational functions and to serve as a fiscal mechanism through which the district, via a tax levy, will repay the City of Bellingham for the Greenways Endowment Fund loan.

**Due to the Covid-19 outbreak and the Governor's "Stay At Home" Order, this meeting of the Chuckanut Community Forest Park District will be conducted online on Zoom.**

A visual and audio recording of this meeting will be posted on the CCFPD website. If your camera is on during the meeting, your voice, likeness, and surroundings, will be publicly available and viewable on the CCFPD website. If you choose to speak with your camera off, or by calling on a telephone, only your voice will be recorded.

**Call to order:** Frank James. Welcome Commissioners and Citizens. Per Chapter 42.30 RCW (Open Public Meetings Act), CCFPD board meetings are open to the public.

**Roll Call:** Frank James, John Hymas, John Brown, and Hue Beattie are present. John McLaughlin not yet here.

**Motion:** Moved to approve agenda by Hue Beattie. Seconded by John Brown. Approved 4/0.

**Introductions:** Bob Carmichael, legal counsel, and Robyn Albro, secretary.

**Motion:** To approve minutes of June 23rd, 2021, meeting with corrections as submitted by Bob Carmichael.

- On p. 3 the first sentence of a paragraph a little more than 2/3 of way down page should say: "A pump track facility in developed area of Whatcom Falls Park . . .".
- At top of p. 5 on 5<sup>th</sup> line of my comment, please add the word "not" in front of the phrase "going to end."
- Near middle of p. 5 under New Business, 2<sup>nd</sup> line of my comment after "Ann Eissinger" should say "advocated."

Moved by J. Brown. Seconded by John Hymas. Approved 4/0.

**Public Comments:**

Barbara: I think we should keep the emphasis on this being forest. We've called it a park district from my point of view because that was our funding opportunity through the state. I don't believe that those of us who worked really hard to get this in public ownership wanted to see it become a park in that I see a park as something that loses a lot of its wilderness value and has a lot of heavy use from people. So, when I was looking at the trails proposed through the Parks Department first of all, it says Fairhaven Park and I would like there to be a clear delineation that that's not Fairhaven Park when you enter. We could have signage that talks about this very sensitive ecological area and include something that's going to encourage most people to recognize how sensitive this area is. I don't believe 12-foot trails are really appropriate because it encourages a lot of heavy use. I'm just telling you my concerns about it. What I'd like to see again is the signage when you enter that there's a clear sense of leaving a park and entering something different, something that's unique and needs extra care. I go into Fairhaven Park a lot and it has heavy use with the bicycles off the trails and with everything that's happening there, and I would hate to see that in our forest.

Frank James Thank you so much Barbara. Many of the things you've said, we've expressed those same views to the city, and it is our intention to carry that out, the preservation of the forest is our highest priority.

Barbara: I can write a letter to the Parks Department and tell them the same thing.

Frank James: Please do and we very much appreciate your coming and we hope that other people will step forward and express their opinions, whatever they are, on this issue.

John McLaughlin arrived during the public comment period.

John McLaughlin: Barbara, your comments address a deep priority that I think all of us in the Commission share. It's part of our mission, if it's not the highest priority of our mission and yet it's a small minority expressed in all the public comments. Most public comments we receive are advocating for as much access and recreational use as possible. And that's also consistent more with the mission of the Parks Department. But as you said we are dealing with a very different place with very different values. And so, while the Commission is going to advocate those values. It's helpful for the Parks Department to hear that from the public as well. Thank you.

Barbara: You're welcome. I'll work on getting more people to comment. I want to tell you one real quick anecdote. I have a 10-year-old grandson and he is fascinated with and knows a lot about native trees and forests. He loves to go to the ridge and just despairs if he sees anything that's been damaged. If ever he spies any invasives, he gets quite distressed about that. He really recognizes the importance of the forest.

Frank James and James McLaughlin discussed that the forest is largely free of invasive species, but with the relative recent expansion of compacted soils and disturbed areas, it is only a matter of time before the invasive species that make use of those conditions take off. So, it's imperative to include the restoration component in the Master Plan so that we restore conditions for native species, otherwise it will get much worse.

Hue Beattie mentioned that a woman shared a report on his Facebook page of a turtle laying "marble sized eggs" near the swimming beach at Lake Padden.

**Park Advisory Board Meeting Report:** John Hymas has been having trouble getting the minutes. He will forward minutes when he gets them.

#### **Old Business:**

- **Rescheduling of Analiese Burns Presentation.**

Urban Forestry Management Plan assessment presentation was cancelled for today as Analiese has not presented to the City Council yet. Commissioners discussed possible meeting times. It was decided to have a special meeting so that Analiese Burns could present the Urban Forestry Management Plan to the Board and the public. The special meeting would either be between Sept. 15 to 20, so that John McLaughlin could also attend, or if that is not possible, then in the first two weeks of September. Robyn Albro will communicate with Analiese Burns and then will discuss it with Frank James, who will make the final decision on the special meeting. Need to give at least 24 to 48 hours' notice to the public, but it would be better to give more notice.

R. Albro will send out a reminder to the Commissioners about the presentation to the City Council on August 30<sup>th</sup>, with all the ways to watch the presentation. There may also be a presentation to the steering committee in early September.

There was discussion about when the report documents will be available to CCFPD. Bob Carmichael noted that draft policy sections in a document are exempt from the Public Records Act, but facts would not be redacted.

#### **Update on Master Plan and Steering Committee Meetings. Consultants?**

John Brown gave an update on the Steering Committee. They have hired a consultant to facilitate meetings. They have worked on the initial data of a forest management plan that also has to do with urban interface. They will give an update on the data and the analysis of a public survey done in August at the upcoming meeting on Friday morning, their third meeting of the Steering Committee.

Frank James: I would like to propose that we hire our own consultant to guide the process of conservation and preservation of this parcel.

Bob Carmichael confirmed that the Board has the fiscal and legal authority to do this.

John McLaughlin: I'm concerned that when the city does get going, it may end up making this process fairly quick without the level of thought and experience with this kind of place that we have been emphasizing. Owning the process, doing our homework with someone who both understands the protection we're after and understands the planning process, I think would be very strategic.

After much discussion, the following motion was proposed by John McLaughlin and seconded by John Brown:

Move to proceed with an RFP for hiring a consultant to develop a protection, conservation, and restoration design that would contribute to the Master Plan process with a budget not to exceed \$30,000. Approved 5/0. Frank James is proceeding with this.

**New Business:**

**Amendment of Conservation Easement.** It was reported that at the last Steering Committee meeting it was agreed to only allow the new allowed uses and nothing else. There was discussion about whether the conservation easement really needed to be amended. Bob Carmichael explained that the Master Plan is a city planning document, and the Conservation Easement is a legal instrument that runs with the land and is separately enforceable from the Master Plan. Amending the conservation easement is arguably more important than the Master Plan. It is a modification of the title of the property.

The process for the initial Conservation Easement was it was negotiated with the Parks Director, then there was a joint public hearing with the City Council and the Park District Board convening a joint meeting in City Hall. Then it was signed by the Mayor, the Chair of the Park District.

The motion approved at the last meeting was: To better achieve the purpose of the Park District and the perpetual preservation of the Chuckanut Community Forest, revise section 4.1, subsections a through s of the Conservation Easement to allow only trails, including bridges and boardwalks, signage, benches, and plaques. To encourage a review of the existing land trust easement on adjacent property to give the two easements consistency.

Next step would be to draft an amended Conservation Easement before approaching Mayor or others. Bob Carmichael was directed to draft an amended Conservation Easement based on the motion adopted at the last Board meeting. Suggested it be shared with Nicole Oliver before taking it to the Mayor and the City Council.

**Determine if next meeting will be online or in-person.** Due to increased Covid cases due to the Delta variant, Frank James recommended that the next meeting be online, and the Commissioners agreed.

**Monthly expenses and cash flow sheets.**

**Petty Cash:** WECU Bank account balance as of 6/30/2021 was \$2,789.

**Treasurer's Report:** As of June 30, 2021, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (6/01) \$292,091, ending unencumbered cash balance (6/30) \$249,817. We received tax revenues of \$5,927. Paid out \$2,577 in operating expenses, and \$45,625 was paid on our loan to the city of Bellingham.

Current debt outstanding as of 6/30/2021: \$311,823.

Annual Report to Secretary of State was filed 7/26/2021.

**Motion:** To approve District Payroll Input Form, wages for Robyn Albro, 29.75 hours in June 2021, total gross of \$743.75. Moved by John Brown, seconded by Hue Beattie, Approved 5/0.

**Consent Agenda: Motion to approve following payments.** Moved by John Brown, Seconded by Hue Beattie, Approved 5/0.

- Payment on the June 15, 2021, Invoice #95298, from Carmichael Clark PS for \$1,730 for regular professional services.
- Payment on the June 24, 2021, Invoice #32700 from Whatcom County Administrative Services for \$30 for Second Quarter Payroll Services.

**Reminder:** R. Albro will send an email to three board members right after the meeting, Frank James, John Brown, and Hue Beattie. Please respond confirming that you approve the paying of bills as listed in the consent agenda and payroll.

**Next meeting:** Wednesday August 25th, 2021.

**Adjourn.** Time: 6:45 pm.