

**MINUTES — Regular Meeting**  
**CHUCKANUT COMMUNITY FOREST PARK DISTRICT**  
**Wednesday, March 23, 2022, 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): Frank James [fjames.ccfpd@gmail.com](mailto:fjames.ccfpd@gmail.com) John Hymas [jhymas1331@gmail.com](mailto:jhymas1331@gmail.com)  
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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 Dist. has been 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:** John Brown, John McLaughlin, John Hymas, and Hue Beattie are present.

**Motion** by Hue Beattie to approve Agenda for today's meeting. Second by John Hymas. Approved 4/0.

**Introductions:** Bob Carmichael, legal counsel, and Robyn Albro, secretary. Other attendees: Barbara Zylstra.

**Motion:** by Hue Beattie to approve the below correction to January 26, 2022, minutes and to approve the minutes of February 23, 2022. John Hymas seconded. John McLaughlin and Bob Carmichael had a couple corrections to the February minutes. Minutes approved with corrections, 4/0.

**Motion** by John Hymas to approve minutes for **01/23/2022 12/08/2021** meeting. Hue Beattie seconded. Approved 4/0.

**Park Advisory Board Meeting Report:** No Report.

**General Public Comments:** Barbara Zylstra: This is in response to the draft master plan that Nicole Oliver introduced last week at the public meeting. I was concerned because they are allowing bicycles on what had been the logging road. So, a connection from Fairhaven Park, another connection to the interurban and allowing dogs on leash. It seemed pretty clear after I asked that, even though we could restrict dogs, she feels that because dogs are using it currently, we will just inform people they need to be on leashes and then people will be responsible. My concern is I don't think that will be true. I have watched what happens in Fairhaven Park with bicycles and with dogs, and so I was going to suggest that there be a provisional time allowing both the bicycles and the dogs on leash provisionally and then have a time, maybe the summer of 2023, when we could revisit that and just see if there's been any negative impacts to users.

John Brown: I think that's a very cogent suggestion, Barbara. As I understand you are saying that we approve of the Nicole Oliver plan to allow riders on bikes to go from the entrance to the park across the park to the Interurban Trail but to dismount from their bikes when going on other trails and that dogs be on a leash all the time in the park. And that we try these two things provisionally for a year. I think that's a very good suggestion that the board ought to take up and recommend.

John McLaughlin: I made a similar suggestion during the Open House. I think we could translate that language into technical terms that planners might recognize and what she's talking about is adaptive management. So, you have a plan and then you adapt it based on the results. You allow some use and see how it goes and not allow more use until the existing uses are proven to be responsible and not causing more impacts. So, thinking like the Parks Department, which has to manage visitor uses, it's easier to allow more than to pull back and impose additional restrictions. Right now, it's a free for all, but if they start out with a master plan being a bit more restrictive but promise if people behave and comply and the impacts are low then perhaps, we can continue those impacts and allow a little bit more. Whereas if we go there and dogs are off leash running all over the place, poop is piling up, and bikes are causing more impacts or people building more road trails, then we have to get more restrictive. That could be phrased as adaptive management and I think that's language that the planners will recognize.

John Brown: My idea is I or one of us writes a letter with these terms, adaptive management, to Nicole and Laine at the Parks Department, saying these suggestions came out and also that we bring it up at the next Steering Committee meeting, which as I understand it is going to be the last Steering Committee meeting that will have taken into account all of the public information and then we make that our suggestion at that time.

John McLaughlin: Either way, if we're going to write a letter, I would suggest getting it in by their April 1<sup>st</sup> deadline.  
John Brown: Ok, I'll write a letter that incorporates Barbara's suggestion, barring negative response from any of you, that says this is the unanimous recommendation by the board.

Hue Beattie: I would ban dogs, they're the dominant mammal species in there. John Brown: I don't disrespect that, I agree too, but the subject was thoroughly aired and explored at the open public meeting, as you heard. I don't know how to respond to you, except to suggest that I go ahead with writing a letter or that we bring it up with the Steering Committee when we meet at the beginning of May. Hue Beattie: You can write the letter; I've lost my battle on this. If you'd put the dogs out, I think you'd find an increase in wildlife. John Brown: You're being very gracious about it.

John McLaughlin: I think Nicole in particular is responding to strong public input and public advocacy for use of both by both dogs and cyclists in the area, and she's responding to that regardless of conservation interests and everything else. In a democratic society she's going to respond to the public pressure. If we consider dogs, what are the primary concerns? I can think of three. One would be people not picking up after their dogs, so you have an accumulation of waste. The second would be of dogs off leash, threatening other visitors. And then the third would be dogs primarily off leash impacting the place and particularly its nonhuman residents. The first one really depends on the behavior of the people with the dogs. People walking dogs on leash can leave poop behind, but they're more likely to see their dog pooping and more likely to pick up after them. A dog off leash could be pooping wherever and people don't see it. Dogs on leash are less likely to impact other visitors and are less likely to be a threat to wildlife. Wildlife can recognize a dog on a leash versus a dog off a leash and perceive the latter as a much greater threat. I think allowing dogs on leash in the place is a reasonable compromise that accommodates the very large number of users who want to visit the place with their dogs, but at the same time minimizing the impacts of those dogs. If people are going into the place and letting dogs off leash, then we have non-compliant behavior and then the stick, if you want to call it that or the restriction that would follow the adaptation would be to say ok, people have not been complying and we're going to have to restrict further and not allow dogs at all. I think that would be a way of both addressing the need, but also having an incentive not to abuse.

John Brown: You're putting this all so beautifully John, I almost wish that you would write the letter, but I know you've got a lot of things to do.

Bob Carmichael: So, if we want this letter to be written on behalf of the Park District Board there should be a motion and a vote on it and then John, you could write it on behalf of the board.

John Brown: I would like someone, if Bob agrees, to make a motion that I go ahead and write the letter to the Park's Director laying out the position as Barbara and John McLaughlin particularly have explained it and I do have notes on that. I don't think any of the Park District Board have to vet the letter, I'm not going to put anything in that's going to send you to jail and I'm going to write something very straightforward and send it to Nicole.

Barbara Zylstra: I'm going to send my own letter, so you don't have to say it was my idea.

John Hymas: I like Barbara's ideas and the adaptive use term and it's basically a one-year trial for dogs and bikes. I've been getting some email about the master plan, and I'm trying to defend us.

John Brown: Do I have someone to make a motion that I go ahead and write the letter? John McLaughlin: I move.

John Hymas seconded. Approved 4/0.

**Reminder to fill out your F-1 financial disclosure report online with the Public Disclosure Commission before April 15<sup>th</sup>.**

John Brown: I'd like to make a note that all of the Commissioners are obliged to fill out our F1 financial disclosure reports with the Public Disclosure Committee before April 15<sup>th</sup>. Robyn can remind us of that again and send us any necessary documents that we have to have. Robyn Albro: You should have received an email from the Public Disclosure Commission. They asked for updates on all of your email addresses which John Hymas sent to me and which I did. They are doing it all online now. If anyone needs any help you can ask me.

**Monthly expenses and cash flow sheets.**

**Petty Cash:** WECU Bank account balance as of 02/28/2022 was \$2,967.

**Treasurer's Report:** As of February 28, 2022, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (02/01) \$250,557, ending unencumbered cash balance (02/28) \$242,604. We received tax revenues of \$2,528. Paid out \$9,973 in operating expenses, and \$508 was paid on our loan to the city of Bellingham. Current debt outstanding as of 02/28/2022: \$22,574.

**Motion** by Hue Beattie and second by John Hymas to approve District Payroll Input Form, wages for Robyn Albro, 24 hours in Feb. 2022, total gross of \$600. Approval 4/0.

**Consent Agenda:** Motion by John Hymas and second by Frank James to approve following payments. Approved 5/0.

- Payment on February 15, 2022, Invoice #97400 from Carmichael Clark PS for \$952.00 for regular professional services.
- Payment on February 25, 2022, Invoice #50502 from Herrera Environmental Consultants, Inc. for \$11,144.23 for Tasks 1, 2, 3, and 6.
- Payment on March 15, 2022, Invoice #50632 from Herrera Environmental Consultants, Inc. for \$7,039.22 for Tasks 1, 2, 3, 5, and 6. (Total billed to date \$19,788.69.)

**Herrera Update** Frank James: I'm really excited about the Herrera update. Thanks for coming Chris and Tina, I'd like to turn it over to you to give us an update on where you're at right now.

Chris Webb: We have a PowerPoint to run you through where things stand and an initial peek at some of the maps and as I've mentioned, the way we're approaching so much of this is in the ecological realm. Tina is our lead ecologist and so she has been leading the production of most of the report. My technical area is in the engineering of some of the mitigation measures and so I'll speak at the end.

Tina Mirabile: Thank you for having us join you. Since the last time that we presented to you, which was not the last board meeting, but the meeting before that, we've made some progress. The first two things that we accomplished during the first status report was the notice to proceed was given and we started doing background data review and the initial project base maps and we showed examples of those. Right now, completed items includes the project initiation, goal setting, and initial site walk with John McLaughlin and John Hymas on February 16<sup>th</sup>. We also concluded some of our own field work in January and February for technical review. Tasks being complete are the ecological and hydrological analysis. Currently we're working on the conservation, restoration, and preservation analysis. It looks like we are on schedule for April 15<sup>th</sup>. We're in the process of writing the stewardship plan. We're developing larger sections than just the tables of contents, which I had said that I would share with everybody at the end of this meeting for your review and comment or any other information that you feel you may want. So, the other things we've done is that we did meet with Nicole and Laine at Parks Dept. with Chris to talk about how the stewardship plan is going to integrate with the Master Trail plan. We also provided this slide for the open house presentation that I hope that anybody who was there noticed.

We've seen information for task 5 to do our analysis. One thing we noticed was the wetland buffers needed to be updated as the background data that we had reviewed was dated 2009 and 2017. We've looked at the wetland category trees based on ecology's best available science as well as using the city's regulated wetland buffer overlays. As you can see on this map, it shows how connected everything is. There's an overlay of trails on top of that. The colors on the map were the criteria that we established for determining what areas were of highest priority to lowest for preservation, conservation, and restoration. Highest priority would be those category one mature forested wetlands that are in the dark blue blobs and then the other wetlands are of the lighter blue. The way that we looked at the hydrology connections between things are the turquoise lines. These are not streams, but what they are showing is based on modeling where the water floats and how it connects with the different wetlands. We wanted to recognize that the hydrology surface water flows between the wetlands, even though they might not be streams, they're seasonal, there's still a priority, especially when there are trail areas. Then the wetland buffers were the next priority. The very lowest is the upland forest that's not regulated by the city as a critical area.

Then we took the city's trail plan, you might be more aware of a more up to date one than I do because of the open house, but this was the information that I was given from the city. We overlaid this. The purple line is kind of the main trail and that's the former roadbed that had to do with the gravel that connects over to the Interurban Trail and then they also highlighted some trails that they wanted to remove and those are the kind of darker ones. What's interesting is that the ones that they wanted to remove, they seem like they were mostly based on topography criteria because when you look at our priority areas for preservation restoration, they're kind of missing those, and that's because it's in the upland buffer area and the wetlands are in the more low-lying areas. What we did was we documented the areas where the trails are going that we thought should be prioritized for some kind of trail modification, potentially even removing trails as well as having some kind of management of the commands of the hydrology. For instance, this area A we labeled them a through. This is the connection between the CC1 and the CC2 wetlands which originally were delineated as one wetland, then they got revised into two and based on our field studies, it's now our recommendation that it's one wetland, a category one mature forested wetland, which is a high-quality wetland and so having this trail going right through is problematic. The recommendation would be either don't use this trail, or if you do then you come up with some way for either using culverts or a boardwalk, or Chris has some other installations that he's used to try to preserve soils as well as hydrology where people are crossing. The other area is B, the gravel pit area and this main trail is definitely being emphasized by the city that they want to maintain, which kind of makes sense because that trail provided good connectivity and a lot of disturbances are already associated with that. But for this particular area by the gravel yard is another

recommendation for there needs to be a little bit more thought and consideration as to how that improvement in that area will be, as well as down here on C. Sorry for the small letters. This wetland KK is also a category one mature wetland and right now there's a trail that flips right through this area and so we're going to recommend that this be removed. So D, these JJ wetlands are the ones that are more associated with the interurban trail wetlands, but this area right here is basically a major trail. There's more than one through here, and the water is just touching on the side. The trail between these two wetlands is an area that also needs some hydrology management as well so that's the general gist of what we have identified as major areas. This map will be modified to actually show areas that we recommend actually removing entire trails because there are a lot of trails in here that we probably don't need, and the city even recognizes that by mostly concentrating on their main base trail for improvements. So, this is the segue into Chris' expertise on how we can accomplish some of these hydrology connections or management so that we can make the trail impacts less in the areas where they're going to stay.

Chris Webb: We heard loud and clear that one of the important deliverables or value that this plan needs to provide you is that toolbox of specific solutions. Tina's analysis is really identifying those, the problems, and their locations. These are just an introductory set of the types of tool and techniques we've been talking about, but ones that are used and appropriate to solve these sorts of issues. This one is no stranger to you all, this is the boardwalk that we were part of building just outside of the district boundary in the park and so crossing wetlands where we are in those critical crossings within high value wetlands. If we do decide to maintain pedestrian connectivity through there, a boardwalk structure is a natural way to do that. There's a bunch of different configurations. They're not cheap, but they are very effective. Bridges are another one. This is a bridge we did over a tributary up in Julianna Park, showing crossing a stream, and then the signage and fencing that's associated with that. I don't see as many opportunities here for prefabricated bridge structures. I think our water crossing are going to be much more modest than a stream or a tributary, but it's just another option for crossing critical areas and water courses with a structure.

Next, separating people and wildlife is another thing, so there's a kind of fencing dimension to this. This is the city standard two rail fence they show when trails are in buffers to keep people out so a fence is another mitigation strategy that we may apply, probably appropriate along trails in buffers. Dogs are supposed to be on leash, but this is another dimension of protection. Another strategy we will likely recommend in some places.

Next is vegetation. Planting vegetation is another way to naturally corral people. This is a photograph from another trail project Tina and I are working on in Lynnwood at around Scriber Lake. The natural vegetation is quite dense and tall, so it's a natural barrier. Introducing plantings and some areas where we can dissuade or channel people and dogs and keep them from wanting to get off into areas where they shouldn't be. Plantings are another option.

Next, the burrito has been something I know has been an area of a lot of interest for a lot of folks, so I thought I would show what that idea is. That idea probably has a lot of promise. Our hydrologic model that developed those little turquoise lines, they're not streams, but they look like streams. In those locations where water is flowing either on the surface or just below the surface, that's called interflow, that shallow groundwater flow, which wetlands really rely on. It's seeps of water moving slowly through the soil. This is showing a little trail off Aldrich Avenue north of town which I worked on about 10 years ago for the city. We went through a wetland because there was a lot of pedestrian traffic between some of the commercial areas in Cordata and where a lot of the multifamily housing is. It was a heavily people trafficked corridor so we came in and put in a firm surface so folks can transmit the wetland in the right way. To maintain hydrology, because there's a large wetland complex on the right hand side of the trail and on the left hand side of the trail, we did what's shown in cross section on the left hand side, which is essentially we over excavated down below the soil and the trail and removed those organic wetland mucky wetland soils that have very slow water transmissivity properties, and we laid down some geotextile fabric and then dumped in a couple of feet of depth of rip rap, 4 to 6 inch cobbles or two to four inch cut crushed rock, like railroad ballast like you'd see along a railroad and then wrap the fabric up over the top and built the trail on that and then the even graded crushed rock just allows water to continue to kind of ooze slowly along, and so when it's done, it's not something that's really visually apparent. As you can see there in the picture, it's just strategically placed to allow that seep, that slow moving water to continue to occur without doing the option in the next slide, which is more common. It's a simple culvert, which is another option, but that's a little more appropriate for kind of a point source of water. These are interventions we can make to get that hydrology to be connected and as natural as possible.

The last image I have, I know this is an area that has been discussed and is of interest, and we're trying to stay in our lane in terms of commenting on the trail plan, but we think that you know trail surfacing is a strategy for restoration and as many of you have noted, the city tends to do the one in the middle, which is their typical six to eight foot wide crushed limestone standard trail which is designed to not only ADA standards, but also something called the WSDOT shared-use path criteria, which is about site distances and it's designed around a bicycle going 25 miles an hour. That's not the intent for people to ride bicycles 25 miles an hour, but that is the stand in terms of the horizontal and vertical curves that are used by the city when they lay out those kind of more primary trails and so what isn't in the city's typical toolbox is something that's a little more on the right, is a footpath. I copied a table in the bottom of the slide there that we pulled out of a report. We did a study, I think we showed it to you in our

proposal for the Duwamish Tribe in the West Seattle Greenbelt, and we referenced in that work the City of Seattle's standards for the maintenance of the narrow footpath, what's kind of most of the trails that are out there, which has pros and cons. It's less stable surface, but it's a more modest impact, but it's something I think we would like to put some definition to because while the city says, we can do our trails in a number of widths, they tend to do all of their trails in a crushed limestone fashion which to be blunt is built similar in design of a road and has the same design effort as a road, which is part of the reason why they cost so much anyway. But to be able to provide a tool in the toolbox of what is our standard for a narrow footpath. What's the width? What are the maintenance expectations? What's the use patterns? And so that's something that we intend to introduce in the stewardship plan.

To recap, in order of most robust to least, it's our structural options where we're needing to absolutely maintain a trail connection through a critical area. Let's go ahead and recommend spending the money on a trail. Then the main primary transit, which it does seem a lot of consensus has established around use of the primary gravel road that's out there as a primary trail, and of more or less to those standards. But I think we have an opportunity to add to the conversation something about what is a primary trail, what's a narrow footpath, how to maintain it, and what are its standards? There's some technical information underpinning it and it's not so informal and poorly defined that it could become a lot of different things. Tina, can you pick it back up with the contents of the plan here.

Tina Mirabile: This is the table of contents as we've been going with it so far. A lot of it we've already covered when we kind of went through the background review. We did field investigations to get us to the existing conditions and updated information we felt needed to be brought forward from 2009 and even 2017. Then after we understood what the existing conditions were. We looked at the criteria to establish for priority areas like I mentioned. We have five areas and the highest priority is given the number 5 for mature forested wetlands. Although the upland forest is important, it mostly does give higher priority when it is the buffer around a wetland. Out of all the areas that are out there, that one got the lowest priority, at least for preservation, because we can use the upland forest without the critical areas reference regulations to put trails or other features that would not be recommended in the wetlands or exactly in their buffers. Where the analysis recognizes needs and opportunities, we were putting those down as priorities for what happens. If a trail that's being emphasized to be kept like the roadbed when it's impacting an area, what means can be implemented to be able to help avoid or minimize those impacts. I'm trying to also add some habitat connectivity discussion. Regarding dogs, it was understood that dogs and bikes, at least from our perspective of the stewardship plan, we weren't really going to address that, but there is going to be a section that just talks about the kind of distances of which wildlife will actually respond to various disturbances, even noise, like people walking by with dogs, or on bikes. That section will at least maybe help with that further adaptive management and how they're going to monitor to determine if the kind of compromised use by having the dogs unleashed is or not really causing a bigger impact than maybe what people are thinking they might be. That was the main gist of the draft, there will be a lot more tables and more figures. I will send this to you and then if any of you have other ideas for what should be included or not then I look forward to your comments.

Chris Webb: I was going to add most of our analysis actually was done in GIS and so we have a robust GIS data set and can produce a bunch of figures. We set the bar low for ourselves to under promise and over deliver on those. We've got a real nice set of mapping information that will be able to produce a lot of different figures to really illustrate what we're talking about.

Frank James: I'd like to open it up to the Commissioners for comments and questions for Chris and Tina.

John Brown: Chris and Tina, regarding this toolkit of interventions, modest bridges, fences, planting vegetation, channeling people, the burrito, the culverts, and trail surfacing, am I correct to assume that you have brought up these various ideas with the city and are talking in these terms, whether or not the city is going to go for it all, but the city is aware of what your recommendations are.

Chris Webb: Everything that I've shown you is understood to be the standard of care for these sorts of situations and it's consistent with their standards and all of their practices. What I think is the million-dollar question is who's going to pay for all this stuff, and we haven't sought alignment with them that x lineal feet and this location is appropriate and it's going to happen. We want to do whatever we can in the plan to T that conversation up for success. We will provide qualitative planning level cost information for the things that we're talking about based on high level planning numbers. I'm actually quite curious about is there some way that we can present that information in the plan that suits the District's purposes or goals of implementing it? So that's a question.

John Brown: I think it's the district job to make this thing persuasive to the city. We talk the good work that Tina and Chris have done and make it as imperative as want to the city that we expect this work to be done. We also have the business of the transferal of the Conservation Easement, and I assume we are going to be able to put some teeth in that the work will be done.

Frank James: So, I think it's not just a conclusion, it's a process. I think what we want is an accurate enough picture of the costs that we can do reasonable planning with the city about how those costs might be met. What I expect

out of the city in terms of their planning process is a realistic plan for achieving those goals and if they don't have one, then we need to stay at the table until we do have one, because that's our fundamental mission. To have a plan that doesn't look at realistic costs of preserving the essential features of this parcel, that's not ok. We need to be willing and able to tell the city that and to stay at the table. I don't think our job is done until we've fulfilled our mission, which is to assure the ecological integrity of this parcel, in perpetuity, is what we've always said. It may not be that the city can fund everything all at once, that seems quite unrealistic. A process should be in place that will allow the essential things that are necessary to be funded over time. That can be a commitment through something like greenways. It could be a commitment to keep us around for another 10 years at a much lower level but raise the funds to do these essential things. There's a lot of different tools in the toolbox, whatever it is. I think what we need to do is have enough information from Chris and Tina to be able to put some dollar figures in general, but meaningful terms so that we can have that conversation with the city.

John Brown: Is it going to be helpful to have Tina and Chris come up with just ballpark figures for any of this?

Frank James: Sure, I think that's essentially as good as we're going to get. When you actually do planning, it's a different deal. When you actually say 1000 lineal feet of this particular type of roads or trail surfacing, there's a point at which you can make it very specific. I don't think we're going to get there right now, but to have a range of costs and some idea of where those need to go and what would be involved so that people can actually access wetlands and traverse wetlands without adversely impacting them, that's what we're looking for.

John Brown: We're going to be very well armed having Tina and Chris' report.

Frank James: We'll have everything we need to ask for, then it really falls back to us. It's a political issue about what's possible. I think we'll have the technical reality well in hand. Then we need to do the work of making the political reality, which is what's possible with maybe different things. We also need a clear enough picture so that when we negotiate our final conservation easement, that we're able to agree on principles and to turn that conservation easement over to someone that will enforce those things effectively. And there's conservation, restoration, there's a bunch of different aspects of that too.

John McLaughlin: There's another layer or scale to this that comes down to Tina and Chris and their team could come up with great plans with cost estimates and designs and the city could just say we can't afford it. Then you're basically getting into a debate over how much do things cost and what's in our budgets and what's realistic, and we have all these other parts we have to deal with. If we frame it instead with this is what this place needs, here are some designs that would solve some of the problems that exist now and will exist in the future. If we don't, then these problems are going to get much bigger and a lot more expensive. So, one thing we could anticipate is what's going to happen without these solutions? We now have almost 10 years of expanding public use without this kind of planning. We've seen what's happened and we can expect more of it to continue. Then we either have a much, much greater expense for dealing with those problems, or we have a substantially degraded environment, or both. So, I think that framing can be very useful. Then what that also does is it's not so much sticker shock, but it's where we are collaborating in trying to work out what's best for the residents of the city and what's best for this place and we're trying to solve a shared problem. Frank James: I think it's an excellent way to frame it, John.

Chris Webb: Yes, we started out with some goal setting and maybe revisiting that upfront about what essentially does this plan intend to achieve and having a bold statement at the beginning. Something like, support the uses with no negative impacts or only positive impacts to the ecology, or something that really nutshells what in fact we're hoping to achieve. Because following on what John was framing, I was taking notes, it's not like here's another big pile of things you have to pay for, it's like these are actually the things that are needed now to support the current use. It's more of a necessity to support the actual current use. Working with you all to help craft what's the essential role of this plan? What do we hope to achieve and to have a vision around your existing mission and have that at the beginning so that when we get to the end and there's dollars, it's pointing right back to the beginning of why we're here and what we're hoping to achieve.

Frank James: My thought is the way we present this is that this is our opportunity to do what our society has to do should it choose to survive. If we can't preserve wild places in our cities and towns. If there aren't places for birds, wildlife to live, if there aren't animals that take and spread seeds, if we don't have all those ecological functions preserved, we're not going to make it as a civilization. That's the challenge we have for the city, how do we do that in a small way in a particular place that's a model for others. How do we do it in a pragmatic, practical, achievable way? And we need to ask them to be our partners in that.

John McLaughlin: It also gets to what's the purpose of the Parks Department. I think one of the things they're trying to do is to make the place livable to city residents, so they don't have to drive to the outskirts of the city or even worse to move and buy their piece of the American dream while the whole place becomes Megalopolis. So it is, as you said, an opportunity for the Parks Department to really demonstrate just how they can fulfill their mission.

Hue Beattie: I said before you got here Frank and before the meeting started, I was mentioning some fire problems. Alex McClain was out walking with his friend one night up along the Connelly Creek Trail that we have in our wildlife

area up there and up in the far end towards Joe's Gardens. There are quite a few big cedar trees in there along the creek and he noticed a fire in there and he went back in there and some guy was back there with a bunch of copper wiring that they were burning the insulation off with. They had caught one of the trees on fire and so Alex called the fire department, and they couldn't put the fire out. Luckily, it didn't kill the tree. He wrote in an email that he sent out to me and a few others in the Neighborhood Association that this is going to be a problem with urban forests in the future. I think we have to think of those kinds of things too in our plan, because that's only ten blocks from us.

Frank James: Many things like that happen Hue. There were a group of guys throwing knives and axes at the trees in our forest and I went and talked to them and said guys, I'll call the police, or we can just talk about this and learn about that's not an appropriate activity. Another person came to me that I know quite well and has lived here for a long time and didn't understand why he couldn't build a treehouse for his daughter in the forest. There's a huge amount of education that needs to go on for sure and I think those human interventions, such as the fair number of people living back in the woods near Lake Padden have considerable destruction and garbage and all.

John McLaughlin: Before that, there's also been some close calls with fire on Clarks Point that were risking the entire forest. Frank James: I've been out there and put one of them out. That was more than a close call. Edgemoor would have burned down had not some kayakers stopped and helped us with some of the buckets. It was a bad fire. The fire department didn't successfully put it out and it took a wildland crew coming in hours later to finally get control. Those are very real things and that was 20-year-old kids with fireworks. Hue Beattie: A little fire plan would be a good idea too. Frank James: Yes, the city knows that. Hue Beattie: I think the Parks Dept. should do that.

John Hymas: I said this earlier, but I like this adaptive use, one year trial for bikes and dogs. I think that's a great idea. Thanks Barbara and John for that. I have something to say to a person that's been emailing me about this whole master plan and why can't we just ride our bikes anywhere we want. It's not your average park, it's special.

Barbara Zylstra: It's been really good to hear the report and I'm encouraged. One of the things I recognize is that Parks Department thinks of people. They do not think about the landscape. They don't think about ecology. They think about people. They want to build shelters. They want to have play equipment, trails, and that kind of thing, but all for people. I do think listening to Nicole present the master plan, I think she's really trying her very best to preserve this place and its new territory for her. So, all the information that you, Tina, and Chris give her helps her to defend what she's trying, because I think she really wants to do what's right for this property, but she is also dealing with people who want to have their dogs. When we did our survey in October on that Saturday and that Monday, there were lots of dogs. Just because there are lots of dogs using it now, doesn't mean we have to allow them. It isn't a given that just because somebody is using it, that it has to be incorporated. My problems with both bicycles and dogs are not the respectful people, but the ones who don't care, who ride their bike 24 miles an hour by me on the trail with no word that they're coming or at the last minute they'll say something. I could just as well jump to the left as jump to the right to get out of their way. There are dogs off leash a lot in Fairhaven. I think that she's trying to do the very best she can, but I'd really rather that we were hardly in there at all. That there were just a couple of trails instead of this whole maze of trails and not around the wetlands that need to be preserved.

Hue Beattie: On that open house I noticed several times where she was asked questions that were really questions that should have been asked to one of us. But rather than deferring, she'd start to answer him and then she would defer after she had said a little bit. We should have had somebody there who would just speak for us because that would have been better.

Frank James: Bob Carmichael, You haven't said much and that's not your role to say a lot, but I really appreciate your wisdom you've brought to this in the past. Have you got thoughts or suggestions? Contributions to Chris and Tina that we can or should be looking at, that maybe the others of us have missed?

Bob Carmichael: No, I think that it's been covered pretty well. One thing I'd add that I assume people have done, but if you haven't, just don't take it for granted, I would encourage everybody to take that survey at Engage Bellingham because the city does pay attention to those comments, not just the questions, but you saw how they collected their data and we saw that data in the open house. I wasn't able to attend, but I did watch the recording and they rely on that information. I think Barbara is absolutely right in her observation. I pretty much agree with everything you said Barbara. I do think Nicole is trying her best to preserve this place. I also think city parks is not used to thinking about preservation. They're used to thinking about making places for people and so they come under enormous pressure when they have a large segment of the public who is weighing in on trying to make sure that bikes and dogs can be in the park. I think to the extent you can talk to like-minded people who can fill out that survey would be good. I just looked at it and it asks these questions about dogs in the park and where should they be and do you agree with the current proposal. It allows you to make comments. It says the same thing about bikes, and you can weigh in with a vote and make comments. I do think in my experience, those things do matter with the city and so I think we should try to get as many people as we can to weigh in on those surveys. There's a little bit of the political aspect of it that you know. We are pretty much like minded here in this group, but there's a whole other city out there and they have to pay attention to everybody because they're not just managing the parks

for one segment, they're managing parks for the whole population and I don't think it's too much to ask to have a park like this set aside focused on ecosystems and habitat and I do think the city is open to that. But I think we need to make our case and not make assumptions. My observation also has been that the Steering Committee has done a great job of focusing the Parks Department on some of these issues that we feel are important and we have the position in city parks relatively favorable to our position because of that work. I think because of your work on the Steering Committee, Frank, and John and all the board members who are, you know, sending letters and participating so I think we do need to do what we're doing in that regard. I'm not so much the expert as Chris and Tina on what needs to be done specifically in the park. I do like John McLaughlin's idea of trying to take the focus away from dollars and cents. At this point there's going to be plenty of time to talk about the cost of things when the times comes, but let's get the ideas out there and the real needs of the park have those documented and memorialized. I hate to say it, but let's figure out how to pay for it later. Let's get key stuff down there documented now. I think the stewardship plan is going to be a great opportunity to do that.

Frank James: Chris and Tina, do you have any questions for us at this point? You think you understand our response to your presentation adequately? Chris Webb: Yes. Frank James: Great. I want to thank you very much for taking the time to come and share this with us. What you're doing is incredibly valuable. It's essential to this long-term plan. The city is working on its work that I'm really glad we've supported, and we look very much forward to the completed product that we can share with the city. Let's stay in touch and hope to work closely with you in the next weeks and months.

Chris Webb: Thanks again for the opportunity. We very intentionally responded to your request because we lived here a long time and share your goals of doing what we can to bring some technical rigor to the process of preserving this place.

John McLaughlin: I've got a couple of detail comments on some of the maps. I'm going to send those by email, so we don't have to take up everyone's time here. Chris Webb: Yeah, and John, we can also provide larger format maps with more detail. John McLaughlin: No, I just noticed a couple of detail things that might need correction.

Frank James: Great, we should probably keep moving because we have quite a few other things to cover.

John McLaughlin: Regarding some of the things Barbara said, if we look at the trail footprint now, you know just how much of the area either consists of trail or direct immediate trail impacts. We could do that, measure those measurements, but I would venture that at least certain parts of the area and maybe the entire area is almost half trail footprint. The stewardship plan and restoration associated with it could reduce that substantially, and that would provide a lot more habitat, we call it, but it's really living space for all the other plants – the fungi, animals and all the wildlife of that place. That would also, thinking from a park manager point of view, improve conditions for the people that they're trying to serve. Many of them have mentioned the value. They want secondary trails so they can feel like they have the place to themselves, and they can feel this sense of solitude and right now they don't get that largely because of the soil compaction and the loss of vegetation and everything else. And so, I think that could do quite a bit. Then regarding bikes and dogs and that sort of thing, this notion of adaptive management of a trail period. What Barbara is talking about are issues that have been experienced elsewhere. We're not inventing new things here and we can rely on and benefit from the experience in other places. One of the things happened during the open house was there was a side conversation in the chat about some of the data in the literature on impacts of bikes versus hikers, and that sort of thing, and that got me curious, and I did, you know, quick literature search and found. Actually, there are papers published on injuries to pedestrians caused by bites, you know there's been enough of this going on and people have actually studied it and what to do about it and so we can benefit from that. We can point the Parks Department to look. There's a lot out there that has been studied. These are real issues and there are real solutions that we can learn from instead of having to learn them eventually by making your own mistakes. What Barbara is getting at is if you have enough people and their dogs and their bikes who are, a minority this moment or even a large minority that are, threatening either wildlife or other human users then it becomes very difficult to address that if bikes and dogs off leash are allowed. It's much easier if they're not allowed at all, because then any bike or any dog in the place is in violation, which becomes pretty clear, so I think that's sort of the carrot or the stick that we would be holding out. If in this year people do comply, they do behave, then they may get to continue to use it and if they don't, then the only workable thing to prevent the safety hazards to pedestrians, or all the dog impacts would be to ban them. I think that may be enough that we could propose that would be enough to encourage compliance, because otherwise you have an untenable situation. If you're allowing a little bit of use and some fraction of the user population is violating that then it's always going to be a problem.

John Brown: Yeah, we'll put that in the letter John. Frank James: Yes, and I think Bob's point that we should encourage people to participate in this process, it's a really important one.

**Master Planning Updates** John Brown: They presented an overview. They talked about the trails. They particularly focused as John McLaughlin said, on bikes and on dogs and there were these sidebar conversations, but overall, I think that everyone was very upbeat about the progress that they were trying to make. That they had

their heads around the whole process. They were moving ahead in a responsible way. A deliberate wait, not too fast, just moving on our next Steering Committee meeting, going to be I believe at the beginning of May. I hope I am not being too optimistic. There was a good deal of contention in the sidebar about dogs and bicycles. However, overall, I think they had their brains around it in such a way that we would have all felt reasonable encourage by the deliberation of the process. There were a good many people there.

Frank James: How many people? John McLaughlin: I thought it was somewhere in the 40's. Barbara Zylstra: I thought she said there were 47 people. Frank James: Still a small number of people.

### **Response to Urban Forestry Plan Letter**

John Brown: About the Urban Forestry Plan letter which we have not received their response to yet. The letter that I'm writing advising the city to take note of this adaptive management in this provisional plan for a year. I wonder if I might include in that letter a reminder that we would like a response to what John McLaughlin said. Hue Beattie: A second reminder.

Frank James: The people that do restoration and conservation are not in the Parks Department in the city, to the extent that they do that in public works and that's a fundamental problem about this whole process, is the fact that it does not live in parks. What they said basically is that is not our work product. We should remind them though.

Hue Beattie: I thought they contracted out to some company to do it for them. We're talking about the Urban Forestry Plan right. Frank James: It's my understanding is Public Works did it. I think it's several times removed from them, and so that's one reason I think we're not getting the response that we might like is that it's not them. We probably need to go back and address Public Works and say here's our concerns.

John McLaughlin: I'd recommend keeping John's letter pretty focused and not muddying it with this other letter. Bob Carmichael: I agree with that. John Brown: Ok, then I'll just write the letter.

### **New Business**

#### **Meeting with Whatcom Land Trust re Conservation Easement**

I've been in discussions with them finding a date when we can meet, and I think we've come up with one tentatively on the 12<sup>th</sup> of next month is when they're both available. I hope that you can join us, Bob. They seem quite positive, and they seem ready to meet, but they actually have other commitments until the 12<sup>th</sup>. They were excited we're going to better define the conservation easement in a way that's defensible. Some of the work that Bob has done for us in preparing the discussion with the city, and what the Steering Committee has done as well, I think puts us in much better shape for them being interested in pursuing this. They need something they can defend. They need something specific, and I think those things are much more flexible now than they were before.

Bob Carmichael: I did respond to the email on the 12<sup>th</sup>. I think they said the end of the day was possible. That works for me. We're going to presumably talk about the draft and changes the board approved, which to my way of thinking were the minimum changes that needed to be made to get rid of some of those activities that were allowed. If we want to take the opportunity to strengthen the conservation easement even further, we should be thinking about what other terms we would like to have included. We will not get another chance at this. I think we have a little bit of an opening because we're reopening the conservation easement for negotiations. We have to be mindful the city is not going to probably support huge changes, but if there are other things beyond what we have in the document that Robyn forwarded to everybody before the meeting, which represents the latest edited version based on the board's comments. Granted, this meeting isn't with the city, it's with the Land Trust, but I think we should start talking to them about any other concepts that we might want to have considered.

Frank James: The actionables are we need to get those thoughtful comments about what we want in the Conservation Easement to me and Bob so we can begin to discuss and think things through with the Land Trust.

Hue Beattie: I was going to ask you Frank, you said you and John were going to have a meeting with Seth. Did you guys' schedule that? Frank James: We didn't. I know I've put it off. I've been unreasonably busy, so I apologize.

Hue Beattie: Alright, now other thing I have is on the Conservation Easement on page 6, #7, there's one part where you're talking about a caretaker. We need to remove that don't we?

7. Make residential, commercial, or industrial use of the Property other than an apartment for a residential caretaker and de minimus use of the Property for commercial recreation.

Bob Carmichael: Hue is making a fair point. It is restrictions on use, and it enumerates a number of uses that are prohibited, but then it goes on to "other than an apartment for a residential caretaker." That is a vestige of the old negotiations and I think you make a great point. If the board wants, we should strike everything starting with other, just say residential, commercial, and industrial use of the property.

Hue Beattie: I move that we do that. John Brown: I second. Frank James: Rather than pushing this now, I think it would be good for everybody to get that input into this. We can talk to the Land Trust about those ideas and then we can bring back a revised draft to the board to actually wordsmith and finalize.

Bob Carmichael: We can do that, but that was a good comment, a good tip you made, and I'll make the change before the Land Trust meeting. I should have caught it. John Brown: We should have got it. John McLaughlin: I can't imagine the Land Trust being comfortable with commercial recreational use. No, it'll be a nightmare.

Frank James: Thanks Hue for pointing that out. If everybody could read it over and see what other glaring errors we've forgotten, that would be most helpful. This is our last opportunity to fix this. This is a big deal, the essence of two decades of effort. We've got to get it right this time, because it's the last time our hands are going to be on it.

Barbara Zylstra asked to receive a copy of the amended Conservation Easement and Robyn will send it to her. Hue also requested a copy of the information that Chris and Tina presented tonight. They will send it to Robyn who will forward it to the board.

John Brown asked about the F1 financial disclosure form and if you could download it. Robyn explained they have changed it to being online and the steps should be listed in emails they sent to the Commissioners. Robyn can help anyone who needs help.

John Hymas: I just want to apologize for not being at last month's meeting. We were in the middle of a Covid outbreak and the whole household got knocked down, but we're all better now and we were all triple vaxxed.

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

**Next meeting:** Wednesday, April 27, 2022, at 6 PM.

**Adjourn.** Time: 7:51 PM.