

**MINUTES — Regular Meeting**  
**CHUCKANUT COMMUNITY FOREST PARK DISTRICT**  
**Wednesday August 24, 2022 at 06:00 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.

This meeting will be recorded. 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:** Welcome Commissioners and Citizens. Per Chapter 42.30 RCW (Open Public Meetings Act), CCFPD Board meetings are open to the public. 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.

**Roll Call:** Frank James (President), John Hymas (Clerk), John McLaughlin, John Brown, and Hue Beattie.

**Motion:** by John Brown to approve Agenda for meeting. Second by John Hymas. Approved

**General Public Comments:**

Christopher Grannis: I don't have anything specific to say except thanks to all you guys who've been putting in all the work all these years, it's definitely appreciated. Tuned in cause I'm just wondering how close we are to the end of the process and also, I'd like to keep up on what's going on.

Frank James: We're close, but not there yet Christopher. Thanks for joining us and for your appreciation.

**Motion** by John Hymas to approve July 6<sup>th</sup>, 2022, minutes, including public hearing minutes. Second by John McLaughlin. Approved by Frank James, John Hymas & John McLaughlin.  
 (Commissioners present at that meeting: Frank James, Hue Beattie, John McLaughlin, and John Hymas).

Hue Beattie joined meeting at 6:08 pm.

**Motion** by Hue Beattie to approve June 22<sup>nd</sup>, 2022, minutes. Second by John McLaughlin. Approved by Hue Beattie, John McLaughlin, and Frank James.  
 (Commissioners present at that meeting Frank James, Hue Beattie, John McLaughlin)

**Motion** by John Brown to approve July 27<sup>th</sup>, 2022, minutes, including public hearing minutes. Hue Beattie seconded. Approved by John Brown, Hue Beattie, and Frank James.  
 (Commissioners present at that meeting Frank James, Hue Beattie, John Brown).

**Park Advisory Board Meeting Report on August 10<sup>th</sup> Meeting**

Bob Carmichael: I will remind everyone that I sent an email with a written summary of this meeting. That is going to be more comprehensive than what I say now. The two points that I requested for consideration were #1 that the Master Plan include a statement in the implementation plan portion of phase 1 of the Master Plan to update the Conservation Easement. I explained why that was important. I did review the updated latest version, August 12<sup>th</sup>, and they did include that statement. The second thing that I requested was a statement in the Master Plan of priority for preservation and restoration of the forest ecology if there was a conflict between that and one of the other allowed uses. That did not get included. It was a little bit confusing when John Blethen made his motion as to what he was saying. When I had made that second request, Nicole Oliver cut me off. She didn't want to hear what I had to say about adding that priority statement and why? Frank James: Nicole has joined the meeting so she can respond.

Bob Carmichael: I did reference the point about the discussion with the Whatcom Land Trust and Rand Jack of the Land Trust being pretty insistent that there be a clear prioritization of the uses in the event of a

conflict. Nicole indicated that the City works with the Land Trust all the time and that can be worked out later. My concern about that is that there's not guidance provided in the Master Plan as to there being some level of priority for the ecology preservation. That may not be clear when it comes time to amend the Conservation Easement and that statement may not get in the amendment to the Conservation Easement, in which case we could have trouble with the Land Trust and that's a concern I have. It would be best if we had a statement in the Master Plan. It would only have to be a sentence. There's already close to a statement like that in the Conservation Easement. Now in the purpose statement, there's a strong implication that the preservation of the natural features is primary, but it's not crystal clear and I don't think it was clear enough to Rand Jack. I think that's something that could be clarified in the Master Plan and would probably be very helpful if it was, but that did not get included. As part of John Blethen's motion, it wasn't clear to me whether he intended to have that part of his motion or not. I don't think he made it clear that it was, so the part that was clear, about adding the update to the Conservation Easement to phase one did get included.

Bob Carmichael: There was also a vote taken by the Parks Advisory Board on the name and specifically on whether the word preserve would be added, and they recommended not to include the word as part of their vote, so it went forward as Hundred Acre Wood.

Frank James: Nicole is here, and we'd love to hear the rationale for not having the language of including the issues that were raised about the Conservation Easement.

Nicole Oliver: Thanks for the recap Bob, and I want to make sure you know I didn't mean to cut you off. I was trying to get the Park Board to recognize what was in front of them. I think there is no question, if you read the current easement and the Master Plan together, that the ecological part is apparent. I do think those easements would be appropriate. I think some prioritization should be in the easement. That's why I thought about that.

Bob Carmichael: I didn't hear everything you said Nicole. What you just said is consistent with what you said at the meeting about it's something that can be discussed when the Conservation Easement is negotiated. I think from the Park District standpoint though, there's very little certainty that that will come out as clearly as it needs to, unless there's some statement in the Master Plan about it. It doesn't have to be long and detailed; it could just be a sentence that says it. That could be the direction based on that one sentence. It could be clarified in the Conservation Easement. This is not just me talking. This is why I've raised this concern with the Board. It's based on my discussion with Rand Jack. He basically spent an hour on the phone with me telling me how the Conservation Easement needed to be clearer and that there needed to be priority stated among usage. I thought it would be important enough to put a statement like that in the draft Master Plan. You've already got the goals listed, it would be very easy to put a sentence in there that says goal number one has priority in the event of a conflict with the other goals and so that's what I was hoping we could do. I'm concerned what's going to happen. I negotiated this Conservation Easement the first time and it wasn't that easy. It's deceptively hard. The more direction we can have on a big issue like this, the better.

Nicole Oliver: It would be great to put that very clearly in a written comment and then reiterate that request at the public hearing.

Bob Carmichael: That's good advice and I think we've planned to do that.

Frank James: Were there other comments about that particular meeting?

John Brown: The question of naming Hundred Acre Wood Preserve and the enthusiasm for that was soft. We did bring up the issue. We hope for it. We're going to make that case to the Council on the 29<sup>th</sup> and I think it will be part of our plan to pitch that word. As it stands, the Parks Advisory Board has advised that Hundred Acre Wood is sufficient.

Frank James: Nicole, I think that you've argued that that's an inappropriate word, and I wondered if you could explain to us why you believe it's inappropriate.

Nicole Oliver: I think that the word preserve, for me, has an implication that it is not a surface park that is accessed by the neighborhood. The word preserve has not been used in the past in the Park District, the language was disputed, and it hasn't been used up until this period.

Frank James: I appreciate your point of view Nicole. I've gone and checked with other people that have had many years, decades of experience and commitment to this and they do believe that the priority is that this is the preserve and that other uses are adjunct to that primary purpose, so I guess I disagree, and perhaps it will be something the Council will have to decide. I know that former Council members that

I talked with felt very strongly that preserve was the intent. Other people that have been involved for literally decades, agreed that was the intent.

John Brown: I think that it is true that Nicole brought up that this word preserve has been added on within the last month. We understood going through the Steering Committee process that there would be a naming procedure and that we came up with this name and the word preserve came at the very end. We do best by deferring this to the decision of the Council on the 29<sup>th</sup>.

Hue Beattie: I tried to zoom into that meeting, but it seemed to come up as a webinar and I really couldn't get my face into it at all, but I was there and listened to the whole meeting. I did not comment.

John Hymas: Maybe we should have added the word preserve sooner, but I think better now than later because it makes sense, and it adds to that one sentence that Bob's talking about.

Frank James pointed out how the Parks Department called the Chuckanut Community Forest Fairhaven Park. John Brown noted that this was not a naming of the Park District, but it was more a bureaucratic matter of paperwork to designate it as Fairhaven Park and not an attempt to preempt the naming process.

Nicole Oliver: There are two separate items, a public naming in the afternoon Council meeting and a public hearing in the evening City Council Meeting.

Frank James: So, the naming and the adoption of the Master Plan are different items. Will there be another vote at a subsequent meeting or is this the last meeting where this will be decided.

Nicole Oliver: Definitely another meeting.

### **Old Business**

#### **Stewardship Plan Finalization and Printing**

Robyn Albro noted that the cost of the booklet had gone up from \$36 a booklet to \$68 a booklet due to the increased number of pages and we did receive a discount. It can be completed in two to four days. There was discussion about the number of copies being printed (24) so that they can be given to the City Council, the Mayor, Parks Department (2), the Library (2) and to have a few extra copies for the Park District. Moved to print as soon as possible by Hue Beattie and seconded by John Hymas. Approved 5/0. John Brown moved that we approve the plan as it stands now on August 24<sup>th</sup>. John Hymas seconded it. Frank James reviewed the addendums that were added which were the invasive species information, academic research that had been done on the impact of dogs in sensitive areas, information about bikes and their impacts and Hue Beattie had raised the issue of wildland fires being included.

Hue Beattie: The Public Works Department should prepare a chart and put into the Master Plan at the end that locates where the fire lines are, where the hydrants are adjacent to the Forest and where any additions to hydrants would be a good idea. I was talking to some of my constituents about this and they are saying that they could put a fire line right on the interurban and they could put up some standpipes along that. That would really help if there was a fire. It would be good for Public Works to identify locations where increased fire protection would be a good idea.

John McLaughlin: The only mention of fire in the plan is in the last section on additional studies where they say that needs to be looked at. Even if it isn't in the Stewardship Plan, it's really important for the Master Plan and so that is something we should strongly recommend to the City and Parks Department to include in the Master Plan.

John Brown suggested it be part of the letter Bob is drafting on behalf of the Park District Board.

Bob Carmichael: The topic of wildfire prevention planning is in that letter in the current draft. It requested to be part of the implementation plan. We could include some additional language on that, but I think it would be better to leave that out and simply vote on the Stewardship Plan up or down as it stands now, rather than try to add something to it at this late date.

The Stewardship Plan was approved 5/0.

Robyn Albro received an email from Chris Webb. He said he wanted to check on the Stewardship Plan.

We will be sending you an invoice for the balance of the approved fee. We are currently holding \$2,642.58 of charges above the budget. Also, we have received a few comments and some supplemental information after we submitted the revised plan on 8/10. Please let me know if you would like us to revise the plan again and incorporate these comments and information. Thanks!

Robyn Albro: Frank, do you know about these changes that Chris is talking about?

Frank James: I got the same email, but the specifics were not included. I can follow up with Chris just to make sure. I envision this as sort of a scrivener's error, things that they can correct, but let's pursue it and if there's need, we can have a meeting more about it.

Robyn Albro mentioned two small errors she found and Frank will mention those to Chris.

### **Bellingham City Council Public Hearing on Master Plan**

#### Letter/Presentation to Council

Frank James: I wrote a summary of issues, 1½ pages long, that I thought were relevant. We tried to condense it down and it's very difficult to do because there are a lot of issues. Bob authored a letter of our thoughts about it, and you all have gotten a copy of that letter. There's also a timeline associated with that letter that Bob sent out. I hope everyone had a chance to review them.

Hue Beattie: Reading through the timeline, I thought it would be nice to go back even a little further in time and talk about when the City actually bought the property, back in 2011, I think. There are some other dates I thought it would be good to put in, like the vote to establish it.

Bob Carmichael: So, we could certainly go beyond what happened before the Park District was formed, but the purpose of the timeline was to identify the activities of the Park District itself and the Park District didn't exist when the property was in foreclosure and acquired. I mean we could go back through and identify the ballot and the ballot title and deadlines. We could also go back even earlier than that, as many of you mentioned, this is something that's been going on for more than 20 years. The intent of it was to just capture the District's activities and even then, it's intended to hit the high points. It doesn't include everything; it wasn't intended to do that. I'm happy to add specifics, but I do think it does make sense to limit it to the Park District activities.

Hue Beattie: I thought that February 12, 2013, was the vote to establish the District in 13 precincts.

Bob Carmichael: I could add that. Hue Beattie: It was 37,121 votes and we won by 51.73%.

Frank James: Could we then turn to the Master Plan comments from the Board. That is a longer document, six pages. It is intended for our signature and so should be reviewed carefully by each of you if you haven't. It has a background in summary and then a number of carefully thought-out items looking at each of the attachments and comments on the Draft Master Plan starting on page 2. To briefly summarize, Attachment one is the timeline, Attachment two is the Interlocal Agreement, Attachment three is the Conservation Easement. There is a brief summary of the argument about the importance of preservation and protection at the beginning and then a series of specific comments there.

John Brown: I have had time to look at it. Frank, Bob, and I met in Bob's office last week. Frank laid out points that you hoped could be included in this statement. I think that Bob captured the sense of them. Frank subsequently wrote up your own essential points as well as one other document you sent. I thought your work was superb Frank. A great deal of what you said in your summary of issues was captured in this document that was composed by Bob. Bob took your ideas and put them in here and I thought that he did a masterful job. I'm ready to sign it.

Frank James: My effort is really to boil it down and summarize rather than to expand each item. Bob's work was to take those and make them into recommendations to the City for making specific changes to the Master Plan.

John Hymas: I had a chance to read through them all and I agree with John, and I'm impressed between Frank and Bob with what you've come up with.

Hue Beattie: Yes, very good.

John McLaughlin: I concur. I think it's a great letter and my comments are offered in the spirit of adding to it, perhaps making it stronger since I wasn't involved in the discussion and drafting of it. Under section 2, page 3, regarding the statement of ecological functions, it does mention the strategic importance of the place, it's a headwater area. It provides an important forest corridor. I think that actually understates the regional importance of this place. This goes back to my original interest in what I first learned, decades ago, during the process of development. I did my own regional analysis and concluded that actually this is a connectivity hub for the entire southern region of Bellingham and if this were to be developed, then ecological connectivity would collapse. I don't need to use that kind of language, but we could emphasize the greater strategic importance of this place for many of the natural values we cherish in this city.

Frank James: Do you have specific language you'd like to propose?

John McLaughlin: How about if I take some time and write things up.

Bob Carmichael: I really want your comments so I'm really grateful to hear them now. Part of it is going to be if I get the comments cold, unless they're very specific and I can just drop them in, there's going to be some question of judgement. The language you were referring to on page three was a quote from the current Draft Master Plan that talked about the headwaters and the corridor. What I'm thinking, based on what you said is that we could add language immediately after that quote. That would be our own language then. They would talk about the regional important, but really this is even beyond that. Is that kind of where you were thinking of putting it?

John McLaughlin: Yes, and I can make my comments such that you could just drop them in. I'm specifically referring to two quotes from the Draft Master Plan that are indented on the top of page 3 of the letter. The next one is on page 4, the statement right before point A. In my careful review of the Draft Master Plan, I think we should state more specifically that it does not fully reflect and prioritize these four conservation values and priorities. As I read the Master Plan, it really is a statement of goals and aspirations, but a plan needs a strategy to achieve those goals. That's largely missing from the Plan in ways that the rest of the letter outlines. I think that statement can be made stronger in a way that would hopefully appeal to the Council in fulfilling their responsibility to address the needs of this place and allocation of resources to achieve those goals.

Frank James: It would appear in my reading to fit that the \$650,000 is going to be used to build a small road bisecting the property. That may not be the highest priority from our point of view.

John McLaughlin: There you're talking about acts of omission and commission. Building the roads is actually commission. It's dedicating substantial resources where they might be counterproductive. The plan also has omissions, addressing fire, climate resiliency, inadequate trail removal and restoration of habitat structure and that sort of thing. Those are all omissions that the plan is incomplete without.

Frank James: Actually, in the Drafts there were fewer and fewer decommissioned trails. There were very few in the most recent draft. That's a fatal error. There are numerous trails that need to be decommissioned and it's going to cost money to do that. They've got to take the trail up, replant it, and potentially build two rail fences. There are a variety of activities that will need to be done to decommission. There are also trails in extremely sensitive areas. It's suggested that a trail come in over Hoag's Creek which is a very sensitive area right near where the beavers, if they do come back, would have to be and to bring a significant number of people in from an entirely new location, well, it seems like that trail should be decommissioned, not expanded.

John McLaughlin: That was their original trail plan, all for decommissioning. That general point was made by Ed Grumbine in his letter.

Frank James: Right, Ed's letter was very well done, and he's actually written two letters. He's a PhD in ecology that is extremely well versed in this site. He spent a lot of time there doing measurements and taking an active role and has written two very power letters about this issue. But I think if you can change the language there John, I'd really appreciate you putting his feelings in there. So, I think we have that. Is there another spot?

John McLaughlin: Yes, Section C under additional requests, page five. I think we can add some more requests regarding the two big issues that have attracted most public comments regarding impacts of bikes and dogs. As it's written, the letter calls for scientific evaluation of the impacts of those uses and I think that's entirely appropriate, but I think we can be more specific. There has been some study of those issues in other places. Rather than waiting until those impacts occur, we know what some of the impacts are likely to be, and an effective plan should take steps to prevent or avoid those impacts, or to mitigate those anticipated impacts, rather than waiting until they occur and then studying them. So, in particular, I'm concerned that we've seen an essentially political process in which a well mobilized constituency has advocated for restoring use of bikes in the property where originally they were drastically reduced or excluded. And you know, this is becoming a political process. It's going to be voted on by elected politicians and that's fine, and we can take our position on the excessive use of a bike. Whatever the Parks Department decided, they need to have a plan to address what we can expect to occur based on experience in other places. What they have done in the iterations of the Draft Master Plan is to allow increasing use of bikes, but they haven't addressed mitigation or measures to reduce those, including, as you all and Grumbine have said, reducing trails where those impacts are likely to occur. So, I'd suggest making that stronger. We need scientific studies and ongoing evaluations of the impacts, but the plan to be effective also needs to take measures to prevent, avoid or mitigate the impacts we can expect based on experience in other places. I raised the issue that our original letter from 2016 about the rogue mountain bike structures that were built in the Forest are still there despite promises from WMBC [Whatcom Mountain Bike Coalition] to remove those and Parks Department recognition that that's a

violation of easement. That violation is still occurring and if we can't address that after some six years, we're unlikely to be effective in addressing the issues.

Bob Carmichael: John, you pointed out where those structures were to the City six years ago, didn't you?  
John McLaughlin: I brought them to it.

Bob Carmichael: I think I was with you when you did that. That's still there, so that is something that should be added to the letter. You didn't mention that specifically, but I think maybe we should throw that in the letter that these impacts haven't been addressed. I'm going to push back at you slightly on one of your ideas, which is we have to have the City come up with a real plan here. You may not have been saying quite that, but it is mostly a statement of goals and aspirations and there's big gaps in this plan, there's no question about that. When you look at the history of the City and the development of Park Master Plans, they're not real plans. They don't spend a lot of time on them and what we're getting here is probably more than you'll see in other park master plans that the City has done, and we're going to get a lot of pushback if we try to turn this into a real plan. I don't think they're going to be capable of it. I don't have any confidence that the Parks Department is going to be capable of doing that given their push.

Frank James: I appreciate your point, however, in other places the Parks managers did not have conservationism, did not have the community out, and did not raise \$3.3 million for those conservation easements. I think we deserve more than that, honestly.

Bob Carmichael: This gets back to what I said in our meeting Friday, the alternative approach to taking it head on is to say, ok, this is what you're got now. It's insufficient. You need to address these things. As soon as you can take that \$650,000 and start spending it on these things that we need done immediately. That's why the letter is written the way it is so that it's phrased so that these are things that need to happen in phase one implementation. We don't have to necessarily stop and redo the Master Plan, but we can go with the Master Plan saying that it has these gaps and then call out the gaps and insist that they are included in phase one implementation and that's what I was trying to do here. To the extent that you're adding to those things, that's great, but what we're talking about is a structural difference now and I could change it and I will. Obviously, I work for the Board, and I'll do whatever the Board wants me to do, but the structural difference I'm coming at it from is let's make these changes in the implementation and let this thing go through because I'm concerned that we might lose that battle on the plan going forward. We will have the best chance of getting what we want by taking them on the implementation of it as opposed to trying to hold up the Master Plan.

Frank James: I don't think John is suggesting holding it up. There are clear deficiencies and around bikes there are more than 13 trails that have been identified on Trail Forks, which is the one of the main places people look for trails to bike. On that site, if you go to it, you'll find that all the trails in the Forest are really rated as less popular or not popular except for the Interurban, which is popular. At the same time, I can tell you I got forwarded what the biking community is doing right now, and they are organizing a systematic letter writing campaign and effort to turn people out for this event on Monday. So, I think we're going to get an organized user group that's very self-interested and about an emotional issue that they're being excluded from somewhere and they refuse to be excluded from anywhere. I think we need to draw a line. I think bikes just like dogs don't belong in a preserve. I think we shortchange ourselves and limit our future capacity if we agree to that at the beginning. I honestly don't think there's a reason to do that. Moreover, I think we need to ask for them to follow science and not popularity polls. If the science says there's degradation of the ecological integrity because of dogs and bikes, they need to follow the science, not just the popularity. Users' groups demand access, that's reliable. It doesn't mean they should be granted access in a preserve.

Bob Carmichael: I agree with everything you just said. It's just I was trying to find a way that I feel is more likely to be successful.

Frank James: I actually agree with your strategy Bob. I think looking at the implementation is the way to go. We need to point out things like the fact that we need to correct the very wide trails that bikes have helped to create and continue to worsen that makes invasive species more likely. They need to make the trails narrower and make barriers, so those bikes don't grow up on the side. There's lots of examples where bikes are currently ending the trails and making soils that are much more accessible to invasive species already, and that's happening.

Hue Beattie: I like this.

Frank James: Hue, the other thing is that there are also trails that connect with privately made trails on private property to the south of the park down where the trail goes by the beaver ponds. There are several trails that go onto private property there. Those need to be decommissioned because that is

intentionally being designed for bike use and jumps and downhill runs on private property. It feeds directly into the trails they're proposing on the southern end of the property, which I think should all be decommissioned. It just invites more use. There's a bunch of specific things in implementation we can and should ask for, so I don't disagree with you Bob about the thrust you're doing. I think you're correct to say that we should focus on modifying the Master Plan, but I think we need to talk about specifics about both bikes and dogs, and there's robust literature on the impact of dogs on forested wetland type areas, that there's an adverse impact on plants, and specifically on animals that are significant.

Hue Beattie: I think the term decommissioning is bogus. Nobody commissioned these trails other than the Interurban, that's the commission. All these other ones are just fly by night that people did themselves and it ends up legitimizing when you say we need to decommission these.

Bob Carmichael: That's a great point and I thought of that, and I think that should go in the letter and I can add that. John, I'm really interested in your reaction to what you've heard now.

John McLaughlin: I'm trying to put myself in the position of Nicole and her agency. She's a public agency that is making decisions and to some degree is accountable to the public. They're going to receive passionate appeals from various groups. We just heard a great one from Frank and I think that can be further supported and justified with the Conservation Easement, voter intent, and all that sort of thing. They have already and are going to receive appeals from user groups that have strong interests in various uses of the place. I can make appeals based on the degraded ecological condition of unregulated use of the place and how since it's become public it has degraded, and in part, that's a consequence of lack of resources dedicated to the Parks Department. But it is a failure in management and with the Master Plan we ought to start correcting some of that. What I would argue though, is that from Nicole's position, whichever position she takes, some people and some groups are going to be unhappy regardless of what you do. But whatever position the Parks Department takes, it needs to plan for whatever uses are allowed and I'm not seeing a plan in the Master Plan for the uses they're planning to allow. So that's essentially what I can take a particular position on, on what's appropriate for this place, but the Parks Department can ignore that. They're going to make some people unhappy, but regardless of whatever decision they need to make, we need to back it up with a plan to address the allowed uses.

Frank James: So, the illustration would be, if we didn't allow dogs, how's that going to be enforced? If we decided not to have bikes, how would that be enforced? There's no plan at all. Just like there's no plan on limiting bikes in areas that might create new trails, right?

John McLaughlin: If they do allow those uses, how are we going to address the conflicts, the impacts, and everything else. One of the things I sent some of you was a report from the Forest Service, Pacific SW District, the region that reviewed various impacts associated with mountain biking, and it's a lot more than soil erosion which is what commonly occurs in the scientific literature. That basically provides a list of issues that ought to be considered and addressed in a plan and again we don't have to repeat the same mistakes that have occurred elsewhere or suffer the same impacts that have occurred elsewhere. This plan can be informed by the experience in this place already and what's happened in other places. What's worked and what hasn't.

Frank James: So, I think John, what Bob's question to you is, he believes politically and strategically it's wise to focus on the implementation phase and there are changes that we made in the implementation phase which I think is pretty consistent with what you're saying. I think he's given you specific examples of how that implementation phase needs to be different. Does that make sense Bob?

Bob Carmichael: Yes. What would be helpful to me I think is if everybody is in agreement with focusing on the implementation as opposed to trying to get Parks Department to do that in a plan that we think it should do and says the implementation of it, that's where this needs to be dealt with, and the evaluation of these issues is laid out in the bullet points. It's a bit of a compromise, but I admit that I'm concerned that if we try to include everything now in the plan and say it's deficient, that we are going to take head on four or five hundred written comments from the biking community and we're just going to flat lose.

Frank James: They tried to turn people out for the Parks Advisory Board Committee and one letter came in and nobody showed up. Bob Carmichael: But I wouldn't count on that though.

John Brown: It's fascinating to listen to John McLaughlin and you, Frank, dealing with Bob's perplexity and the difficulties in presenting this letter. Bob, if I understand this issue correctly, we have to get what Bob has composed here out of mainly Frank's ideas. We have to get this before the Council members on Monday and my impression is that it would be immensely helpful with John McLaughlin, who's a superb prose writer and knows exactly what he wants to say, he has the issues focused that he could send to Bob within 24 hours or so. The kinds of comments that he has made, and Bob could integrate them into

this document and could implement them so that document can then go before the Council on Monday afternoon. I was putting a lot of pressure on Bob to get this thing done, then with the revisions that John and Frank suggested. My impression also is that when we make our presentation probably on the evening of the 29<sup>th</sup> Frank, my impression is that Bob will speak to the kinds of points that he has made in this letter. No?

Frank James: I think what Bob is doing is writing down our ideas and our broad array of ideas. There are other people that I know are going to speak and are speaking on very specific issues. I think each of us should pick a specific issue we want to talk about. Ed wrote an excellent piece about trail alignment and how that happened. There's another piece about bikes. I talked to Ann Eissinger and she wants to talk about the overall ecological importance of this, almost a spiritual discussion, the question of why we need to know how to do this, but I think it's going to be effective.

Bob is writing this summary for all of us, just like the stuff that I did wasn't mine, those were a summation of everybody's ideas. The strategic thing that Bob is raising right now is should we focus on a major rewrite of this, or should we focus on a strategic set of issues that we find critical on the implementation side as our final best offer to the City. Is that a correct summary Bob?

Bob Carmichael: It is. I really like what John Brown said about having John McLaughlin write his input in this letter, work right within the Word document and redline format John, and send it to me and I can either take it verbatim or massage it maybe a little bit if I have that latitude and come up with a document, if you're okay with that and you think you can. If you're basically okay with the structure of the letter the way it is right now and you want to add things to then, then I think that'll work really well. In fact, it's something I was hoping we could get out of this tonight.

John Brown: Bob, when would we all sign it? You're not going to be done with this thing before tomorrow.

Bob Carmichael: What I think we need to do is take a vote on the letter approving the letter as is plus comments from John McLaughlin that will be integrated into the letter. You won't have seen the final version, but you've heard John McLaughlin's comments, so you have a really good idea of what they will be, and I think it's good enough to take a vote on. I would also want to include a couple of additional comments that I've heard, particularly Hue's comment on the fact that decommissioning is really a bogus term because most of these trails, if not all of the trails, were never commissioned in the first place and I think that's a great point. I'll figure out a place to add that. That's my proposal that we try to move it along.

John McLaughlin: Could I mention three other comments? None of them are substantial rewrites, they're just additions to do what we talked about. The first one is the Draft Master Plan describes the climate adaptation or resiliency plan in very vague terms. There are some very specific and important opportunities at this place to provide climate resiliency and adaptation that can serve as a model for the City in the region and the plan ought to mention them because otherwise the place is going to continue to be degraded. The second point is the Draft Master Plan still includes components from the City's Urban Forestry Management Plan phase one reports which are invalid and erroneous and this plan should not include erroneous information. The final one gets to Section 3 that names really do matter. My concern throughout the entire master planning process we are talking about the traditional and currently treaty protected lands of coast Salish people, particularly Lummi and Nooksack. But as far as I understand, no one from those groups has been consulted about this plan. There are past, current, and future interests in this place. Again, they are truly protected because this is part of their usual and accustomed areas that is protected under Article 5 in the Treaty. They need to be at least consulted in this plan that would be a government process, so that would probably be City Council on contacting representatives of Lummi and Nooksack Tribes. But naming is also a way of consulting with them. What name would they prefer? What name have they used for this place, and would it be appropriate to include something like that that they may have an opinion on preserve or reserve or Hundred Acre Wood or Chuckanut has a very specific meaning. That might be relevant to the naming of this place regardless, and I'm not claiming any particular interest in any particular name, but I think our indigenous neighbors should be consulted.

Frank James: We don't have to point out the part that we have this gratuitous land acknowledgment that takes place at every government meeting I go to without actual consultation ever coming from that that I know of.

John McLaughlin: This is a really good example of what's called eco-colonialism. It's an era of colonialism perpetuated in the current day, and we really should not be complicit in it.

Bob Carmichael: John, if you could write something, it doesn't have to be long, just raising the point I think is enough, we don't need a treaty analysis. John McLaughlin: Yes.

Frank James: Some specifics like you mentioned where it says in the Treaty that's an obligation, that's helpful, I think.

Bob Carmichael: That's where I want to be careful Frank, because you know, as my recollection of the Treaty of Point Elliott is the tribes have secured the right to usual and accustomed fishing grounds, I can't recall 100 percent how they did.

Frank James: I would just point out that these are headwaters of two of the salmon streams in the City, very relevant to fishing and the State just spent over \$1 million putting a 12-foot culvert under Hoag's Creek as a two-way passage for wildlife including salmon.

Bob Carmichael: Again, I just want to be careful that we stay within our lane on this one and I think you raised some great points John, about the tribes and if we can, I think raising the question is as powerful as trying to articulate a legal argument. I'm going to have a hard time with the legal argument part of it on this kind of short notice.

John McLaughlin: My point is that Article 5 does reserve their right to hunt, gather, and harvest in their usual accustomed areas. As far as we know, this is one of their usual accustomed areas. So, they may have an interest in how it's treated and even what it's called.

Bob Carmichael: That's fine, however you want to say that it's probably going to be fine. I'm just reacting to the legal nature of the argument. Being a lawyer, I've got a certain bar I have to meet and it's not my letter, so I shouldn't be too worried about it. But I do want to let you know that I don't have that issue nailed down right now.

John McLaughlin: No, it's more of what Frank mentioned of the perfunctory land acknowledgement. Most of those acknowledgements are really empty and in fact many indigenous groups are now calling them disrespectful, and we ought not to continue that practice. We ought to put something real and that starts with asking them and we haven't done that yet.

Bob Carmichael: Yes, it's more or less a gratuitous statement in most instances. I agree with you. Are those all your comments?

John McLaughlin: Yes, thank you for all your work on it.

Bob Carmichael: I'm very grateful for your comments, it'll be a much better letter with that input.

John Brown: I think your comments are wonderful, Frank's too.

Hue Beattie: I would like to say one more thing, the Parks Department has been master planning parks for a while. They have their little procedures and such, but they've never planned the forest because usually the City will buy some land, they'll have the forests in it, then they'll make sure a subdivider comes in and logs off part of it and they'll make their money, and their employees get paid and then whatever. But this is different, so Chuckanut Community Forest is something new to the Parks Department and I hope they will do a better job.

John McLaughlin: In responding to that and something Bob said, when I first reviewed the Draft Master Plan, I referred to other master plans and other parks and on those the Parks Department hired consultants to develop those master plans and in the couple of best developed one I found, although they didn't say this is what needs to be done precisely here, they did develop alternatives, and so they came up with implementation suggestions that were offered to the City as you can choose either of these several directions and even that is missing from this plan.

Discussion of logistics of getting the letter signed.

Frank James: I'd like to have a motion to move approval of it now with the specifics that are listed there and the discussion we've had for additional clarifications.

Hue Beattie moved and John Brown seconded. Approved 5/0.

City Council Parks & Recreation Committee Meeting, Mon. 8/29, 1 PM  
City Council Meeting, Monday, 8/29, 7 PM

Frank James: There will be two meetings. On Monday the 29th there will be the City Council Parks and Recreation committee meeting chaired by Skip Williams, and that's going to be at 1:00 PM. Typically, people may or may not be allowed to speak. At that meeting some of us should show up. These are electronic, zoom based meetings. Then the City Council meeting starts at 7pm. I believe their procedure is to not allow comments until that issue got raised.

Bob Carmichael: It's been a while since I've been to a committee meeting, but I've been to committee meetings in the past where they open it up to people who are there. In the evening, it's the public hearing where you're expected to talk about the subject.

Robyn Albro will send the links and agendas for the meetings, and she will send the documents about the Draft Master Plan to the Board. Christopher Grannis requested to be sent the information on the meeting. Robyn said she would send the information to all the Friends of Chuckanut Community Forest.

Frank James: I did see the cover letter and comments that Nicole forwarded to the Council, and she did say very strongly that this should not be a preserve, so I think we clearly have a challenge there. We'll need to speak directly to that, but I think we're prepared to do that.

Robyn Albro: She did send an email to me just a little bit ago saying that she had to drop out of the meeting and to thank everybody for their time and she'll see you all on Monday.

Bob Carmichael: We should call this Council meeting a special meeting of the Park District Board so the Board should vote to schedule it as a special meeting as we don't want anybody accusing us of violating the open Public Meetings Act by having you all there and speaking and interacting.

Frank James: I think it strengthens our ability to speak clearly about it. If we do have it as essentially a joint meeting, that was the structure that was used in the past as well.

Bob Carmichael: I'll state the motion and someone can say so moved. A motion to schedule a special meeting on the topic of the Draft Master Plan for the Hundred Acre Wood and also, the naming for the same at 1:00 pm on Monday August 29<sup>th</sup> and 7:00 pm Monday, August 29<sup>th</sup>, at the City as part of the City Council virtual meetings on those topics.

Hue Beattie and John Brown moved, and Frank James seconded. Approved 5/0.

Robyn Albro will do a notice of the special meetings and send it to the Council. Frank James will talk to the Council leadership in the next few days.

### **Public Education and Communication Strategy**

Frank James: I wrote a very high-level summary that's brief enough, an elevator speech, something you can go through in under a minute. I think it captures much of the issues. That was an effort to reach out and I also have reached out to a number of City Council people already to convey our point of view. I would welcome help with doing that by any of you that have a strong relationship with any of the Council people and that we focus on the highlights of that. I think once we have the letter that would be another opportunity to follow up and to look at both kind of the talking points summary and Bob's letter. I would encourage each of you to take the initiative to do that with the Council members and the Mayor. Were there other elements of the public education communication strategy that anyone wanted to discuss?

Bob Carmichael: Frank, were you able to reach Gene Knutson?

Frank James: I was and Gene was enthusiastic in his support and he made it clear to me he would be reaching out to the Mayor and the leadership of the Council and specifically his recollection is that preservation and having this be a preserve was part of the concept from the beginning and he was quite enthusiastic about reaching out to current Council members to convey the history of it that they may not be aware of. I also talked with Terry, and he actually called at least half the Council to reach out to them and made an effort to connect and introduce me to the ones I didn't know. If you need the additional information like phone numbers and email addresses, I have it.

John McLaughlin: I just checked the Council meeting schedule and the Parks and Recreation meeting on Monday is supposed to be at 10:15 am.

Bob Carmichael: We need to revise our motion to reflect that, and I think maybe what we do is we say to coincide with the Parks and Recreation Committee Council meeting, um as opposed to the specific time of 1:00. It does look like it is 10:15 like John said.

Frank James: Bob suggested to remove the specific time and add it to be coincident with the Parks and Recreation Committee of the City Council and the City Council meeting itself.

So moved by John Brown. Hue Beattie seconded. Approved 5/0.

**Response from Analiese Burns re Urban Forestry Plan** Frank James: Can we take this up when we're done with this or is there a piece of this that needs to happen coincident with what we're doing? I think we need to correct them, but I don't want to be seen as needlessly negative.

John McLaughlin: We can take it up later. For context, what we're talking about with Chuckanut Community Forest, we're not being negative, we're actually being very positive. We are trying to help the City achieve its own goals. With the Urban Forestry Management Plan, we're helping the City to avoid erroneous documents. I mean the appeal that I would make to our Council members is tree heights. It's fairly objective. That's easy. Dealing with the climate action plan dealing with what they do with the water treatment and sewage treatment, all that sort of stuff gets really complicated. So, if the City loses the trust that they can do science right on something like the Urban Forestry Management, then they're really screwed. So, we're doing them a favor.

### **No New Business**

#### **Monthly expenses and cash flow sheets.**

**Petty Cash:** WECU Bank account balance as of 07/31/2022 was \$2,917.

**Treasurer's Report:** As of July 31, 2022, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (07/01) \$254,510, ending unencumbered cash balance (07/31) \$249,868. We received tax revenues of \$414. Paid out \$5,057 in operating expenses.

**Motion** by John Brown to approve District Payroll Input Form, wages for Robyn Albro, 46.5 hours in July 2022, total gross of \$1,162.50. Second by Hue Beattie. Approved 5/0.

**Consent Agenda: Motion to approve following payments** by John Brown. Second by John McLaughlin. Approved 5/0.

- Payment for July 15, 2022, Invoice #98801 from Carmichael Clark PS for \$2,046.50 for regular professional services.
- Reimbursement to Robyn Albro for mileage, August 21, 2022, Invoice for mileage for \$33.70 for April, May, June, and July.
- Payment for August 23, 2022, Invoice 2629 from Highwaters Media LLC for \$157.50 for domain renewal, website hosting, and website update.

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

**Next regular meeting:** Wednesday, September 28th, 2022, at 6 PM.

**Adjourn.** Time: 7:53 PM.