

**MINUTES — Regular Meeting**  
**CHUCKANUT COMMUNITY FOREST PARK DISTRICT**  
**Wednesday February 22, 2023, at 06:00 PM**  
 Online Meeting Through Zoom and  
 In-Person at 1108 11<sup>th</sup> St, Ste 303, Bellingham  
 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), Ed Grumbine, and Hue Beattie. John McLaughlin arrived later in the meeting.

**Introductions** of legal counsel, Bob Carmichael, and secretary, Robyn Albro, and Vince Biciunas (former commissioner), Barbara Zielstra, Christopher Grannis.

### **General Public Comments**

Christopher Grannis: Did the Parks Department ever acknowledge the height of the trees and the age?

Frank James: I don't recall seeing a formal response to that other than acknowledging they got the letter and saying that they would talk to their consultants about it. To my knowledge, they haven't actually measured any trees. And so I think it's in the land of the consultants.

Bob Carmichael: I think that consultant is managed by the Public Works Dept., not the Parks Department.

Noted that Parks and Public Works Departments are moving to the same new building on Pacific.

Christopher Grannis: Well, I'd suggest that's something that we keep bugging them about because they're probably hoping that they can just let it slide until they don't have to do anything anymore.

Frank James: Something tells me John McLaughlin won't let it slide. We'll definitely turn that over to him. He's excellent at following up on this stuff. Thank you, Christopher. Good point.

Frank James: Well, I just wanted to thank all three of you for your leadership in the Community and your efforts in correcting the public record in a way that's objective and fair. I very much appreciate your efforts and know it's a lot of work.

**Park Advisory Board Meeting Report:** Nothing relevant to CCFPD at the meeting.

**Motion** by John Hymas and second by Ed Grumbine to approve agenda for tonight. Approved 4/0

**Motion** by Hue Beattie to approve minutes of the January 25<sup>th</sup>, 2023, meeting. Seconded by John Hymas. Approved 4/0.

### **Old Business**

#### **Education/PR Committee Report**

Barbara Zielstra: We've met with three neighborhoods. The first was South neighborhood. The second was Fairhaven neighbors. And last week we met with Edgemoor. The Edgemoor meeting had the most attendees. These were all zoom meetings, but they had like 75 people.

Frank James: The Mud Bay discussion I assume was that same night, right? So, they had a lot of interest in that.

Barbara Zielstra: We really received a lot of appreciative comments. The Fairhaven neighbors meeting went really well. The South neighborhood meeting was more sparsely attended and had a little bit more emotion in the meeting. My whole focus with this has been in 15 minutes we do the following: Christopher does five minutes of the history because a lot of people have moved in and don't know the history. Then I do an update in terms of what the work is this year, the Conservation Easement and how important that is. Then Vince does five minutes on the Masterplan to give people an understanding of it and where you can locate it. It's been really good because it's short, but it gives people a positive feeling about the 100 Acre Wood and the Park District. So that's been my experience. Hoping to go to Happy Valley in March. That's still kind of up in the air.

Hue Beattie: They had such a full agenda, it wouldn't have worked last time, so this time it will.

Barbara Zielstra: Alex who was the president, isn't the president anymore, was not feeling that this was anything that needed to happen and he was very negative.

Barbara Zielstra: What could I say? This is about the 100 Acre Wood. Even if you weren't so supportive of it, how could it be such an emotional issue for people? I understand I was emotional about protecting it, but now that we have, how is it that people's emotions run so high? But anyway, haven't heard from South Hill and so, we'll pursue that a little bit more and hope to be at Happy Valley's. I just feel like it's been positive to bring the information quickly and you know in a positive way. What do you think, Vincent?

Vince Biciunas: Yeah, I agree with Barbara. If you Commissioners create an elevator speech or just a little bit of a press release taking the information from our three presentations that we've all given you paper copies of the outline, then that would be a good substitute also. Then if elaboration was needed, we could go to what we've said before, but that's what I'm hoping to come out of tonight's meeting.

Christopher Grannis: I'd suggest we get the written form on Northwest Citizen.

Frank James: Well, good suggestions and strong work, good job. Thank you so much for doing the community outreach and the listening too. Hearing what people are saying is really important as well.

Hue Beattie: Would you give it to the woman from the Cascade?

John Hymas: I'd like to say as far as our President went, I don't think he was well informed, but I think he's kind of been enlightened and we have a new President now too. But Alex was frying other fish with what he was focused on. So anyway I don't want to apologize for him, but I just want to say that.

Barbara Zielstra: Well, it's so funny because basically when I sent out the requests to be included on agendas, the other neighborhoods were welcoming. He was negative to me personally and I'm going, where's this coming from? Then he says I don't need this information and I first thought you're going to speak for the whole neighborhood. You don't need it, but you're going to say nobody needs it. But I knew also that he was only going to be there for, you know, February, but apparently, he's the vice president.

Vince Biciunas: Can I ask John who is the new president?

John Hymas: Oh, gosh, what's his name? Hue Beattie: I don't remember either. But he's a good guy.

Barbara Zielstra: If you have an e-mail for him, if you forward that to me, then I will ask to be on in March, if that works. John Hymas: Will do.

Frank James: Well, thank you very much for that effort. So Board members, I don't know if you had a chance to read the things that these folks have written. I think they're thoughtful, they're accurate, and I think that we should probably try to work with them to develop that elevator speech piece that would be appropriate for the written. A domain 300 words isn't very many. I mean the hard part is going to be paring it down to just the most essential information. So, is anybody interested in taking that on?

Ed Grumbine: I'll take it.

Frank James: Ed Grumbine, I was going to look at you. Yeah, thank you.

Vince Biciunas: Thank you.

Frank James: I'll help too, Ed. I've been reading it all along and very supportive of what's going on. The other thing the community needs to know that you know, these are people are independent folks, separate from the Board proper and are doing really important community outreach citizen to citizen. I

think that's a really important thing to emphasize. So thank you very much and thank you Ed for stepping up. I'd be happy to help some too.

Ed Grumbine: I'll take the drafts and meld them into one document it. I'm not sure it's going to be as short as an elevator speech, but it will certainly be shorter than the three documents that we have as drafts.

Frank James: If we're going to get it in the press, we can send out a press release is pretty long. Any letters would have to be in that very short format.

Ed Grumbine: Yeah. So, I'll do that and then send a draft to you, Frank, and then you can have at it.

Vince Biciunas: Yeah, you need two documents, one really short one and then one a little bit bigger.

Hue Beattie: I like what's been submitted by you guys. I think it's excellent. I've had a few people that I know read through it and they really got it, you know.

Vince Biciunas: I learned when speaking the first time, I did bullet points to myself and I spoke live during the first meeting and I did that pretty much the second time too. Then for the third meeting, I thought I really need to have a script because I knew this day would come where I'd need to submit it to you guys so I wrote it out. When I tried to read it out loud with a timer to make sure I was under my minutes, I found it didn't flow correctly. The way you speak and the way you write or read are two different ways, so I had to edit it again. What I'm saying here you're going to need to edit things a bit so that it reads well.

Ed Grumbine: I'll make it into bullet points, and I'll do the elevator speech version. And if Frank or someone else wants to expand those points into let's call it the press release version, have at it. My personal opinion on press releases is that I already did that with a guest editorial some weeks ago. I'm not sure if we have to do that again, but you never know. You might have to do it again.

Frank James: Yeah, the press is a little fickle in Bellingham, you know, aren't a lot of places to go with it, but there are some.

Ed Grumbine: Well, we haven't taken it to the Herald. So maybe that would be a home for it.

Vince Biciunas: Yeah, and there's the idea of Northwest Citizen, too. I mean, once we have something good, you could go there too.

Christopher Grannis: The Cascadia reporter, Julia Lerner, was at the Edgemoor meeting. And I noticed that there was an article about the Mud Bay Cliffs in Cascadia, but the 100 Acres, were not mentioned.

Barbara Zielstra: Well, I'm just going to say I don't think it's worth pursuing with Cascadia. They already did their coverage. They're not going to backtrack, especially as the editorial was pretty bleak. So, I think it's good to go to some others. I really think it's a south side issue. I don't think the whole community is that involved in it. So I felt like if we went to the neighborhoods that are part of the Park District and really made sure at least for the people who come to the meeting, there's some communication. It's always good to get more if there's more positive publicity.

Frank James: Thank you very much for doing that and we appreciate it.

Ed Grumbine: In terms of timing, how about I'll get something to you, Frank, before the end of the week.

Frank James: OK, great. Thank you.

Hue Beattie: I just thought of something. Remember Dean and Dudley's video of way back. We still always plugged that a little bit for the new people to look at. They would probably appreciate that.

Frank James: That was a great thing as a four part series I think, and around half an hour or so long and very, very well done, although it's 20 years old, I think.

Hue Beattie: It's on our website, isn't it still?

Frank James: Yes, it's available readily. I put it on the Facebook page in 4 segments.

Frank James: The two other items are really part of our overall discussion. One thing that hasn't been talked about much and yet you're probably the most expert person about is the beneficial impact of those middle-aged Douglas firs, which if I understand correctly, sequester more carbon than almost any other plant. The Forest is made-up largely of those middle-aged Douglas firs. They're big, so they're taking a lot of carbon out. If you cut a tree like that down, you have to plant three other trees in its place, which probably will be a long time before they get up to speed in terms of sequestering that much carbon. But I think it's worth mentioning that this is, you know, bless Joey Evers heart. He always called this the lungs of the city. I can hear his voice saying that, and I think there's some truth in it. If there were some factual

things and just a few sentences really to say to make that point, I think it would be an important addition. We remember climate change because of the wildfires. In the winter we remember because of the king tides. Our neighbor got flooded out entirely, destroyed the house. These are not normal and they are new and kind of cutting down the very best sequesters of carbon there are probably is a bad idea and certainly we want to preserve them if we can, but I think some comment about that would be helpful. The other thing was having some sort of discussion about the options for educating people with regard to the off leash law and there's a process for identifying off leash places and this isn't one of them and is unlikely to become one. So I think those are two things that should be part of this educational effort. But they were just my thoughts. I didn't mean to elevate them to an agenda item, just kind of those are two things that I think would be beneficial.

Bob Carmichael: I was looking back at the Conservation Easement. And the different versions and amended version and we do have in the most current version that there will be no off leash dog areas in this Forest period. So, I think that's a sign. Again, protection for our Forest and I think it's worth pointing that out. Since I've got the floor, I just want to personally thank Barbara and Christopher and Vince for what you're doing. That is so valuable to reach out and touch people in their neighborhood meetings. You don't even know who you're touching when you're doing it, and you probably will never know. But I think it's really valuable what you've been doing. I'm just thankful that you had the time and energy to do it, so I wanted to express my appreciation to all three of you.

Noted that John McLaughlin is having technical problems entering the meeting but will be on soon.

### **New Business**

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

**Petty Cash:** WECU Bank account balance as of 01/31/2023 was \$2,967.11.

**Treasurer's Report:** As of January 31, 2023, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (12/01) \$274,546, ending unencumbered cash balance (12/31) \$258,430 and (01/31) \$257,899. We received tax revenues of \$500 in December and \$126 in January. Paid out \$13,616 in operating expenses in December and \$657 in January.

- **Motion** by Hue Beattie to approve District Payroll Input Form, wages for Robyn Albro, 29.75 hours in January 2023, total gross of \$743.75. Seconded by John Hymas. Approved 4/0.

**Consent Agenda:** Motion by Hue Beattie to approve following payments. Seconded by Ed Grumbine. Approved 4/0.

Payment for February 19, 2023, Invoice 304 from Richard Hartnell for \$300 for technical services.

- Payment for January 15, 2023, Invoice 01897 from Carmichael Clark for \$2,563.00 for professional services.
- Reimbursement to Petty Cash for Payment for Invoice 0613895 from RLI Surety for \$350.00 for Public Official Name Schedule Bond.

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

**Executive Session:** Board went into executive session at 6:42 pm with legal counsel Bob Carmichael to discuss the conveyance of real property interest (assignment of Conservation Easement), pursuant to RCW 42.30.110(1)(c).

John McLaughlin arrived at the Board meeting during the executive session.

The Board came out of Executive Session at 7:15 pm, then went back in until 7:32 pm.

Frank James: We do want to have a vote now on an issue. These are advisory in nature. Well, one's advisory, one is a commitment. To briefly summarize, we want to say that our intent is to assign the Conservation Easement to the Land Trust as one action and a corollary action is that we would like to designate our support for the current draft of the Conservation Easement as it has been drafted by Bob Carmichael and Rand Jack jointly. If that's correct, I'd like a motion to that effect.

Bob Carmichael: I'm not sure I want that second motion to read that way, because even though Rand and I have been working on the amendment to the Conservation Easement, certainly Alan Marriner has worked on this as well. What I'd like to do is on that second motion is simply say that would move to

declare its support of the version of the Conservation Easement as forwarded to you on February 3rd. Then we've got a record of that. We know what that is and that would be precise.

Frank James: And to publicly acknowledge that is the work of the Parks Department, Jack and you and us here at the table. Ed and I have participated in that as well as proxies for our Board. So then let's get back to crafting language. Someone beside me is going to need to do it. I'll offer it up then that we declare our intent to assign the Conservation Easement to the Whatcom Land Trust. And then secondly, to support the version of the Conservation Easement, jointly agreed developed by the Park District, Alan Marriner, Rand Jack and our council and our Board as was documented in the February 3rd e-mail to all members of the Board at 6:24 I think.

Bob Carmichael: At 6:24 and a point of clarification. The recent changes to it the City or Mr. Mariner have not accepted.

Frank James: Yeah, it's a work in progress, right?

Bob Carmichael: Basically the point is the motion would be the document that you received February 3rd. That's what you're in support of.

Frank James: Right. And that we're authorizing our team to go back and have further discussions with Rand Jack representing the Land Trust with our Board member Ed representing us, and Bob, of course, and I'm sure Mr. Marriner and the Parks Director. Is that clear, everybody? So, who's going to make that motion now? Being the chair? I don't think I should.

**Motion** by Hue Beattie: We declare our intent to assign the Conservation Easement to the Whatcom Land Trust. And then secondly, to support the version of the Conservation Easement, jointly developed by the Park District, Alan Marriner, Rand Jack and our Board as was documented in the February 3rd e-mail to all members of the Board (City has not yet accepted most recent changes). Seconded by John Hymas. Motion Approved 5/0.

Hue Beattie: I have an idea I'd like to discuss with the Board while we're here. We still have a real problem as far as fire goes, wildfires and such. And you know that the City isn't really equipped to fight a fire in the forest etcetera, etcetera. Now I'm thinking big picture here. We have the reservoir lake. We have an airport, we have Patty Murray with all those Boeing big planes that were made to haul water, and there's a surplus of them. We could park a plane down at the airport there if there's ever a wildfire that breaks out in Whatcom County and they need some water dropped on it. It would be there. It's something she could set up and Larson and her could work it out. And you know, it would be funded and we won't have to do it, but we could advocate for some Fire Protection for the county.

Frank James: I think it's a great idea, Hue and one I hadn't thought of. In some of the public testimony, there's somebody very knowledgeable I think from the fire department. I think we would be the happy beneficiaries of such a plan, as would every other forested area in the City. So, I think it's a great idea. I don't know that we have authority or responsibility for the larger picture, but I think it's a great idea.

Bob Carmichael: I agree. I think it's a great idea.

Frank James: All right. Thanks for bringing it up Hue. And I think there's going to be a day when we look back and we'll either be very grateful for your efforts or we'll be very regretful that we didn't pay attention.

John McLaughlin: Regarding Hue's comment, this issue came up before the City Council a few months ago regarding the current lack of capacity for wildland fire fighting among the City's fire department, including lack of tools, lack of training and the City Council received some words of commitment from the Fire Chief that they were going to start acquiring that so that would apply not only to the Chuckanut Forest, or the 100 Acre Wood, but the Arboretum, Post Point and a variety of other very important forest areas. So that would be something for the City.

John McLaughlin: Last thing I would question regarding the version we just voted to approve. I have been looking at an earlier version that had much more extensive language about the Easement holder specifying being able to take a variety of supervisory functions. If there were impacts to the critical areas, and I noticed in that February 3rd version that all has been reduced to one brief paragraph. Is there any information about how that extensive section got reduced so much?

Bob Carmichael: Yeah, I talked a little bit about that before you joined. The bottom line is again, it was one of those issues I pushed up against Rand and he did not want that extra language, same as you didn't want mitigation, sequencing. But as you pointed out at the very beginning, what we got in that

proviso is something unusual for the Land Trust to put in a Conservation Easement. I've never seen that in a conservation easement before and so, I think that it's a good thing.

John McLaughlin: Thank you.

**Next regular meeting:** Wednesday, March 22, 2023, at 6 PM. This meeting will be held on Zoom as well as in-person at 1108 11<sup>th</sup> St. Suite 303 above Fairhaven Bicycle.

Anyone attending the in-person portion of the meeting is required to wear a well-fitting mask per the Commissioners of the Chuckanut Community Forest Park District as voted at their October 26, 2022, meeting.

**Adjourned at about 7:45 pm**

F U N D A M E N T A L