

MINUTES — Regular Meeting
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
Wednesday April 26th, 2023, at 06:00 PM
 Online Meeting Through Zoom and
 In-Person at 1108 11th 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), Hue Beattie, John McLaughlin, and Ed Grumbine.

Motion by John Hymas and second by Hue Beattie to approve agenda. Approved 5/0.

Motion by Hue Beattie to approve minutes of March 22, 2023. Second by Ed Grumbine. Approved 5/0.

Introductions of Mayor, Seth Fleetwood, Bellingham City Parks Director Nicole Oliver, also with City Parks Laine Potter and Gina Austin, as well as Ann Eissinger and Rand Jack.

General Public Comments

Christopher Grannis: Thanks to everybody who's put in so much good work on this.

Ann Eissinger: I'm here to listen and I also want to commend everybody for this long journey.

Frank James: I'd just like to acknowledge the great debt that we all have to you for your original study in the City of Bellingham many years ago that defined in many ways what the opportunities we had and also for doing the Initial Baseline Study on this particular property. Your input and your commitment to the community has been a huge service to the community, and sometimes those kinds of services go unrecognized. I just wanted to thank you from the bottom of my heart. I know many, many people feel that way, and thanks for joining us on this particular night.

John Hymas: I'd like to speak as the public. We had a Happy Valley Neighborhood meeting a while back and it was also a hybrid zoom meeting. Tip Johnson wanted to remind everybody how this all began and I'm not sure if he was on the City Council at the time or just paying a lot of attention. At one point during a City Council meeting, late at the end of the meeting, the zoning changed from urban or rural forestry to multifamily.

Frank James: Yeah, two houses per acre up to 14 houses per acre. That was in 1980, I think.

John Hymas: Right. And there's no records left of that meeting or how this came down and so that's what started all this, and this actually started the whole greenways movement. We have some making up to do, which I think we've done over the last 10 years. I'm really looking forward to this coming to a happy ending. That's my comment.

Hue Beattie: I was in the room that night at that City Council meeting and saw that happen and I thought it was wrong. I said so and the councilwoman named Jones, who was doing a change for a friend of hers, and he made a lot of money off of it. And that was wrong and eventually we're rectifying the problem here.

Park Advisory Board Meeting Report: No report.

Presentation by City Parks Engineer Gina Austin on “Current Phase One Design for Hundred Acre Wood.”

Nicole Oliver: I'm really happy to be here. I was able to extend an invitation to the mayor as we knew that we were able to be on your agenda. We had a very productive meeting, met Rand Jack and Gabe from the Land Trust with Bob Carmichael, Alan Marriner, Lane Potter, and made some significant progress working through the Conservation Easement. We're really excited. The mayor has a few words first, but we also wanted to let you know where we're at with this with Herrera on the design and where we're going to be headed as far as the first trail improvements. I wanted to share that with you so that you know what's going on and keep you in the loop on that. I'm going to turn it over to Mayor Fleetwood.

Seth Fleetwood: Thank you, Nicole. It's nice to be here. I've known Frank since before 1996, but I got to know Frank well in 1996 and it was because of this project. A long, long time ago, as John pointed out, the history goes as Tip proffered, it goes way back. I'd love to know out of curiosity when that vote in Council was, just for my own knowledge and awareness. I was involved in greenways in the 90s. My dad ran into Frank James at the YMCA and said my son's moved back to town and wants to be involved. Frank told my dad that there's a group of us that are organizing the interurban neighbors to protest applications for development and what was it called then? The Madrona Development Corporation, I think. So, my dad told me about that, and I called up Frank, and he invited me to a meeting and it is a profoundly important moment in my life and the work that we all did, that this land was the inspiration for the second greenways, which was the very first time we reactivated the Greenways Program and started this precedent that's brought in, you know, hundreds of millions of dollars I suspect if you think of the leveraged funds. So, this is profoundly important in the history of the Greenways program. I'm just really excited that we're getting close to a milestone.

I just wanted to express my thanks to everybody for the progress that has been made. I know we all have a broad goal in mind in this effort, and I know there's been some disagreements and contention. I know everyone is well meaning and I just want to express gratitude for everyone that's stuck with it. Thanks for the Park District. When the City conveyed the amount of money that we felt was the responsible amount that we could spend for this project back in 2011 and said to the Community at large that remainder to pay off the Interfund loan can come forward by whatever creative means the community comes up with, and you came up with this and made it happen and it's really remarkable. I know there was a meeting recently and there's a lot of good work done at that meeting, progress was made. Thank you Land Trust, and thank you Rand Jack, and the Parks District, the City staff and everyone. I want to express support for that. I want people also to know that if there are any funds that are left over in the Park District that come back to the City, they'll be put back into the Greenways Fund and earmarked specifically for this property. So that's just an important thing I think needs to be said. I hope there's support tonight for any revisions and agreements that were made and to amend this conservation easement that's going to protect this property in perpetuity. I hope that it gets passed and supported. Thank you everybody.

Frank James: Seth, thank you for your kind words and we really appreciate you being here. There's goodwill all around, everybody at this table wants the best for our community and that's really clear. They're always sticking points, you know, right now, 70% of the dogs in the Chuckanut Community Forest are off leash. That's a threat to the wildlife there. I hope we can do something about that. We're also seeing increasing conflicts between bikers and hikers, and there are bikers going off trail, degrading the forest and that's another issue that needs to be addressed and can be addressed with some engineering features, which is a wonderful opportunity for engineering to come in and make a big difference. There are some challenges. And we may not be able to solve those as the Park District, but I think with our partners in the City we can begin to make great progress. The main thing to hear about tonight, I assume, is from your engineer of the kind of solutions that we're looking at. Those hard line engineering solutions are really important because they make the kind of fundamental difference that doesn't depend on education, on enforcement. They're solutions that can really solve many problems in the long run, keeping people on the trail and not making it wider. All the things that are necessary to preserve this property. There will always be a role for education and there may be a role for enforcement as well as Skip likes to say, the Triple E, education, engineering, and enforcement probably will all be needed. But Seth, the long history of your involvement in greenways I think is recognized in the community as a real commitment to the future of our community. And we really appreciate your participation here tonight and in an ongoing way protecting our City.

Nicole Oliver: I forgot Ed Grumbine was at that meeting as well. Thank you, Ed.

Do you know Gina Austin, our Park project engineer? Extremely smart and great at helping to design, develop, maintain, and fix just about everything in the park system. I remember when I first met her, she

said her favorite part of her job is it's always changing. This is kind of a newer project. I don't know if we've done one quite like this, it's very unique and we've made some really significant headway with our consultant team. They've been extraordinary and I also just wanted to say, Ann Eissinger, I've always wanted to meet you, and I'm really glad you're here. I've read all your documents over the years so thanks for being here.

Seth Fleetwood: I want to say hello to Ann. It was nice to hear your voice, Ann.

Nicole Oliver: With that, I'll turn it over to Gina, who has a presentation to share.

Gina Austin: I'm Gina Austin and I am your Park project engineer and I've been with the City for over 20 years now. Nicole is correct. This is a unique site, so we're going to be adaptive. We're going to learn; we're going to listen. We're going to show you a lot of ideas. We're kind of at the beginning stages of phase one of the master plan, understanding it and tossing around some approaches and really looking at the area and that's what I'm going to show you in this presentation. I'm going to share my screen here.

Gina Austin: I think it's a good beginning here to remind ourselves and I think you all acknowledge this, that we're all here out of goodwill and all have the same thought in mind about that. We care about this place, and so I'm starting with photos of how we feel when we're in the Park. We look at the trees and it's a special place. Before we even talk about the technical and the engineering, to just acknowledge that it is such a beautiful treasure to be in the 100 Acre Wood and that each tree has its own story. It's just a really beautiful place.

I always like to take the opportunity to dive into our photo archives to see what photos we have. The City of Bellingham happens to have one of the largest archives in the nation. I wanted to see what we had around Fairhaven and the 100 Acre Wood. Here in this bottom corner, I have a little map. This is just purely for entertainment: this photo from the early 1900s, you can kind of orient yourself this way. I think this photographer is standing in the 100 Acre Wood looking north, towards Cody and 22nd to the Interurban line and what it looked like back then. Then we have the old high bridge to the very south that's kind of outside of the Fairhaven area. Another look at just the kind of corner there looking eastward and seeing how the trees are growing. This is kind of cool. Jeff Jewell and our museum found this photo. Clarita Moore had a nice little cabin kind of off in the corner there of 100 Acre Wood. That's her friend and this is her cow. It was a retreat that was out there a while ago. So that's kind of fun.

Then, of course, you all know the City purchased the property with the help of the Greenways, the district, and the community. There are pictures of looks like our staff. I think I'm in there too. We came in, helped relocate people off of the site providing services and then dismantling some of the structures and things that were in the site. You can see our sleds here, so we kind of treaded lightly while we were in there doing these projects.

So now we get to today. We have the 100 Acre Wood Master Plan. We have a phase one scope, and we have some funding. The highlights of the phase one scope are improving the main trail, restoring hydrology, and this is a multi-phase multiyear project. I'll show you what phase one is and where these different items will apply. Installing signs, boundary markers, wayfinding, and dog waste stations. Native plant signs are in one of our education areas and the outdoor classroom, and actually the native signs and outdoor classroom are nearing completion. This is more towards Fairhaven Park, and this is a photo of that area, and this is just part of the education component of 100 Acre Wood.

So as Nicole mentioned, our design team was selected through a state procurement process on how we select consultants. Herrera was selected as the most qualified to help us out with the engineering and permitting. So, their biologist and civil engineer are all from Herrera and then they'll have support from geotechnical engineer, survey archaeology, and hydrologists. You've seen this map before. This is the implementation map from the 100 Acre Wood Master Plan and items one, two, three, and four were highlighted for phase one work. If I just put yellow over those, you'll see that is what the extents of the phase one work includes. However, when we're looking at the site, we kind of recognize that wayfinding is broader based. If we're going to have success in keeping people on dedicated trails and keeping people from creating new trails, then we probably want to advance wayfinding around the site. To help guide people, I was joking with our group here because I was out at the 100 Acre Wood and I thought, you know, I'm going to try to run every single trail on this site. And I stopped after about 7 miles and ended up at some dead ends. Met some people that were also kind of turning themselves around. I think people for the most part want to have some wayfinding or some help through the site. There are also more trails out there than are shown on this plan, and those trails will be decommissioned if they're not identified in the plan. This purple area up here was an area that our consultants were looking at as well, not specifically identified in the phase one as a as a high priority, but they were thinking that we could maybe reinforce

the trail that is there and encourage people to stay on it and maybe do some additional plantings. So, we're going to look at that area and I'll show you what this all means. Like what our ideas are and where we're headed with phase one work, what it all will look like.

The work that we've done so far is we've gone out to the site with the consultants and most of them are very familiar with the site. We walked the site. We searched all of the data that we have, we kind of went back into the Fairhaven Highland files, found some old surveys, topography, and built up a base map and identified some areas where we really don't have any land topography. And getting the surveyor remobilized to pick up the contours in those areas. We've consulted with our permitters to talk about a permitting strategy and what we could maybe implement this summer and what would be longer term permitting through our critical area ordinance, Army Corps of Engineers, and Fish and Wildlife. As we look at restoring some of the hydrology and then of course we had \$650,000 that we got into this budget from the Greenway levy approved for this park site.

So, some design ideas, and I'm going to show you what these mean in some photos is areas where we have hydrology that's cut off or erosion happening. We do have a design for a boardwalk that we've used, and you've seen the boardwalk that was built by recreation northwest similar. So that's something in our toolbox that we can bring out and help improve the trail. We also have what we call the trail burrito. I'll show you what that means in a design. But you can place some kind of clear rock in a base and build up the trail a little bit and that allows the water to move back and forth. Under the trail without really concentrating flows. We have ideas about rapid install wayfinding. The long goal here is to have this Park have signature signage and really be a special place that will have educational interpretive signs that are unique to this site, but something that we can do in the interim to keep people from creating trails and to keep them, you know, really where we want them to go is to install wayfinding and these signs can be changed out with graphics. They can be moved around or taken out when we finalize the actual signage and branding that will be specific to this site in the years to come. It's more temporary in nature. We also have an alternative trail section that we would implement at this site. Usually when we rebuild a trail, we would take the trail down to subgrade. We would import material and bring that trail back up. For this site we want to tread lightly. We want to see where are these places that the gravel base is in place and maybe we just need to narrow up the trail or provide kind of a thinner topping of gravel that's more natural and fitting in in the area and not doing a major earthwork project. Our rapid installed habitat fence is an idea that we can implement at this site as well, where we can decommission trails and it's hard to see in this picture, but this is the Sehome Arboretum. It's these metal poles with kind of this fabric in between. And getting plants in there and then protecting the area so that people are not veering off the trail and they're really focused on the actual tread of the trail where we want them to be. Then we have our pilot wayfinding and I'll show you what that is too. Herrera has some renderings here and some ideas of how we can narrow up the trails and really bring back the health of the understory of the forest. And putting in those temporary rapid install fencing so that when the forest starts to grow up that can be removed. Some ideas on natural barriers to guide people and keep them on the trails, this is an example at Samish Crest. We had some muddy conditions and as things get muddy, we call it the braided trail. That's where people just keep veering off and finding the dry spot and then that spot gets wet, and then they keep doing it and it ends up with these really wide trails. This isn't what we want. At Samish Crest, we came in and we narrowed up the trails. We did some plantings, and we also have another type of habitat fence that we install, but we guide people, and we make it so that the drainage works, the hydrology works for the environment and that we do have a desirable trail tread where people will stay on the trail.

This is also an example of Little Mountain in Mount Vernon. I only show this because it was built by the WTA Trail builders, where they come in and they don't use heavy equipment, and this is what we're aiming for also at the 100 Acre Wood. We don't want to come in with the big 600 excavator and just wipe things out. We want to use small equipment. We want to use power wheelbarrows and we want to tread very lightly in the sensitive forest and that's how these trail builders work, where they narrowed up a trail and then they have some rock that's placed by hand. And this is another part of Little Mountain as well, but these are some photos of the 100 Acre Wood. I don't think these will be surprising for you to see that we do have the braided trail. We do have a lot of muddy areas and we're going to make this better. We have the tools and the experience to fix these areas. These are just cartoon kind of cross sections that show our boardwalk designs. We have a boardwalk design that doesn't involve heavy equipment and then of course I show the trail burrito. This is a little bit exaggerated, but it's just building up. This is kind of in the worst-case areas where we would build up with clear gravel and we would have fabric on top and bottom and the water would be free to move back and forth and then overtime these shoulders actually start to grow in, but the water still is able to move back and forth. This is an example of how we built the boardwalks. This is at 100 Acre Wood, Recreation Northwest, with the diamond pier footings. And if you haven't seen these installed, this picture is from Fraser St. It's handheld equipment people walk in. These

are precast concrete and you set them in the ground. And drive little pin piles in. It's a very kind of low footprint construction method that works where we can get where boardwalks are appropriate and let the water move back and forth. This is a much wider trail than I would ever want you to see, but I always show this because this is the trail burrito in action. If you've been over by Haskell, we have a trail called Racine de Fraser, and that's because it connects Racine St. to Fraser St. but what you might not know while you're out there is this is one of the largest heat masses in the City of Bellingham. So, this whole area is just one big peat bog. We never found the bottom of it, we got to about 30 feet with a rod and we never found it. But it's very effective to build this clear gravel and then the trail on top. This trail in this instance, is just floating on top. And it's been there for a while, but the trail shoulders start to grow in, the trail does not have to be this wide. This is just a major arterial trail, and we don't really have the trail burrito in narrower areas, but they can function as a narrow trail too. But this is very effective in the water levels staying high on both sides and being able to move back and forth and not cutting off that hydrology.

This trail example up here shows our alternative trail section, and this is where we're just evening out the trail with the light kind of dusting of gravel and over time that gets embedded into the gravel base below and it just gives it a more even surface. But this is our low impact trail. We don't want to blow out areas that have a nice gravel base in place and lose all that good material if it's working now. We don't want to dig it all up, but we would want to narrow it up. And there's some areas where we are going to have a bit of a trail rebuild. The soils are just too cohesive and clay underneath. We need to build up a little bit and then we'll have the shoulders grow in and it'll look more natural with some plants and things and making sure that we can direct water so that the trail is the desirable place to stay so people won't veer off and create that braided trail situation. This is an example in Bellingham of a trail resurfacing project in Connolly Creek Nature area, and this is where we didn't want to dig it out, but we wanted to keep a nice narrow trail and we just reinforced the trail with kind of a light dusting of gravel. We also have other things in our toolbox here too. How to narrow up a trail with natural features like logs and rock barriers, plantings, and that wrap and install habitat fence until everything starts to grow up. Then in some areas where we need the bigger reinforcement, especially in the future phases where we're going to have some wetland work and enhancing and reconnecting some of the hydrology and the wetlands, we probably will have our cedar fence that's a little bit more permanent, but still on the semi-permanent stage.

We have a family of wayfinding signs in our system that we will likely implement as a pilot project at 100 Acre Wood, but these signs can be changed out. So, once we have an identity and graphics and something that's unique and special 100 Acre, these signs can go back to the sign shop and get a new graphic and come out so nothing will be lost. We probably won't have a lot of these larger wayfinding areas throughout the Park. These will probably be at major trail intersections. Then we have some standard graphics and signage about encouraging people to stay on the trail and tread. And these can be interchangeable, and we can also incorporate other kinds of education graphics. This is at Padden Creek, after the habitat fence gets a chance to weather a bit, it kind of blends into the environment a bit more. Another idea that we have for 100 Acre Wood is in some of these trail restoration areas creating and engaging the public with our photo areas where you can track it over time, and you can watch the forest grow and kind of be a part of that process. When I said rapid wayfinding earlier, this is what we mean. These signs are interchangeable. They're easy to install and then move around if we need to with the correct tools. But they're low impact and Whatcom County uses these plastic way finders; they also call them reassurance markers. So, if you're deep in the forest, you might start to think, well, maybe I need to veer off and take a shortcut back. But if you see the reassurance marker, it's going to reassure you and tell you are on the trail and you only have .1 mile to go to get out so that you maybe would be encouraged to stay on the trail rather than trying to make your own shortcut. State parks use these three-sided markers. They're very narrow, but they are effective and give people a direction and place to go.

So early implementation for this summer, some of the stuff that doesn't take extensive permitting is the rapid install wayfinding, the habitat fence, some of the trail decommissioning that's identified in the phase one, and plantings to go with that in the fall, and some of the minor trail resurfacing. We don't have to do rebuilds. The remaining phase one work with that takes a little bit more permit review would be some of trail reconstruction areas where we do need to build up a little bit of a base to get the trail so it's resilient enough for the foot traffic. The boardwalk construction, mitigation, and restoration planting are a phase one future work that would go into summer 2024 and that's only because of the time it takes for the permitting agencies to review. And we've gotten feedback from people in the community, people with institutional knowledge of how the wetlands are connected, as well as our own team to make sure that we're not just picking any mitigation, but meaningful mitigation that is specific and going to provide the best restoration for this site.

We're also wanting to ease the public in a bit about what's going to happen, so they aren't surprised and show up one day and find their favorite trail is blocked off because we're working. So, we're proposing to put in information signs at each of the entrances sooner rather than later so that people have a chance to adjust, call us with questions and know what's coming. I know if I was going to a park to find a respite and I showed up and there was something happening, it would be nice to know ahead of time so that I could prepare or pick a different park or maybe come and observe, watch what happens. We are proposing to put these signs in so that people know what's what.

This is a very messy drawing, but I only show this cause it's progress. This is our consultants now taking that phase one map from the master plan and putting all the engineering notes on it and making notes about where they see the water going and where is the gravel. And where are areas where we need to reconnect and how are we going to decommission the trails that are identified and also dealing with the trails that are showing up that are new, that aren't on any maps that that have just been created, that we've got to deal with. So, zooming in, we're trying to be really thoughtful about this too, because going out and just decommissioning a trail might push somebody into creating a trail just far off to the side. So, we need to make sure that the fencing, the plants, that everything makes sense, that the wayfinding guides people and that we really are encouraging people to do the right thing so that we can restore this area and keep it for the beauty that it is. That is my presentation. That's a lot of information, I admit, but we're doing a lot and it takes a bit of time to get it right.

Frank James: Thank you so much, Gina. That was a wonderful presentation. We're delighted that the consultants you chose were the same people we chose. They have our confidence, as do you with this presentation. I really appreciate it. Lots of good information. I have a couple of technical questions for you and then we'll open it up to other people too. It was identified by Herrera that one of the main wetlands was actually subdivided into two wetlands in the past, when in fact it's actually just one. And I wonder if there's thought of recognizing that's a single wetland. It actually makes it a bit larger and might have some impacts on trails. I think it's important to do it before we get too far down the planning phase. Is there a thought about that and how will that one goes forward?

Gina Austin: There is a thought about that, and there's also some evidence as some community members have brought forward and you can see in the surveys of previous property owners ditching areas to drain them. That's where the meaningful part of the design comes in, where you go out and we're going to look at it and we're not just going to pick any mitigation, we're going to focus on those areas and see how we can make that really the best for the health of the forest. So definitely looking at that, that might be a future phase of work too. Really it would be great to just have multi \$1,000,000 and go out and just do it all at once. But we're going to do it in phases. But part of getting there also is decommissioning those two trails that head towards that wetland that looks like it's been bisected but just doing it in a way where we're going to get the public to follow along and really asking for their help to just not go that way. So, it is going to be baby steps, but yes, we do acknowledge that some of those wetlands will benefit from enhancement and really getting everything back and connected.

Frank James: I guess my specific question is, will it be recategorized as a category one wetland? The real question is because if it's category one, there's a difference in how you manage that property as you well know. And I think it is a category one and it is a continuous wetland, but it seems like that would be a good thing to recognize at the beginning of the process.

Gina Austin: The wetland biologist is coming in. So, the wetland delineations have expired in time, but they're coming in and looking at those corners. But the way it's categorized, the enhancement and the buffers and seeing where it goes in the future are all kind of those little steps. Doesn't make it a higher priority in the process. It probably falls in the same priority that's shown in the master plan, but we are so far off with people actually just walking through the wetland. The first step would just be getting them to stop walking in the wetland, then the next step would be enhancing, connecting, and then watching these wetlands flourish through the monitoring period is where we would start to pick up and see is it functioning how we want it to be and then if it got delineated in the future, it could get bumped up for sure.

Frank James: I admire your willingness to even consider undoing the ditching. When we look at that, that's a big project, so I'm glad you're going to consider it and it would be very beneficial if it were done. But we understand there are challenges and barriers there too. Thank you for your presentation. Would you be open to questions from other people as well?

Gina Austin: I'm open to any questions. Thank you for putting us on first.

Frank James: I'd just like to thank you for the great presentation. We appreciate your work and the work of Herrera and look forward to working with you between now and the end of September.

Gina Austin: I also want to reiterate, here's a lot of collective information and institutional knowledge and so never feel like, oh no, I'm going to e-mail them and it's going to bother them. E-mail or call, talk. We already have another site walk scheduled with a community member to talk about their institutional knowledge. We are a work in progress, and we benefit from all this information too. And we have a good team, I really believe in the team.

Frank James: You are a wise person. Thank you so much for that application. There's a lot of people here who are very experienced and have deep knowledge. Any questions or comments?

Christopher Grannis: Will there be Park boundary signs at the edges of the Park boundaries?

Gina Austin: That was included in the phase one program is to have those Park boundary markers going.

Frank James: Just a brief comment, there is a Park boundary sign that got picked up and put over near the wetlands and it's about 10 feet off the trail on the left-hand side. Just before you get to that big messy intersection in the middle. I don't know why they did it, but it's definitely inappropriate, so thank you for getting on that.

John McLaughlin: I have a whole slew of questions. Your presentation was very fascinating. A lot of ideas that I have first. I think your rapid wayfinding signs look great. They'll be very effective, and they'll help. I myself have directed a lot of lost people in how to find their way back, so those will be really helpful. My first question is, are there opportunities for public or volunteer projects? I take courses of students out there at least twice a year, and I take them to the ditch I think you're referring to and every single time they ask can we fill this, and I have to bite my tongue because I don't have the legal authorization to. But if it's part of a project, you could use volunteer labor and leverage your resources to much greater effect.

Gina Austin: That was a big topic when we were walking out with the consultants for the first time was what could we kind of just peel off as a volunteer project? So, they are definitely looking at that and it also creates, you know, happiness and somebody doing something. The part about the ditching too is complicated because it's a point in time, so that is a kind of a heavy permitting challenge that would be deferred to the next phase or future phases. So, I know a lot of community members have walked out there and looked at it and said if I just do this one thing it's going to help but it's all regulated, so that is a bit of a long-term goal, but there is still the opportunity for volunteers definitely.

John McLaughlin: What I suggest is I have sources of lots of volunteers who are very eager. The students would much prefer to make a difference than to sit inside and listen to someone like me lecture.

Gina Austin: John, can you e-mail me too? Or maybe I can get your information.

Frank James: John has a map of all the trails that are on the property, for example that he and his students recently made that you might find helpful because they actually found all the social trails which I think might be a useful document for you to have. And John, could you send that to her too? When you send your e-mail?

John McLaughlin: My next question I noticed on Herrera's concept trail details. That the trails you're planning on putting in have 6-foot width with a crushed limestone surface and then two one-foot shoulders on each side. We've had a lot of community feedback suggesting they don't want trails that wide, and so I'm really concerned to see that in Herrera's documents, and if you're planning on that trail standard, I'd be concerned of not cementing, but with a firm limestone surface reinforcing a much wider trail width than it's appropriate for the place.

Gina Austin: Yes, those six-foot trail widths that you're seeing in their plan are for the main trail. Right now, the trail is 10 to sometimes 20 feet wide. So, it's narrowing those up to six feet. And then over time those trails will start to grow in a bit, but that shoulder reinforcement is still there. So, if we're bringing a power wheel wheelbarrow in or like the Cushman's that we have, those little electric dump vehicles, that they're not going to blow out the shoulder of the trail, those areas still get grown in. But definitely like the secondary trails and the future phases of work, I don't think you would want a whole monolithic of just giant limestone trails everywhere.

John McLaughlin: So you do have a different trail standard for the secondary trail?

Gina Austin: Well, right now we're just focusing on phase one, just the phase one trails, yeah.

John McLaughlin: My next question is related to many of the photos that you started the presentation off with showed pretty extensive areas of compacted soils that have been noted with vegetation. And so those are results of not people being lost, but people following the actual trails but widening. So, I'm wondering what strategies do you have to narrow trails that are inappropriately wide, including trails that

should be secondary trails, but right now are functioning, as you mentioned, even wider than the primary trail stands.

Gina Austin: That strategy is the rapid install fence with the plants behind the fence. So, in an area where there's a little bit lower trail impacts, we have other types of shoulders that we can create. But I think in this area because that understory is completely wiped out, that we're going to have to come in with the rapid install fence. Which are metal signposts or a T post with fabric, but that we would also have the education component go with that. So, on the fence would be a sign, and then you're looking beyond the fence and you're seeing the tree or the understory there, that whole thing would go together. In some of those areas, that fence is going to extend because we just don't want people to create the trail around it, so it's going to be an effort, but we're hoping that the encouragement of the fence, the plantings and the signage is going to keep people on the trail and keep those narrowed up until they start to develop up.

John McLaughlin: Do you have criteria on which you'll decide when to remove those fences?

Gina Austin: That is more kind of adaptive and like a contingency plan is keeping those up, seeing how the trees grow, seeing how things work out, and moving them around. The other challenge we're going to have too is trying to get the understory to grow in the canopy, and this has been an extensive project for us up by Cordata where we're trying to transition from a deciduous forest to conifer forest. And just getting the conifers to grow in that shade has been very challenging, but we are finding that just attacking it with over planting and planting and planting and then they start to take is really the approach that works.

John McLaughlin: OK. Two more. First, you mentioned lining some of the trails with salvage logs and I'm wondering where those would be sourced because logs are generally habitat structures that can be really important. So, depending upon where you source them, that could cause degradation also.

Gina Austin: Yes, that's a good question. We haven't quite gotten that far on that to figure that out.

John McLaughlin: Some of the trail construction, particularly for mountain bike structures, has involved sourcing logs within the forest, which has displaced many, you know, sensitive wildlife. So, I'd be concerned about repeating that same thing. So, well, that would be to be determined. My last comment, you suggest that you'll be consulting with people with local knowledge. And I would suggest people on this Commission and all the others you know in this meeting have a lot of local knowledge and care enough to be royal pains for the Parks Department. We've made life somewhat challenging and frustrating for them, and that's because we care about the place so much and so I suggest tapping into that resource.

Gina Austin: Yeah, that's a very good comment.

Tip Johnson: Is it possible for me to share my screen very briefly. Because I want to get back to this contiguous wetland thing. This is an exhibit from a long time ago. I can't scroll around. But you know, back when we were doing it and I spent some time looking at this and the burritos and stuff, it's like this is a contiguous wetland, like in the driest months, water is coming out like in high places, it's coming from somewhere and over here it all drains to Padden Creek. Over here it all drains to Chuckanut Creek and it's kind of unique and I don't know how far I can share my screen, but you know I remember we spent our money to prevent this from happening, you know, and this is not terribly exaggerated. This is what was proposed on those topologies and that contiguous wetland. And we stepped up and did it. But here we are down to Beaver Pond. We should get some beaver down there. That's what I want to say. But you know, in these waters, these publicly owned wetlands, at least into the project site, abound with these tiny shrimps shown here 60 times actual size. Isopods like shrimp are an important part of the food chain, but very sensitive to pollution. Their populations will likely be decimated by the toxicological impact of development. This will be a harsh blow to local creatures. I have on record I want a major trail from Fairhaven Park down to the end of the interurban trail. I want a bridge to connect the interurban and that's going to be the gateway to the Chuckanuts. So, let's just make that happen. The rest of the trails, I think it's like in architectural drawings, you've got a line weight hierarchy and the same with the trails. You should have some trails, big trails, heavy trails, and some light trails. I'm all for that. I hope it all works out. I just think this contiguous wetland is really the key to the whole thing. And preserving that and making sure that that water coming out of the foothills and flowing around Padden and Chuckanut Creeks and supporting the foundational food chain is our main priority and let's make that happen.

Ann Eissinger: Thank you, Frank. Gina, thank you so much for your presentation. It was very informative, and I just have a very basic question and that is just from a wildlife perspective, the trail density as you presented still seems to be a bit high. Obviously, this property is not just a human recreational site. The humans share it with the resident wildlife and the transient wildlife and I'm not talking about homeless people. But anyway, so is it possible, and I'm sure that you and the consultants have thought deeply

about this, is it possible to remove more of the trail system? Or more of the side trails away from the wetlands and create more of a network of well-developed trails and yeah, just eliminate the smaller side trails.

Gina Austin: So that's likely going to happen when these get decommissioned too. There are more trails as you all know, than are shown on this plan, right? So, the plan itself includes that. Note that all the trails aren't showing on this graphic because there's just trails created all the time. Those will be decommissioned, but the first phase of trail decommissioning is this section, this section, and this section. But over time, I think we are all going to see that we will have more of a forest experience. We will have narrower trails and that will get the habitat and the forests to thrive in those areas that have been matted down. I think that is the end goal, to create meaningful trails that people want to stay on and use. They're encouraged to do it with some signage and new plantings and that we do see this forest and understory come back and that it's enjoyed by all and the creatures that live there.

Frank James: I think when you look at John's map of all the existing trails, there's a trail within 75 feet of every single place on that, which Ann could probably comment on this. But I think that's incompatible with wildlife meaningfully occupying this site, so I think it would be a priority to decommission the trail system. How can we as both the Park District now, but as citizens later, assist Parks in sharing that message? Can we do public relations outreach? Can we do an in-park, kind of docent educational piece about it? Can we help create signage or kind of academic pieces if you will that might inform people better? If there're ways we can help with that, we are very anxious to be of assistance with that issue, because it's frightening to us because so much of the wildlife is precariously there and a lot of it's already been chased off by the off-leash dogs, which are a big deal, especially given how frequently that's done right now. So, it's really concerning to me personally at least. Just keep in mind we're an ally and your friend and we want to help with that.

Nicole Oliver: I just wanted to respond a little bit. I think this is one of the core things that we grappled with so much during the planning process is what do we do first? It was like but there's so much to do. How are we going to decide what to do first? I think the effort that we're trying to do first is to really focus on those main trails and I think we took a lot of comment that hydrology down the center is the one piece that we added where it's really the most beaten down and opened up and when you start with the main route, that's where most people will go and then once you have the main route, then it's going to be much better to and easier to block off and obliterate as we go. And we are going to be having many volunteer work parties to help with this effort. If we obliterate trails all over the place and I'll tell you what, one of the biggest things that happens is that people open them back up again. So, if sometimes we try and block a trail before we create another way to go, it does not work at all. So, I think by starting with the main trail and the wayfinding, we're going to be able to have much better luck at all of the trail obliteration that needs to happen. And that will happen over time as we implement the plan, but we're going to do some of the major ones first with the help of consultants and permitting. Because it's going to be quite a bit of planting. And I mean. It's going to be a complicated permitting too.

Frank James: Yeah, that's a great perspective to share with us. Thank you very much.

Ann Eissinger: I'd like to follow up on my comment and thank you, Gina, for your response, Nicole as well. My greatest concern on that site we have from a wildlife perspective, we have the larger mammals and small mammals that can move, terrestrial mammals, so to speak, and but we also have a concentration of amphibians around the wetlands and in the wetlands, depending on the season and the one thing that I think is lost in the conversation when we start talking about trails and trail management is the fact that the amphibian population has to transit across the landscape. They aren't strictly in the wetland all the time. They move on a seasonal basis from the wetland to the upland and back again. And those populations are really dependent on safe passage from the wetlands to the upland and back again and that's why my concern around trail density in association with the wetlands and the upland is a concern. Bikes, hikers, dogs, whatever, can disrupt that movement and cause mortality in those populations. So, then the other thing is with regard to the wetland health and maintenance to have adequate buffers to keep people and dogs out of those areas as well.

John McLaughlin: Following up on and just shared, the Chuckanut Community Forest is one of the few places in the City that retains those forest wetland connections. When you lose them, it's called habitat splitting and you lose amphibians. That's why there are no longer amphibians in the Sehome Arboretum because we've severed the connections between their wetland breeding sites and the forest where they spend most of their lives. So, retaining those connections would be really important. Over time we have been losing and the amphibian distributions in the Chuckanut Community Forest have been shrinking. And that could be due to recreational impacts. It could be due to climate change or shifting hydrology and

a number of things could be going on. And so, the success of both your trail decommissioning work and restoring wetland hydrology is going to be really important. The thing I would suggest is following up on Nicole's comment about what do you do first and in your plan decommissioning those three north south connections crossing Wetlands JJ are really important. Those are problematic trails for both hikers and for recreational users and for the non-human users of the place because they do incur some real sense of the habitats and they are mostly wet places and so they cause all kinds of problems and impacts for people wanting to keep their feet dry. But they also provide really important connectivity in the trail system. If you're going to remove those and people trying to get from one place to another are likely to do the very thing that we'll describe of trying to recreate those trails unless we have clear signage that provide people clear alternatives so they can get to where they want to go without having to recreate those very trails. I applaud your priority in moving those trails first, but having signage even before that is probably going to be important.

Gina Austin: That's definitely what we want to do this summer. I'm sure you all have done the same thing. I've been in that forest so many times and I still stand there and think, where exactly is the trail? Is it here? Is it there? And so, this signage is really going to go a long way, and the fencing, to guide people.

Nicole Oliver: I just wanted to thank you for having us and good luck on your conversation this evening and. I will have my phone with me if you have any questions, feel free to e-mail me. I will pay attention.

Frank James: We'll try to use that when you get back.

John Blethen: I've got a quick comment and that's now that Padden Creek has been freed under the freeway that we have a much better habitat connectivity. I hope that in future phases we take advantage of animal migration from the lower Padden gorge all the way up to Padden Lake and it needs to be integrated into this plan. We need to see this horse as being a piece of a much larger project and that's one that's exciting. I don't know if we'll ever see fish, but we certainly have a way for animals to get under the freeways safely.

Frank James: And under Chuckanut Drive, you know that's another holder project down there that comes directly into this area. The mayor sent me a note and thanked us for being here. He had to go to another meeting.

Ed Grumbine: I was gonna say, Gina, maybe about a year from now, we could all get together and kind of evaluate how it's going with all the trails, changes, and stuff.

Frank James: Were there other questions for Gina before she heads off? Thank you, Gina. And Mayor Fleetwood and Nicole, I know you're gone, but you're very much appreciated. And Lane, you could take the message for us if you would. We very much appreciated the excellent presentation and the useful information. I do think there's undone work. I mean, we still really need to. Work even now on the number of dogs that are off leash right now. What I've seen is around 70%. I don't know. Ed, was that kind of what you've seen too? So, most of the dogs in the in the forest right now are off leash, and this poses direct and immediate threats to life and well-being of those animals we were just talking about. They see them on the trail, they chase them, they're off trail. They chase them there. It's a major impact. It's against the law in the City to do that. I hope that we can get some enforcement, or at least some education early on. We really need to turn that around. They're still people biking off trail essentially in these little trails that are steep. These are adults we are talking about that are going places they know they shouldn't be, thinking it's fun, but we really need to do what we can before we sunset to be good stewards of this land and we need to do whatever we can for both of those things are having a worst impact now than they've ever had in the 25 years that I've been working to preserve this land. These are important issues. That was an excellent presentation. They're working with Herrera, who's providing some excellent material. Thanks, Laine, for being here. Thank you, Gina too. I didn't know you were still here but thank you so much. And thanks for listening to everybody and their concerns. I know you've got the wisdom of Solomon to split all these things up and pick out the most important things to do first and we'll tell you what we think is important, but, but also understand that it's a practical thing that's resource limited.

Old Business **Conservation Easement**

Rand Jack: I'd just like to commend all of you for the work you've done to protect this property and I think that the future looks very bright. I was impressed by the presentation tonight. I would just say that the conservation easement is not a strong conservation easement. It's an easement that grew out of a negotiated process. There are all kinds of things that I would like to see in it that are not going to be in it. But I think it's pretty good and I think that the real future of the property depends on people like you. One of the things that's been most impressive in my long-term trashing around with these things is in Stimpson

Nature reserve we created an ethic of caring for that property. If you walk there, you'll hardly ever see a piece of trash on the ground. Dogs are forbidden. At first, I saw a few dogs, I never see dogs anymore. Bikes are forbidden. You don't see bikes there, and that's because there was an ethic created that the people that love the land there and that's expanded to a wider and wider group, care for the land and make it happen. I think that's your next big job is to get involved with that part and create that ethic so that people will care for the 100 Acre Wood in the same way they care for Stimpson.

Frank James: Rand, could I ask you a question? One of the things one of the other communities of interest that we talked to about the conservation easement was the Lummi community, and I know you guys are working with how to work with the local tribal communities on your other properties and I just very much would like to invite them into this process at Northwest Indian College. They've got a group of people that teach stewardship. Basically, it's part of the educational process at Northwest Indian College and some of the classes that they do. They're really interested in becoming involved with the 100 Acre Wood. It has head waters that go into two of the three salmon streams. There's a third drainage, too, that goes down into Chuckanut Bay as well, directly into that marsh. That is one of the only high-quality saltwater estuaries that support fish as well. I'd love to talk more with you about the possibility of how we can involve them in this process. They're respected and powerful people in our community. The City respects them. They've done a lot for our community in terms of stopping the coal port and in other stewardship efforts, and I think they're sensible long-term partners. So, I'd really love to maybe have a discussion with you more about how we can involve them in the long run as stewards. We were working on that coal port. It was interesting cause I organized all the doctors, and we were working on it and basically the doctor said if we lose, I'm going to move. The tribal people, we're not going to lose and we're never going to move. I mean, this is their home. When you talk in perpetuity, they're here in perpetuity. The rest of us are going to leave either through attrition and death or going someplace else. But I really think it could be part of the bigger discussion you're having with them. And I think that the people that I've talked about there are very, very eager to have a presence in town where they could talk the kind of stewardship that they really believe in, in terms of salmon habitat. And if there ever were Beavers back in that Beaver Pond, we need their approval to do that. The way the rules work is if you can put Beaver somewhere, you have got to let the local property owners know they're going to cut down trees and you need to have tribal participation as well. And I think Tip mentioned it, but I think it's a very important goal to keep enough water there over the season, particularly recreating that Beaver Pond is an important thing. A male beaver ended up in Hoag's Pond recently, stayed there for a few months and then left. But there's pressure for him to come back and that could be expedited. I've researched this, we've researched this a little bit, putting in some low dams that would bring water back that allow the Beavers to live in that area and then recreate their own dams. But just no reason to respond now, Rand. But I'd love to have that conversation with the Land Trust about how we could involve them as stewards. You folks need stewards for your land. And I think the alumni community is interested in doing that, particularly the young people at Northwest Indian College.

Tip Johnson: Forgive me, Frank. I'm gonna interrupt rudely and just say it goes back to the contiguous wetland that drains both to Padden and Chuckanut Creeks to the Bay. And it produces water at the driest times of the year. It's coming from somewhere. And it's a foundational element that really needs to be respected and preserved. That's all. Thank you.

Frank James: Rand, if you consider that and let me know what you think about it, we can maybe further that discussion. We don't need to do it tonight, but just wanted to plant that seed.

Rand Jack: Just say a quick word, the role of the Land Trust with the conservation easement is a passive role. It's not an active stewardship role. On the property that we own, stewards of that, that we're making the kind of decisions about replanning and how to stop destructive practices and things. And so, I think it's a great idea. Get the Lummis involved, and I think there are ways to do it, cause what you're really describing is a very active role and I think that there it goes back to the kind of things that we're talking about. At Stimpson, where you find people, they're present there and working there. And I think that the respect for the Lummis and the Nooksack's has earth shakingly changed in the last 10 years, but I think that it would be really Nicole that you need to talk to. I'm happy to talk. I'm happy to pitch, but I don't want to create a false expectation because the Land Trust does not, for instance, we have work parties all the time on fee properties that we own, we don't have work parties on where there's a conservation easement and I think what you want is people on the ground. I've made a suggestion; you could have signs saying the Lummis want you to pick up your waste. I think that there is a lot of room for it and I'm happy to talk about it, but I don't think that the conservation easement is the path for that. It's far too passive.

Frank James: The reason it came up a long time ago was two cedar trees had been stripped as if someone was collecting the bark for weaving. I talked to both Lummi and Nooksack about it, and they

don't strip trees like these were stripped. This is some non-native person doing it, but these are good sized cedar trees that were killed by stripping the bark and the Lummi's and the Nooksack's I think have an interest in making sure that they are not seen as doing that because that's not the way they do it. They do it in a way that spares the tree. I appreciate your clarification and we'll seek more counsel with the City about that directly then. Thank you, Rand.

Rand Jack: And I'm happy to talk.

Ann Eissinger: Well, I'm sorry I haven't been more involved in this process but thank you Rand for discussing Stimpson and the ethical model that's been used there. I think that's a very, very important point as well as the role of the conservation easement in the Land Trust. One of the things that I recommended in the baseline study, and I can't remember if it was edited out, there were so many iterations of that document that I can't remember what was left in and what was taken out ultimately. But one of the things that I felt very strongly about was a recommendation that I had made for a stewardship program that would be developed by your group before it was passed on to the City, and then it would be an active role on the part of your organization in the metropolitan Park District that could carry on. In other words, if there was some way of working that into the management plan for the site that there would be a stewardship group that would have an active role in the lands management over time and also provide activities that engage locals in in management and oversight on an ongoing basis after the sunset in September, whenever that's going to be.

Frank James: Well, that's something we should definitely consider, and that's a good suggestion. We do have resources. We don't have a lot of money, but I think if we do need to add some money to the Land Trust as part of a risk pool, that would be involved in legal defense of the conservation easement. But beyond that amount there is going to be some additional funds that we could allocate to such a program, or such an effort. And that's something I think we as a board should, probably not at this meeting, but at a future meeting, we should definitely discuss that further. Rand made some very similar suggestions, some very creative ones actually that I think we'll need to consider going forward about what we're going to do in these last few months that we have. Those are very valid and appropriate concerns and to build a model that would embody those ethical principles that Stimpson so well exemplified and perhaps to involve other partners that may share those values.

Rand Jack: And I think that when we met with Nicole and Alan and people the other day, the meeting was referenced. Nicole expressed an openness to having a citizens' group that would be actively involved in doing it, and that's what my first order of business, if I were you, would be to sit down with Nicole and start figuring that out and exactly what form it is she was concerned about. If it was a docent program that the City had to administer, that would create an administrative burden on the City. But I don't think there's any reason why you guys and girls could start a program and begin to organize the kind of not just docent in the sense of helping inform and guide people, but I would call it a docent/stewardship organization that would take on some of these maybe go out in the dark night and fill in one of those ditches.

Tip Johnson: Are you saying you're not really very interested in the conservation easement?

Frank James: Tip, what I think he's saying is that we've gotten all we're going to get from the City and it's pretty clear. We've been as direct and forthright and as earnest as we can be.

Tip Johnson: I heard him say that. They don't take much action on these kinds of conservation easements. It's kind of a passive role and maybe you guys should . . .

Frank James: Yeah, that's what I heard him say too, that they in fact have. . .

Tip Johnson: Like a Citizens Advice, like the Purchasers Advisory Committee or something like the people that bought it, like is that what you're saying, Rand, that maybe the conservation easement could be held by somebody more interested in the land?

Rand Jack: No, that's not what I'm saying. A conservation easement by definition and the use all here and everywhere is that it is a role of stewardship and oversight. I wish there were more hard lines in this that says if you do this, then you've valued the conservation easement. I think that whoever you put in that role is going to have those limitations. I wish that were more clear bumpers that if you bump into this, you can't do that. But I think that there's been a long history of trying to build a stronger conservation easement. The Land Trust holds over 100 conservation easements with the City, with the County, with Farmers with private owners on the land and that's the role that we play with a conservation easement. It's an interest in the property, but that organization doesn't take the primary responsibility for the stewardship. There's a set of rules that it takes primary responsibility for saying whether the rules have been violated and if so, to take enforcement action. Unfortunately, long before the Land Trust got involved

in this, the Park Board had tried to negotiate much, much more for guidelines are requirements and it hasn't worked out. We have the answers, got involved, we've negotiated a few changes that I think make it a better conservation easement, but when the Park Board signed the original conservation easement back at the beginning a lot of the horses were out of the barn.

Frank James: I think what Rand is saying, in a very polite way, is that we don't have a powerful conservation easement and at this point it's not possible to get a stronger one. And what is being suggested, I think, is a very pragmatic thing and that is we try to have a good volunteer effort within the structure of the City's stewardship, and I think that's a wise and prudent path.

Barbara Zielstra: I see the role of involving volunteers in setting the tone is really important. It has to do with ownership. If we involve more people there to see the impacts and people start to care about it, like Stimpson, you know, it's really good. I argued that we should treat the 100 Acre Wood in the whole master planning more like Stimpson. You know, why do we have to have dogs there? Why do we have to have bicycles everywhere? But that wasn't gonna be. But I do think volunteers and some kind of organized stewardship we'll grow that feeling more. I mean we have it, but we've got to reach out and that has to grow in the community more so that people don't want to destroy it.

Frank James: We need to understand that what they do can destroy it. There's education and there's enforcement. Both we need to do, and we can do the education piece and we can create it. We're going to have some money. We can help to create an organization that can do that.

Vince Biciunas: I just wanted to confirm what Ann said that yes, in the draft baseline study there was section 7.2 monitoring and stewardship and it's a whole 3/4 of a page and then 7.3 was master planning. In the final draft, 7.2 is the master planning section and the whole monitoring and stewardship chapter is removed. Ann is correct in that happened. That's all I wanted to confirm.

Christopher Grannis: Have heard a few things about the conservation easement. What is in it and what isn't? It's not clear to me. Can you explain that? What happened at the meeting between the Mayor and Nicole and the city attorney and Rand and is it time for celebration or for mourning?

Frank James: I mean, I wasn't at the meeting, but I'll tell you what I think happened is that we do not have a conservation easement that speaks to bicycles. We do not have a conservation easement that speaks to do enforcement of the City's own rules about dogs. The City has a law against bicycles going fast. It has got a law against dogs being off leash and what they've said is they're unable to enforce those rules in this setting. That's a political thing. We can lean on them politically to try to get them to enforce these things. They believe, for example, they can't even right now enforce the laws about burglary, about property crimes. And this isn't a high enough priority for them to elevate that. That's just where the City finds itself economically and at least that's what I heard them say, they're unable to enforce those laws that they already have in place at this location. We do have some money, I've envisioned that we might be able to assist them with that, at least through September to kind of set a tone that there would be enforcement about, for example, dogs being off leash. That's something that hasn't been realized though that's an aspiration. We did get some things through Rand's efforts to clarify and did make progress, but not the progress that we'd hoped for. The City isn't going to give us anything more, I don't think, and we're looking for the final draft of that. Bob can comment on this, but I don't think we've received it. Maybe we have received the most recent draft, but that's still an open negotiation process.

Rand Jack: I would just like to make one small clarification. The Land Trust owns Stimpson and so we dictated the rules. And we have a management agreement with Stimpson, and we sold the City the right to use it for recreation within the management plan that we designed. No dogs, no bikes, no fires, no off-trail and. So that's the difference.

Ed Grumbine: The difference that makes a difference and we need to be realistic about what our room to move is in 100 Acre Wood with the City as the main manager.

Rand Jack: And I think you need to talk to Nicole, and I think that the most important thing about this meeting is coming out of it with a spirit of cooperation and mutual support and take advantage of it.

Frank James: Thank you, Rand.

Rand Jack: It's your business.

Christopher Grannis: I think I can conclude that if the question is did preservation make it in the priority over recreation and the conservation? The answer is no.

Rand Jack: It certainly did not make it in as the triumph, it made it in some language about how it would be managed, but it did not make it in in terms of prohibitions, you cannot have dogs in the park, you cannot have bikes in the park and that's that. That's what you can enforce in a court or in arbitration in a conservation easement, even when you have specific rules that say you can't, there's a whole section of what you can't do. The City negotiated that balance and the Land Trust was not able to change that balance. What we did was we brought some clarification. So, there are places where we have the power to enforce. Before we got involved, those things were so mealy mouth they basically said the City could do whatever it wants to do and we said no, there's some rules. And if you violate the rules, we have the power of enforcement. But it's not a strong contribution. It's not something like that we would provide if we'd had authority.

Tip Johnson: Why is the door closed to strengthening the conservation easement before the Commission dissolves?

Ed Grumbine: I can respond to that being at the multiple meetings, that the City is not going to change the terms of the conservation easement to satisfy prioritizing the kind of management that we have been discussing. It's not going to happen and so we can't expect the conservation easement to lead conservation in 100 Acre Woods going forward. Whether we like that or not, that's the politics, that's the reality. All the pathways lead through the City, hence the partnership comments that some people have spoken as a consequence of the meeting tonight and for people like us who are pro conservation, we have to work with the City and gain strength toward protection through that work, and that applies for a docent program, volunteer work and the particulars of managing trail decommission and virtually anything that happens going forward will happen or not happen in partnership with Parks and Rec.

Tip Johnson: OK, what about making a contentious public issue out of the purchasers of the property having preservation interests that aren't being met by the City. Fomenting interest in a Citizens Advisory Committee of the purchasers. You know, it was a specific district that paid the money, right. And notably, some of the poorer neighborhoods of the City and I think it could be made an issue and could that be? I mean like, let's all work together and the milk and honey and all that. But what if it's just about being kind of pushy and saying we got to have no dogs and bikes.

Bob Carmichael: So, Tip, let me answer that question and also your question Christopher, because what's you missed here is the historical perspective and everybody has come at this from their own perspective. Everyone has had their own reasons for supporting this creation of the 100 Acre Wood. I would say most of the people on the line tonight have a single-minded focus of preservation. That is not what the City had from the beginning, and there are people who voted for this Park who wanted it as a place where they could have their dogs not off leash, maybe, but have dogs walk through there, even ride a bike through. It's a classic contention between different forms of recreation. One of the purposes of the Park was recreation in addition to preservation. When we negotiated this original conservation easement at the very beginning of the Park District, the City said we're not going to have a conservation easement over this property, they weren't going to have one at all and in the course of discussing with them why they needed to have one, they gradually came around to having a conservation easement, but they've been consistent on one thing. And that one thing from the very beginning has been that the people bought this property, all of the taxpayers did. There're some people who might want to use it for one purpose, others want to use it for others. They were dead set against drawing the kinds of lines that Rand was talking about in the document and had those been insisted upon at that time, we wouldn't, in my opinion, have had a conservation easement at all. And now you could go back and say, well, maybe we would have been better off having the battle at that time. That was not the choice that was made by the parties and I kind of view that as water under the bridge. I would say that since that time we have made improvements in the conservation easement through I think about 7 different drafts of it before the Land Trust got involved. The Land Trust added some that helped as well. The last little piece that we got was the City agreeing to add the provision that hadn't been in there before until just this very last meeting to call it a nature park. They said that they this was at our request. The Land Trust came in with the request for a docent program. The City didn't like that. There were some other things they didn't like, but in the communications they said, well, you guys don't have to worry. This is going to be managed as a low intensity nature park and so at that last meeting that we had. We said, OK, we'll put that in the conservation easement, the statement that it will be managed as a low intensity nature park, and they agreed to do that. That is something that was added recently that I think is an improvement. Does it bring it up to the line of having a conservation easement with clear prohibitions on things like dogs off leash? They were willing to have something like that, but the Land Trust said, you know, we're not going to be enforcing that. So that went out of the conservation easement. But there's nothing to prohibit bikes in the forest, and I don't think we would have gotten anywhere had we pushed that. If you want to talk about

trying to take this on from a political angle at this point, I think that what we would end up seeing is the biking community coming back to this as they did in the master plan when they submitted something like 400 emails saying you need to have bikes in this, and the City responds to that kind of political pressure. I think that if we decide to back away from this, I truly believe we'd be setting ourselves up for failure. And I think that what we should do frankly, is along the lines of what Ed Grumbine said. I think Ed said it pretty well, working within what the Park District is offering. One of the things that Nicole didn't say but is in her letter is that they are going to have a stewardship program for this Park. They do invite people in so she has set up a structure within what they're going to be doing in managing that park so that citizens can come in and play a stewardship role as probably as much as they want. She specifically invited people that are associated with the Park District to come in and do that, and they would run that, I think what she was concerned about with the docents was having a separate organization running a program. They want to run the stewardship program. They are the owners of the park. They're the managers of the park. So frankly, it does make sense for them to run the stewardship program and you know, if they don't do a very good job, I'm sure people will let them know about it. But the institution is set up for that to work and to have something developed like that Stimson ethic. I think the thing that Rand said to me that resonated the most was the Land Trust owned Stimpson and they could write the rules, and we never have been in that position. And the City's known that very. Well, so I think that what we have to do is if we want to accomplish some of the things that have been discussed, is be active in the stewardship program for this particular Park and help create that ethic.

Rand Jack: I think that the reality is if you start trying to challenge things at this point, you'll lose that opportunity because I think that the one of the things that came out of that meeting that I was most impressed with is Nicole is sincere about wanting to make this a place where nature is protected and wanting to involve people in helping that to come about. I think that you don't want to jeopardize that opportunity, because right now I think you're at the high point of goodwill in the last few years in terms of dealing with the City and I think you ought to grab hold of it and make it work.

Hue Beattie: I would like to remind people that on page five and six of the conservation easement, there are restrictions on use. There are 16 of them listed. And some of them are quite essential and pretty good, you know, and we went through this and revised it and improved on it over time. It's not the greatest thing, but if they do any of these 16 things wrong, we can get them. We can raise a big stick. You know, like subdivide the property in any manner. They're not allowed to do that. They can't do any residential, commercial, or industrial use of the property. They can't have motor vehicles except as necessary for development management. They can't build in this place, roads, or buildings of any type. They can't harvest, cut, move trees or vegetation, except there's allowed pursuant to Section 4, which we have a little thing in there, but there's plenty of stuff there to look at here and keep them honest. Keep your conservation easement copy and refer to it often.

Christopher Grannis: Yet I haven't seen the latest on that you. How can I get one?

Bob Carmichael: Robyn and all the Commissioners have them. So, where this stands right now is we have an iteration that came out of the last meeting that we talked about from the City. That was sent out on April 14th. Rand then asked for an adjustment, additional language that would inform the Land Trust as the holder of the conservation easement. When the City completed its environmental review and signed off on whatever they were doing, which is something they had agreed to at the meeting. In Alan's draft, he didn't have that in there. So, Rand said remember put that in and we got an e-mail from the City attorney, Alan Marriner today that said OK, I accept that. And so, what we have is probably in one document, the April 14th version is going to be the version with that one addition that I mentioned that Rand suggests. So that the Land Trust would know when something was signed off on by the City on a city project. I think that's where it stands. There's not really one document, but between maybe the April 14th version and Rand's email and Alan's email, we have a document. All somebody has to do is accept the red line revisions and put that one sentence in and we would have agreement if everybody is agreeable to it.

Vince Biciunas: I'm ready to celebrate then.

Bob Carmichael: Well, the board has to agree to it. This is something that Ed and I were involved in at the meeting and we're representing the board. But one of the probably last issues that remains is what happens to the Park District's money to the extent it has any left after it pays for stewardship funding for the Land Trust in the assignment. How are we assured that those funds will be spent on the 100 Acre Wood? We have been assured of that in a letter by Nicole and one of the questions will be is that satisfactory assurance for the Park District, or do we want something more?

Vince Biciunas: According to what Seth said, Seth said extra funds will go to the Greenways Fund.

Bob Carmichael: And that's what Nicole said in her letter. That's not a legally binding commitment, though, and so the question is what do we need, if anything, more than that?

John McLaughlin: I think Rand's comments about the role of the conservation easement, the potential opportunities for the Park District and all that are right on. We ought to heed them. He also, I think, is right about the weakness of the conservation easement. I think we would be more effective in trying to secure a better future for this place by focusing on our role, or the role of people in the future in managing the place. As I said the Park owns the property, they manage it and that's really what we're concerned about. The conservation easement provides limited measures for influencing management. In fact, I'm not convinced at all that the statement of low intensity nature park really is going to do that much. That's pretty much what we have now. And there's been progressive compaction of soils and widening of trails and sacrificing nature for recreational playgrounds. We're, I think, really not talking about making nature a priority over recreation. I think what we're really talking about is ensuring both and what we have now is dominant use or unrestricted use of either. When you have that and the dominant use takes over, and that's what we're getting. So, we're looking for some kind of measures to contain the recreational impact so that there is wildlife habitat, there is restoration plants and hydrology and everything. For that, I think if we can get involved in supporting the Park District management, I think that's going to be our best option towards what people talked about a number of things. What we really ought to consider is what happens after we dissolve? Again, as Rand has argued quite compellingly, using the conservation easement is going to maybe help with rules violations but with the current City administration, we are pretty confident. So what we're really talking about is more positive roles for people to get involved in restoring the place and in helping other users to recognize its value, to follow reasonable guidelines and to participate in restoration, if we could. The mechanisms, whether it's a docent group, restoration group or something in which we could provide the resources, the leverage and the local knowledge that would complement what the City and its consultants have, I think that is potentially a very productive future and there we can be working with the Land Trust. We can work with the Northwest Indian College, the Lummi Nation, to the degree that they're interested in, and certainly with the Parks Department. And if we do it in a supportive way and help them do what they do, make their jobs easier, I think we'll get a positive reception, so I would encourage us to think about basically a transition where do we go from here after we pass on the easement. Do whatever we do with those funds, which could involve funding this other group perhaps, then what? What happens to us, to the people involved, even if we're no longer officially a Park District. What's the best role, the best opportunities to continue to restore this place?

Rand Jack: I think that John's absolutely right. But don't discount the language that Bob got inserted. It said it will be managed. There's a low intensity nature part legally that does not have any particular effect because it's too vague. It's too general politically. You could go take that to the City Council and say, wait a minute. This is what you said right here. You signed this conservation easement. It says that's the way you'll manage it. And you point to a specific thing that they're doing that is destructive. You said you're not living up to it. It's a political lever not the legal leg.

John Hymas: Better than no lever at all. I'd like to thank Bob, our legal advisor for all the time, and he's 10 plus years and what? What you guys accomplished at the last meeting is really impressive and if I go back to Tip wondering about things if we had maybe started working on these issues a year earlier. You know, it may have made a difference because basically we've run out of time before we have to dissolve. But as I recall, we had a lawsuit that took up several years and then another year of messing around, digging up old records and stuff for somebody, but anyway I think that what John McLaughlin was talking about, one idea I would say right off the bat is there are always openings on the Park Board Advisory Committee and Greenways and other board memberships, so especially if we can get some people younger than us interested and keeping an eye on the 100 Acre Wood. There you have it.

Vince Biciunas: I just want you guys to vote on accepting that conservation easement if that's what you intend to do tonight. Also, to vote to let the County know that we're dissolving in September and have like a clean closure. Then give the extra money to the City, as the mayor said, towards greenways or towards parks or however, and then we can really work on stewardship and volunteering and supporting the City and to Tip's point. It's too late to argue otherwise. We lose the whole ball game, so we can't do that.

Hue Beattie: I would suggest that we form the Chuckanut Community First Neighborhood Association. And then we can monitor the whole thing from all the different neighborhoods that have contributed to the 100 Acre Wood. We can raise funds; we can do whatever we want. That would be a good lever there. Because like when we did the Connolly Creek Nature area (Connolly Creek is a tributary of Padden Creek) and how the Neighborhood Association has really helped with that over the years. Get people involved that way.

Barbara Zielstra: Well, I was going back to something Seth had said tonight, and that was that any monies that are left would go to the Greenways but be earmarked for the 100 Acre Wood. So that's the intent. I think we'll have some funds that are for the Park, for the 100 Acre Wood.

Rand Jack: At the very least, you need to get that in writing from Seth.

Barbara Zielstra: Yeah, good point.

Frank James: I'll work on that.

Hue Beattie: We've got it on tape.

Frank James: One of the items on that agenda is going to be to talk about what we've already started to talk about pretty extensively, and that is the final version of the conservation easement. I think we should do that while Rand is still here and get Bob and Ed to give a presentation about it. I would encourage us not to vote on that tonight. But rather to have time to think about that and bring it up for a vote at the next meeting. I think it's a great piece of work. I don't think there's a great deal of urgency to move it forward tonight. And so, I'd like to give us time to think about it more, but let's do that right now. Ed, you were our official representative there. Would you like to summarize any additional comments you might have about it?

Ed Grumbine: I don't have much to add other than what Bob has already mentioned. I would remind the board that the latest draft with the latest changes is in our emails from Bob. All of us should have been able to read it. It's been there for days. It's not a clean copy, but it's clean enough to understand and I agree with you, Frank, that there's no urge, rush or need to vote on it tonight, especially if all the board members haven't had a chance to look at it yet.

Bob Carmichael: I do have something to remind people about the conservation easement. The way it's written. It's a legal document, so sometimes you skip over some of the parts of it. One of the things to keep in mind is the way it's written, it's a document that will be signed by the City and the new holder of the conservation easement, which presumably will be the Land Trust. It will not be signed by the Park District, like the first one was. So, the order of action will need to be the Park District assigns its interest in the existing conservation easement to the Land Trust and the City then will approve the new agreement with the Land Trust, signing as the grantee, not the Park District. But the Land Trust has also been very clear with the City from the beginning that they will not sign a new conservation easement that the Park District does not support, so that's why it is important, I think, that the Park District take a vote on the easement so the Land Trust knows that we've accepted it and then we can authorize a signature on an assignment of the easement to the Land Trust. We're not in a position to really do all that tonight anyway, except symbolically, if you wanted to have a vote. You could, but I tend to agree with what's been said, that's not necessary. The other thing I just want to really emphasize and Rand's already said this, is that Nicole's enthusiasm for having a good, robust stewardship program at Chuckanut Park was palpable at the meeting. I have never doubted her sincerity. She's as sincere now as she has been, in my opinion, about wanting to protect this Park to the best extent she's able. She does have a lot of other things to deal with that we don't have to deal with. But, I was convinced on her sincerity, particularly about wanting to bring people into a stewardship role and to have that set up within the Park Department and inviting all that energy and all the ideas that we have into those roles, I think we've got a perfect institution set up to do that right now that can work, and if it doesn't, then obviously there's other things that can be done through citizen involvement and incorporating groups and that sort of thing. But I do think that she does want to set up this stewardship program and that she really means it. And I think it would be a good idea to take her up on it, frankly, because I think with the energy in this group, you could really build that ethic of making sure that the wildlife is recognized, and people don't leave their dogs off leash and people are careful if they're riding through to stay on the main trail. That's the shortest thing I think that really can be accomplished with citizen involvement. There's more than one way to do that, but I was impressed that Nicole is thinking about it and wanting to make it happen. It's also clear from the letter she sent.

Frank James: So, with that, I'd like to just ask Bob to give us a clean copy. There are several different additions and corrections that need to be made. If you could get that to us, we could then consider that in the intervening period and vote on at the next meeting.

Bob Carmichael: I will do that, and I'll send it first probably to the Land Trust and the City. I'll generate a new document and get them to basically say, yeah, this is it and then bring it to you with that background. That yes, this is it and the Land Trust has said so, and so has the City, at least the staff.

Frank James: And there's a copy before you do that. That would be helpful. We can be thinking about it too. I presume there won't be further changes, so if you could send us that copy before that process, I'd appreciate it.

Bob Carmichael: I will do that.

Education/PR in the Community

Frank James: The education and kind of community PR piece. This is an effort that's really led by Christopher and Barbara and Vince. There was a kind of elevator speech that Ed started. I was waiting to finish that until we had some resolution of this. I can work on that and bring it forward at our next meeting or before our next meeting certainly.

Vince Biciunas: Yeah, I could say that our meeting, our most recent one was with Happy Valley, and it went very smoothly and there were good questions. And there was support. I think from the attendees of that neighborhood meeting. We tried to overcome some of the misinformation that had been out there earlier and that the job is not done until this conservation easement is tied up, and the amended conservation easement is complete. I think that took care of a lot of people's worry about, what do you mean? You're not dissolved yet? You know, we're done paying the money. That was the word on the street for a while there. So, I think we helped dissuade some of that.

New Business

Vote on Dissolution of CCFPD

Per the Whatcom County Auditor's Office, in order to negate a need for an election for Commissioners positions that end this year, the Commissioners need to vote on the dissolution of the Park District before May 12th. They have asked for the following language and that all Commissioners vote on it. Bob Carmichael stated that there is no legal requirement, but the Auditor's office is trying to save money/time. The date is as mandated in the letter from the Mayor dated September 16th.

Motion: Ed Grumbine moved that the Board accept the following motion. Seconded by John McLaughlin. Approved 5/0.

"The Chuckanut Community Forest Park District will dissolve before or by September 21st of 2023."

Frank James: The purpose of this is so they aren't obliged to have an election set up that we have to pay for. This is an important thing, financially. We've discharged our duty.

Ed Grumbine left the meeting.

Monthly expenses and cash flow sheets.

Petty Cash: WECU Bank account balance as of 03/31/2023 was \$2,617.11.

Treasurer's Report: As of February 28, 2023, Whatcom Co. Treasurer's Monthly Report, beginning unencumbered cash balance (02/01) \$257,889, ending unencumbered cash balance (02/28) \$252,290. We received tax revenues of \$1,037 and paid out \$6,646 in operating expenses.

Motion Hue Beattie, second by John Hymas to approve District Payroll Input Form, wages for Robyn Albro, 23.25 hours in March 2023, total gross of \$581.25. Approved 4/0.

Consent Agenda: Motion to approve following payments by Hue Beattie, seconded by John Hymas. Approved 4/0.

- Payment for March 15, 2023, Invoice #02671 from Carmichael Clark for \$2,430.50 professional services.
- Payment for March 23, 2023, Receipt from Robyn Albro for P.O. Box renewal for six months through 9/30/23 for \$97.00.
- Payment for April 23, 2023, Invoice #307 from Richard Hartnell, Hartnell Ent, for \$150 for technical services for Zoom hybrid meeting.

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

Next regular meeting: Wednesday, May 24th, 2023, at 6 PM. This meeting will be held on Zoom as well as in-person at 1108 11th St. Suite 303 above Fairhaven Bicycle. If the door is locked downstairs, a phone number will be posted on the door for you to call and be let in.

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.

John McLaughlin will not be present at the next meeting.

Dissolution of CCFPD

Robyn Albro reported that she has come up with a list of questions about things to be done for the dissolution, which was sent to Bob Carmichael. Bob Carmichael noted that we will need to work with the City on how it is going to work and to make a plan. Frank asked that the board be apprised of the list of items at the next meeting.

Adjourned at 8:37 pm

F U N D A M E N T A L