



PIERCE COUNTY

Conservation Futures & Open Space Citizens' Advisory Board

July 20, 2023
CAB Meeting Minutes

The meeting was called to order by Thomas Ginsburg, Chair, at 6:04 p.m. virtually via Zoom webinar. A quorum was present.

ROLL CALL:

CAB Members Present: Kadie Anderson, Sarah Chun, Thomas Ginsburg, Lyndsay Gordon, Ryan Hebert, Brett Larabee, Ethan Newton, Carol Paschal, Tony Paulson, Patty Villa

Staff Present: Kimberly Freeman, Chris Chaput, Cheryl Saltzman, Aaron Yang, Michelle Jenkins

MFA Consultant: Claire Moerder

CAB Members Absent: Jerome O'Leary (excused), Susan Paganelli (excused) Heather Shadko, (excused)

MEETING MINUTES:

Motion: To adopt the July 13, 2023 meeting notes as written. The motion was moved (Paschal), seconded (Villa) and passed unanimously.

PUBLIC COMMENT: Steve Nixon thanked the CAB for their commitment to the CF process.

2023 CF Application Project Presentations – Presentations made using PowerPoint

A. **Haley State Park Protection**, Ali Querin, Great Peninsula Conservancy, presented information about the Haley State Park Protection project.

Questions/Comments

Lyndsay: You said the match is private, and the application says it's not secured. What is the timeline on securing it and what is the source, especially since it sounds like there's a pretty rapid timeline for potential closure on the property.

Ali: The funds we'll be using are private funds received from a donor, and we have a revolving fund with these private funds, so they've actually gone into a different property that we purchased last year, and we'll be reimbursed from a different granting source for this project, and those funds will come in in the next couple of months and will be available to go into this property. I expect that to be in the next two- to three- months.

Lyndsay: Is that a certainty that that reimbursement will happen and it's just a matter of timing, or is there still uncertainty?

Ali: I think it's a certainty. I don't see anything that would cause that not to come true.

Tony: You said that access is through Haley State Park, so from that I understand that when you take the cabin down, you're going to close the easement as a trail and that won't be available as an access point?

Ali: That is possible. We're working on what that would look like, how to manage that access and depending on the future partners if that's going to be open. I imagine what would happen is that we would install a gate at the entrance. It is better access than the unmarked trailhead, but we're still working that out. Likely there will be access there.

- B. Little Minter Creek Farm and Forest Protection**, Ali Querin, Great Peninsula Conservancy, presented information about the Little Minter Creek Farm and Forest Protection project.

Questions/Comments

Ethan: I have a couple questions. You mentioned and it's in the application that there is no public access component, and I understand it's an agricultural conservation and wildlife conservation project. It would be possible to do public access. There's 25 acres for wooded area. Is that because the current owner wouldn't be willing? Was there any discussion that happened there?

Ali: We've had those conversations with the landowner, and they are not interested in having public access, and also have concerns for future farmers having public access on their property. They aren't really comfortable setting it up that way.

Ethan: I like how you split up the zoning and may have two different requirements for the zones, and I thought maybe there's an opportunity to steer the public access to one area of the land. I thought if there's going to be a park, couldn't that be next door and that would be an opportunity for access. I understand you can only work with what sellers are willing to give. Is the farm currently used for agricultural use or in use? It looked like it wasn't but maybe it's hard to tell?

Ali: It's a smaller use than in the past, small amounts of crops and some sheep. It's still in small production but not as much as it has been in the past.

Ethan: You mentioned that PenMet Parks was interested in the potential for owning it out fully, which makes sense and I think that's a great goal for this property, so I wonder if there's a way to formalize that agreement? Maybe a right of first refusal or something like that that gets tied to the property?

Ali: That's a great idea.

Ryan: I have a question about the property ownership and property structure itself. In reading the application, it says there will be a need for a homestead on the site, and there's no home. When you google the address, the first thing that comes up is a home. It seems like the property owner owns 52 acres, and this is 45 of those acres that is being offered for this, and I'm assuming they are keeping the seven acres with the house?

Ali: They have another parcel that is quite filled with buildings, so it doesn't really fit within the conservation easement goal. It would be nice to have a building outside of the agricultural area, but the landowner wishes to keep that parcel separate so it's been kept out.

Patty: The agricultural land appears to be very geared to equestrian activity and you mentioned that there's a large arena. My concern is the horses manure management right up against a creek, which is your primary interest for conservation value. Is this something that the individual homeowner would be allowed to come up with their own bioswales or something that will control run-off from animals?

Ali: The conservation easement will craft it, but we know the landowner is open to, and we've had this on other agricultural easements because we have this a lot of times, with agriculture and water resources. To make sure that there are buffers for a definite amount of space between where any pastures are, or any livestock can be grazing and the water resources. That's usually a main tool that we have to keep those separate and make sure we're having the protection for the water.

Patty: Is there any kind of hinting that this might become a larger equestrian facility, that this agricultural use would become something very popular with horses? You say there's no public access, and yet we're talking about horses being able to ride trials. It's a little confusing.

Ali: I KeyPen is successful in purchasing the property, then there would be some horse access. Then we'd have a good partner there to help navigate that balance to make sure the horses are in areas far from the creeks and how to keep that well. The easement will also include a forest plan and a farm plan, so there would be resources to help the landowners plan and the landowners would need to follow those plans to help manage those pieces.

Tony: I have two questions. From your presentation, it seems like the impact of this project on critical salmon habitat is mostly downstream and not in the stream that it is in the parcel, is that correct? There may be some cutthroat trout there?

Ali: Yes, the trouble is there hasn't been access to the wild fish conservancy, and they haven't been on the property, so there's no information of the fish in the creek. Talking to biologists, we believe there are salmon there, and it would benefit them, and as culverts come out, we believe that there will be more salmon in the creek. Right now, with the data that we have we know that this clean water will support salmon lower in the watershed as well. The hope is that the fish will make it up here as the culverts continue to open up and we have more salmon in the creek.

Tony: Are those wild salmon or from the hatchery?

Ali: The cutthroat trout are wild.

Tony: In the proposal, it says that the conservation easement is going to allow a homestead on the property. Is that if it gets sold and someone wants to put a homestead, is there any limitations on that homestead in terms of footprint? Could a McMansion be allowed as a homestead on that property?

Ali: The best practices we have when allowing these homesteads, and we have them here to support the farm infrastructure and want to be able to have a farmer live there. We have a certain amount of acreage mapped out, what we call the building envelope, that is in the easement and defined this amount of area that they can build their home. That home, the driveway, everything involved, is also subject to the impervious surfaces limit, so it has to fit within those two. We don't do square footage because that it is not very effective in conservation futures and easements, because there's always some way to get around it, but those two limits help keep it under control.

Tony: You're saying your allowing a footprint, an area within the conservation easement, for the footprint, and then 20% of that can be the footprint of the impervious surfaces, so what is the square footage of the impervious surfaces?

Ali: 5% is the impervious limit for the entire property, that includes all of the farm infrastructure as well, barns, sheds, horse arenas, so their house has to fit within all of that.

Lyndsay: You mentioned that the current owner has a property offsite and the retention of the ability to put a new structure on site. In the application, you said it was threatened. Can you explain a little bit more of what the owner intentions are from the standpoint of are they looking to sell this property off regardless of intent? I'm getting mixed messages between your presentation and your application as to the threat level to the property.

Ali: The landowner has inherited the property from their parents. They've been caring for it and taking care of it, and their intention is to make sure the property is protected. They recognize the conservation value and have attachments to the land. They want to see it protected. After that, they likely will want to divest of the property. Otherwise, I don't think they want to stay here forever. Barring this, they probably would sell to developers, but this is a shot to protect the creek and the land.

Carol: I was confused about the relative acreage of the woodlands, the farmland, and wetlands. Can you address that?

Ali: Absolutely, it's a little confusing. Some of the wetlands are forested. We have not set the actual acreages for the wildlife zone versus the agricultural zone, but I believe it's about 25 acres of forest, and some of that is also forested wetlands, so about 20 acres is the agricultural uplands.

Carol: What kind of buffers are you looking at for the wetland areas?

Ali: In the wetland areas, we plan to keep the wildlife zone around that, with 100-foot buffers around the water resources before the agricultural zone.

Carol: Will there be fencing preventing animals from getting into the other areas?

Ali: In easements like this, we have a requirement that there's always fencing. It doesn't have to be on that boundary, but it has to exist to keep wildlife from crossing that boundary. It could be farther back, but it does have to be on the land.

- C. **Nelayly Creek Protection**, Ali Querin, Great Peninsula Conservancy, presented information about the Nelayly Creek Protection project.

Questions/Comments

Question raised by CAB member Lyndsay about the tertiary priority being trails and corridors or fish and wildlife habitat conservation. The application has fish and wildlife listed, but the presentation has trails and corridors. Several people have differing tertiary. The application will be corrected. The scoring sheet has fish and wildlife as tertiary. **Ali confirmed that the tertiary value should be trails and corridors and will provide a cleaned-up application by noon the next day.**

Lyndsay: There was a reference from the Technical Advisory Committee (TAC) regarding some of the trails being through sensitive areas and some of the bridges not being suitable for the public. Can you expand on what types of areas or sensitive areas the current trails go in, and what percentage of them are likely to actually be able to stay as opposed to have to be restored?

Ali: Some of the trails currently are in more of wetland areas which are not something that we would

like to see continue. By purchasing, we would be able to end that. I think the majority of them are in upland areas. A minority of them are going to need to be reforested and not used as a trail and be publicly accessible. The property has several bridges that would be able to access the other side of the creek that are safe for the public that are accessible to cars and public pedestrians.

Ethan: As far as using the trails, are they intended to be accessed through the adjacent park as an extension of that trail system, or is there going to be added parking so people can access trails at this point, and where would the trailhead be?

Ali: The ideal goal would be to connect with the Greater Semhol Homestead Park which already provides excellent parking and accessibility for folks. We're working with PenMet Parks and are having those conversations if that is going to be something that is going to work. If not, there is access and could be parking at the property. But if we already have a parking lot, I say we use it.

Patty: I had the same type of questions. You have that pipestem road going in there, I was curious to know if that will be maintained as an access point for public access, and if so, would there be parking anywhere along that road.

Carol: The TAC notes mentioned earthwork and clearing within the forest and wetlands. Could you talk about the extent of that and where it is?

Ali: The earthwork was used to create some trails by the landowner. We've had some conversations with him, so that was used to create trails. Those are the ones that would be revegetated and not used as public access trails, focusing on more upland trails and those that don't affect the critical areas.

Tony: Along with the issue of access along the easement, could those be used for handicapped access, and if so, are the trails more suitable for handicap uses verses what is in the park above?

Ali: I think that it could. That's something that we'd have to work on as we develop it. The property does have some groves left over from early timber that are flat and wide but would likely be (not a trail expert) accessible to more folks.

Thomas: This is Greater Conservancy's fourth application for this cycle. There were a few board members that had concern about the capacity of GPC to see these all through if they were all funded.

Ali: We've been around for 20 years, and a lot of time our conservation team has been one person. As development has ramped up, we're a three-person conservation team who focus on acquisitions every day. I go to work and think about acquisitions for conservation, focusing on Pierce County and the Key and Gig Harbor peninsulas. This is our role, especially when we're partnering a lot of these with partners that will likely be involved, like the City of Gig Harbor and others. We do have the capacity to do that. We manage lots of projects every year. Last year we closed 15 different acquisition transactions and have done multiple grants in other grant rounds. The 2019 grant round we had five different acquisitions out of those projects. This is an exciting year. It's a lot of projects, but there's a lot of interest and excitement out here to make sure we're conserving these spaces. We're ready to do it if we're able to fund it.

Carol: Since there was an issue with the third category, what is the process for getting that fixed?

Thomas: We did some investigation, and it was just a typo. They presented on trails and corridors, the application and all the relevant information is listed as trails and corridors, it was just on the page

where it listed the values as fish and wildlife and the scoring sheet was inadvertently listed as fish and wildlife based on that. Ali will get us a sheet that corrects the typo, and we'll be good to go.

D. Island Blvd. Properties (DeMolay), Denis Ryan, PenMet Parks, presented information about the Island Blvd. Properties project.

Questions/Comments

Thomas: The conservation values you presented on the slides were – can you just clarify the specific primary, secondary, and tertiary conservation priorities that you are applying on? You have main themes, but you listed every value, so it's confusing.

Denis: Primary is marine shoreline conservation, secondary is natural heritage conservation and tertiary is biodiversity conservation.

Thomas: Those are the categories, but what are the specific values? Your application says marine waters, open space, passive recreation and fish and wildlife habitat conservation underneath all those broad categories. Your slides listed all the values under all the categories.

Denis: I might be a little confused, so I apologize. The primary goal of the purchase of this property is the preservation of marine shorelines. Did I hear your question as the subcategories?

Thomas: Yes, the specific values that you are applying on.

Denis: This would preserve marine waters, and tidal flats. It represents both categories listed under the subcategories of marine shoreline. Under natural heritage conservation, open space, passive recreation is a subcategory of that opportunity. Number 13 natural heritage, and number 15, scenic viewpoints and corridors, and those would be the two associated with that. The biodiversity would hit number four, critical salmon habitat, number five, fish and wildlife habitat conservation area.

Thomas: We're going to defer to staff.

Chris: The primary conservation value that they applied on is marine waters, under the marine shoreline conservation umbrella. The secondary is open space/passive recreation, under natural heritage umbrella, and the tertiary is fish and wildlife habitat conservation areas.

Denis: I apologize for not explaining it in more detail.

Patty: I grew up here, and back in the 60's, a lot of the water was like that. We could walk at low tide and all the geoducks ("gooey"-ducks), but then everyone would dig them, and take them, and basically raped the sandy beach, especially at low tide events. There were signs up that told us not to do that, but people did it anyway. Is there any intention from some of the groups that you work with or that is staffing the parks to be present during low-tide events?

Denis: Absolutely. I apologize for the mispronunciation. I'm from SW Washington, I'm a Columbia, freshwater kid. Your comment is exactly what I've encountered out there. We do have security, staffed through a security firm, that is working Memorial Day through Labor Day and we have it staffed during low tide events. I've been out there and encountered geoduck harvesters. PenMet Parks does not allow removal of wildlife on the nature preserve, per signage. There has been some education. We've

also encountered people that have accessed PenMet Parks property to get to private property. It's been through education; I've engaged Fish and Wildlife. There is an exemption for the harvesting of the geoducks for native tribes, and they have the ability to go on those areas at all times. Through outreach and additional security, PenMet has addressed that. We are also looking at seven-day staffing for all our parks.

Lyndsay: Looking to clarify something regarding the funding match. It sounds like it is coming from you, but also looks like it expires in December of 2023, and I believe, staff, I don't think our funding is available before December 2023.

Chris: That is a correct statement, the funding will be available in 2024.

Lyndsay: Is there a concern with the match not being secured?

Denis: PenMet has secured the matching funds as part of their budget, and that budget can be requested to roll to the following year.

Carol: You mentioned geoduck farming. Who does that?

Denis: The aquafarming was related to in the vicinity of opposite shores, Longbranch, there are oyster farms and farming, so geoduck is prevalent at this site, and there is aqua-farming prevalent opposite Narrows Point.

Carol: So, there's no aquafarming on the property?

Denis: No.

Lyndsay: One other clarification – it looked like you were studying bulkhead removal but is Metroparks committed to bulkhead removal?

Denis: Some brief history – we partnered with Pierce Conservation District. They've completed a feasibility study, which included a preliminary design. Our Board of Park Commissioners have three options to choose from. The option that they chose is the most friendly to total habitat restoration which would restore the surrounding sandspit so it can mature and thrive. We are currently just kicking off a master planning process for the Tacoma DeMolay Nature Preserve Sandspit, and so that project for total removal is on hold until the masterplan. The reason is we're going to look at what best access is to the beach and to the sandspit for pedestrians. One of our goals as a park district is to enhance our accessibility for all users. If our Board reviews a proposal to do final review of the removal and restoration, the park district would proceed with funding searches and applications.

Chris: Dennis, based on the information you provided, it appears that there's been a feasibility study and a preliminary plan to move forward on the sandspit property, but on the actual property we are looking at here today, the 52 and 58, you're proposing to do a feasibility study if there is funding, and you move forward with purchase.

Denis: Yes, I'm sorry, thank you for the clarification. The park district would look at feasibility to remove the bulkhead. The park district is not opposed to moving the bulkhead. The reason for a feasibility study is to make sure that adjacent properties aren't going to be jeopardized, to make sure there wouldn't be a geotechnical risk to remove total bulkhead. Originally when we were doing the DeMolay Sandspit Preserve study, these two properties, because there is a mature bluff that they call

a sea bluff, there was concerns because there were residents there, and total removal wasn't something recommended at that time because it wasn't our property. It's a very small percentage that as impacted. Does that clarify?

Lyndsay: Yes, thank you.

Carol: Could you speak to the two houses, are you planning to leave them?

Denis: PenMet is not committed to leaving those properties. The primary goal of this acquisition is to preserve the ecological significance of these two parcels. The removal of the bulkhead and the property, PenMet would request that five years would be allowed to come up with funding to total removal if that is required.

Thomas: The County Code 2.97 says that any structures shall be removed immediately after closing of the property, so that will be a discussion for later. Right now, your statement conflicts with County Code.

Denis: If I may, can I clarify a bit more? Immediately the properties there is definitely permitting processes I've done demolitions, these are in shorelines so there is a process that we have go with the (muffled) for permits to remove these properties and complete demolition, so PenMet is not opposed to the removal of these properties. It is not something that we look to preserve. The bulkhead may be a little bit more involved as far as the in-water work, within shorelines, so there is some concern about timing for that.

Thomas: Understood.

Carol: Does that mean you are going to potentially remove the houses first?

Denis: I would say that would be the best route in my professional experience. I would suspect those houses could be removed within the year. I've seen demolition properties in PenMet park district take six-nine months. I only say that because it's pretty straight-forward contracts to do the proposal and to secure the contract. Permitting can be a little bit delayed because of the backlog that Pierce County has. It's totally doable and achievable, the actual work will be done within a week, it's just getting through that process and making sure everything is properly permitted and then also the clean air permits will be required for those demolitions.

Sarah: I'm just curious because you said that PenMet would work to secure funding to remove the properties, but then you said it could be done within the year, and it was requested for a five-year period. I'm a little confused on the timeframe. It does need to be removed immediately, I'm just curious how that can happen if there isn't funding for that removal?

Denis: I would say it's the bulkhead which is the biggest concern about securing funding. The properties, those demolitions of those two properties, I don't anticipate them to be costly. I would have to go to our Board of Commissioners to verify that it is not an impact on the budget, but I would not anticipate it to be something that would be deferred long-term. The bulkhead is the primary concern when we asked for up to five years to secure funding.

E. Board Questions

Questions/Comments

Lyndsay: I was wondering if we could get a refresher for our last meeting next week as far as what the structure will be once the scores are tabulated for the projects?

Chris: Next week, you will see the rank order of each of the projects. You will also see the proposed conditions that any of you provided, and we will go through that discussion with the whole group to see if we want to modify those conditions, leave those conditions, or add any other conditions for each of those projects.

Thomas: From there we can also discuss recommendations on any adjustments to the ranking, but we won't change the ranking itself. We will just make those recommendations for presentation to Council. Again, a reminder, it is in person next week at the Pierce County Annex, Pantages conference room.

Tony: Could you remind us how much is available for this year's funding?

Thomas: Kimberly said there's tentatively \$7M for this year's funding. We'll probably get confirmation on the exact funding for next week's meeting.

E. Other Business – No other business

MEETING CONTINUED: To time/date certain, July 27, 2023, at 6:00 p.m.

Chair continued meeting at 8:50 p.m.