



CLALLAM COUNTY REVENUE ADVISORY COMMITTEE MINUTES of May 13, 2024

MEETING OF THE REVENUE ADVISORY COMMITTEE (RAC)

Chair Beauvais called the special meeting to order at 2:30 p.m., May 13, 2024. Also present were Commissioner Johnson, Diana Reaume, Regan Nickels, Noah Glaude, Steve Burke, Ben Pacheco, Gregory Bellamy, Scott Horton, Sandra Lyons, John Nutter, David Bingham, Mary Brewer and Drew Rosanbalm. Dan Huff, Michael Mingee, and Janine Ledford were absent.

APPROVAL OF AGENDA

ACTION TAKEN: Johnson moved to adopt the agenda as presented, Nutter seconded, mc

APPROVAL OF MINUTES

- March 25, 2024

ACTION TAKEN: Reaume moved to adopt the agenda as presented, Nickels seconded, mc

PUBLIC COMMENT (total of 20 minutes)

- Ed Bowen, Clallam Bay, commented on Cape Flattery school District representation, Trust Land Transfer
- Jim McEntire, Sequim, commented on letter sent from Port Angeles Business Association and Trust Lands Transfer (see attached)
- Rod Fleck, Forks, commented on letter from Reed Wendel, Trust Land Transfer

BUSINESS ITEMS

a. Approval of the draft rules

Beauvais briefed the RAC Members of the draft rules.

ACTION TAKEN: Johnson moved to adopt, Pacheco seconded, mc

b. Consideration and response to the Trust Land Transfer application by the City of Port Angeles

Mike Healy and Navarra Carr, City of Port Angeles, briefed the RAC Member on the City of Port Angeles Trust Land Transfer application and answered questions from RAC Members. David Hurn, Department of Natural Resources DNR provided a presentation regarding DNR management and impacts on water supply. RAC Members held discussion.

ACTION TAKEN: Bellamy moved to send a letter to the County Commissioners asking to move the position forward to Department of Natural Resources asking that the City of Port Angeles Trust Land Transfer application be denied on the basis that the application does not meet the parameters of the Trust Land Transfer Program, Pacheco seconded, mc

PUBLIC COMMENT (total of 20 minutes)

- Ed Bowen, Clallam Bay, commented on presentation from the City of Port Angeles, Elwha Restoration Act
- Rod Fleck, Forks, commented on his schedule to attend meetings, thanked the Department of Natural Resources

NEXT MEETING – May 20, 2024 at 3 p.m.

ADJOURNMENT

The meeting concluded at 4:50 p.m.

Gores, Loni

Public comment
RAC 5/13/24
McEntire, Jim

From: Jim McEntire <jmcentire1@outlook.com>
Sent: Sunday, May 12, 2024 12:23 PM
To: hillary.franz@dnr.wa.gov; cpl@dnr.wa.gov; danbro@uw.edu; w.powers-schilling@wsu.edu; lisaj@co.skagit.wa.us; chris.reykdal@K12.wa.us; jim.cahill@ofm.wa.gov
Cc: bnr@dnr.wa.gov; duane.emmons@dnr.wa.gov; kdexter@cityofpa.us; nwest@cityofpa.us; Ozias, Mark; Johnson, Randy; French, Mike; Colleen McAleer; stevenb@portofpa.com; Commissioner Connie Beauvais; Anthony Sanders; Kelly Johnson; cmcaleer@clallam.org; Gores, Loni
Subject: Port Angeles Business Association Letter of Objection to the City of Port Angeles Trust Land Transfer Request
Attachments: PABA Letter - BNR - Disagree With City of PA TLT.pdf
Importance: High

You don't often get email from jmcentire1@outlook.com. [Learn why this is important](#)

Esteemed members of the Board of Natural Resources:

For your upcoming meeting, please read the attached letter from our organization, objecting to the City of Port Angeles' request to transfer acres from the various forest trusts in Clallam County to its ownership.

Loni: Could you forward this letter to the Members of the County's Revenue Advisory Committee for tomorrow's meeting as well. Many thanks in advance.

All the best, and we look forward to discussing this with the Department's staff at the appropriate time,

Jim McEntire
Chair, Port Angeles Business Association Committee on Government Affairs



April 30, 2024

BY EMAIL

Re: Opposition to the City of Port Angeles Trust Land Transfer Request

The Board of Natural Resources

Dear Chair Franz and Members of the Board of Natural Resources:

The Port Angeles Business Association fully understands and agrees with the City of Port Angeles' need to protect Elwha River flows to ensure its future potable and industrial water supply for the indefinite future. And we very much support that.

However, we believe the transfer of 3,089 acres of state-owned forested lands in the vicinity of the Elwha River to the City under the recently enacted Trust Lands Transfer statute will not accomplish the City's need. Furthermore, since state owned forested lands within Clallam County are more than 84% unavailable for timber harvest¹, the wood supply for our remaining mills have been pinched to the point where we are very concerned for the future of our forest products industry.

We therefore oppose the City of Port Angeles' request for such a transfer. The City's request is dated September 29, 2023.

The City's discussion of these lands started out by describing them as "legacy forests", which we assume is a catch-phrase for older stands which are not old-growth. As we understand the current usage of that term, it has no basis in forest science.

First, the Trust Land Transfer mechanism is inappropriate, since another statutory provision provides the mechanism, if needed, to accomplish watershed and water supply protection.²

¹ 66% off-limits and another 18% having been recently harvested since the year 2000 and thus are not mature enough to be sold. We refer to a November 6, 2023 presentation by DNR to the Board of Clallam County Commissioners.

² RCW 79.10.070 Management of public lands within watershed area providing water supply for city or town—Lake Whatcom municipal watershed pilot project—Report—Exclusive method of condemnation by city or town for watershed purposes.

(1) In the management of public lands lying within the limits of any watershed over and through which is derived the water supply of any city or town, the department may alter its land management practices to provide water with qualities exceeding standards established for intrastate and interstate waters by the department of ecology. However, if such alterations of management by the department reduce revenues from, increase costs of management of, or reduce the market value of public lands the city or town requesting such alterations shall fully compensate the department. ...



And the City's Water System Plan, at least in part, reflects this statute. But the City must compensate the various trusts to make up for any revenue loss. Page 118 of the City's 2018 Department of Health-approved Water System Plan³ states this:

Timber cannot be harvested from the Olympic National Park which comprises 83 percent of the watershed. However, the entire lower watershed, including the Indian Creek and Little River tributary watersheds, has experienced extensive logging in decades past. Today this lower area is largely second growth conifer forest among the areas of intermittent agricultural and rural residential use. Ongoing and periodic logging on private and DNR lands is expected to continue in the lower watershed and is not expected to present a problem for the City's Elwha supply. These activities have not presented a problem for the City's Elwha Ranney collector supply since it was placed into service in 1977.

That stated, the City is actively engaged with the DNR's Forest Practices Application Review System (FPARS) and has assigned a City staff person to monitor this system and provide feedback to DNR when forest practices are occurring within the City's watershed. The System collects and distributes Forest Practices Application information for regulatory and public review, risk assessment of proposed Forest Practices Application activities, and for archiving Forest Practices Applications. ... The City will inform DNR through FPARS whenever a forest practice activity is occurring within the City's watershed. In doing so, DNR will be made aware that the forest practice is occurring within the City's watershed and can take steps to enhance protection of the City's Elwha water supply.

We think the City has failed to show that these acres are economically non-performing to their various trusts as required by the trust land transfer laws.⁴ To illustrate: the recently cancelled "Power Plant" timber sale (either within or closely adjacent to the acres requested to be

(5) The exclusive manner, notwithstanding any provisions of the law to the contrary, for any city or town to acquire by condemnation ownership or rights in public lands for watershed purposes within the limits of any watershed over or through which is derived the water supply of any city or town shall be to petition the legislature for such authority. Nothing in RCW 79.44.003 and this chapter shall be construed to affect any existing rights held by third parties in the lands applied for.

³ <https://www.cityofpa.us/DocumentCenter/View/5994/Water-System-Plan-2018?bidId>

⁴ RCW 79.17.300 Trust land transfer program.

(1) The department is authorized to create and manage a trust land transfer program. Real property available for the trust land transfer program is economically underperforming state land and state forestland with high ecological or public benefit and deemed appropriate for state parks, fish and wildlife habitats, natural area preserves, natural resources conservation areas, community forests, recreation, or other public purposes.

(2) Underperforming state land and state forestland is land that the department determines has limited potential to generate income in the reasonably foreseeable future due to physical, legal, access, or other constraints. The department may use the real property transfer authorities under this chapter and chapter 79.22 RCW, as appropriate, to complete transfers under the trust



transferred) was bid at a 42% premium to the minimum bid amount required when the sale was advertised. Similarly, the 2022 "Aldwell" sale was bid at a 72% premium to the minimum bid amount required when that sale was advertised. This clearly indicates that these 3,000+ acres in the City's application do not meet the threshold "economically underperforming ..." criteria in RCW 79.17.300(1). And the City doesn't take fully into account the reduction in revenues to the various trusts that these acres fall into.

Last and as mentioned above, our chief concern is that this trust land transfer – if approved - will unacceptably stunt our forest products industry's wood supply and therefore this vital economic sector's contributions to jobs and the overall economic well-being of our County, further depriving Clallam County government and other county taxing districts of vital and timely revenues.

We are available to discuss this objection further and look forward to discussing this with the Board and Department of Natural Resources staff.

Very best regards,

Anthony Sanders
President

land transfer program. ...

Revenue Advisory Committee - VOTING RECORD – Special Meeting May 13, 2024 - 2:30 p.m. meeting

	Motion1 - RULES	Motion2 - Letter	Motion3	Motion4	Motion5	Motion6	Motion7	Motion8	Motion9	Motion10	Motion11	Motion12	Motion13
Clallam County Randy Johnson	Yes	Yes											
Crescent School David Bingham	Yes	Yes											
Cape Flattery School Janine Ledford	X	X											
Port Angeles School Marty Brewer	Yes	X											
Quillayute School Diana Reaume	Yes	Yes											
Sequim School Regan Nickels	Yes	Yes											
North Olympic Library Noah Glaude	Yes	Yes											
Olympic Medical John Nutter	Yes	Yes											
Forks Hospital Sandra Lyons	Yes	Yes											
Port of Port Angeles Connie Beauvais	Yes	Yes											
William Shore Steve Burke	Yes	Yes											
Quillayute Parks/Rec ??	X	X											
DNR Drew Rosanbalm	Yes	Abstain											
Fire District #1 ??	X	X											
Fire District #2 Dan Huff	X	X											
Fire District #3 Michael Mingee	X	X											
Fire District #4 Ben Pacheco	Yes	Yes											
Fire District #5 Gregory Bellamy	Yes	Yes											
Fire District #6 Scott Horton	X	Yes											
YES	13	12											
NO	0	0											
ABSTAIN	0	1											
PASS/FAIL	P	P											