



NOV 05 2024

BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of October 28 – November 1, 2024

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, October 28, 2024. Present were Commissioners French, Ozias and Johnson and Administrator Mielke.

Items of discussion per the agenda published October 24 were:

- Calendar/Correspondence
- Agreement with Swift Plumbing & Heating for Juvenile Services Facility Chiller Replacement Project
- Agreement amendment 2 with Washington Association of Sheriffs and Police Chiefs for administrative fees support provided by Olympic Peninsula Community Clinic
- Resolution authorizing Auditor to void outstanding claims and warrants dated July 1, 2022 through June 30, 2023
- Agreement amendment 1 with Washington State Department of Transportation for the Clallam Slough Bridge Replacement Project
- Agreement amendment 1 with Clallam County Parks, Fair and Facilities to extend the completion date on the 2024 Lodging Tax Funding request for Clallam Bay County Park
- Letter to Clerk of the Supreme Court for proposed changes to standards for Public Defense
- Agreement amendment 1 with Sequim Food Bank for American Rescue Plan Act ARPA funds
- Agreement amendment 1 with Peninsula Housing Authority for American Rescue Plan Act ARPA funds

Meeting concluded at 9:47 a.m. and continued to a joint meeting with the Port of Port Angeles.

BOARD OF COMMISSIONERS AND PORT OF PORT ANGELES JOINT MEETING

The BOCC and Port of Port Angeles convened at 11 a.m., Monday, October 28, 2024. Present were Commissioners Ozias, Johnson, French, Beauvais, Burke, and McAleer.

PUBLIC COMMENT

- John Worthington, Sequim, commented on items A and B (See attached)

TOPICS

- A. North Olympic Development Council Update – Featured Report
- B. Clallam County Economic Development Council Update – Q&A Only
 - \$5.33M Forest Product Innovation Program
 - Forks Industrial Park Reconfiguration
 - McKinley Engagement – Any planning for permanent shutdown
- C. Small Business Development Center Update – Q&A Only
 - New Clients
- D. Center of Inclusive Entrepreneurship Update – Q&A Only
 - Neah Bay
 - McKinley
- E. Potential Collaborative Projects
 - Airport as JPSF alternate site
 - Boating
 - Infrastructure

PUBLIC COMMENT

- John Worthington, Sequim, commented on paying user and impact fees, North Olympic Development Council, Clallam County Economic Development Council
- Bruce Reiter, Port Angeles, commented on emergency operations
- Ed Bowen, Clallam Bay, commented on McKinley, Wild Olympics, preliminary location, draft Letter of Intent, Whidbey Island Air Force Base

Meeting concluded at 1:12 p.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair French called the meeting to order at 10 a.m., Tuesday, October 29, 2024. Also present were Commissioners Ozias and Johnson and Administrator Mielke.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

1a – amended to add a 2nd voucher packet to be approved for the week of 10/21/24

1f – text of letter was amended

ACTION TAKEN: CRJm to adopt the agenda as modified, CMOs, mc

PUBLIC COMMENT

- Eric Fehrmann, Sequim, commented on joint meeting with Port of Port Angeles, Center of Inclusive Entrepreneurship update

CONSENT AGENDA

- 1a Approval of vouchers for the week of October 21 (2 voucher packets to approve for 10/21/24)
- 1b Approval of special payroll for the period ending September 30
- 1c Approval of payroll for the period ending October 15
- 1d Approval of minutes for the week of October 21
- 1e Resolution appointing Laurel Shriner and Jennifer Pelikan to the Homelessness Task Force
- 1f Letter to Clerk of the Supreme Court for proposed changes to standards for Public Defense

ACTION TAKEN: CRJm to adopt the consent agenda, CMOs, mc

REPORTS AND PRESENTATIONS

- CRJ commented on Serenity House Annual Meeting,
- CMO commented on Dungeness Off-Channel Reservoir Meeting
- CMF commented on Hoh Tribe Meeting, department staff meeting

CONTRACTS AND AGREEMENTS

- 2a Agreement Amendment 1 with the State of Washington Office of the Secretary of State for funding authorized under Help America Vote Act of 2002 for the purpose of improving elections

ACTION TAKEN: CRJm to approve, CMOs, mc

- 2b Agreement with Washington State Department of Transportation (WSDOT) for bridge inspections

ACTION TAKEN: CRJm to approve, CMOs, mc

- 2c Memorandum of understanding with Flaura's Acres Homeowners Association (HOA) to establish a Utility Local Improvement District (ULID)

ACTION TAKEN: CRJm to approve, CMOs, mc

- 2d Agreement amendment 2 with Washington Association of Sheriffs and Police Chiefs for administrative fees support provided by Olympic Peninsula Community Clinic

ACTION TAKEN: CRJm to approve, CMOs, mc

PUBLIC WORKS

- 3a Notice to call for bids to be received no later than Tuesday, November 26, 2024 at 10 a.m. for the Old Olympic Highway Resurfacing Project

ACTION TAKEN: CRJm to issue notice, CMOs, mc

BUDGET

- 4a Resolution for consideration to adopt the following Budget Reductions:
HHS – Foundational Public Health Service – The Foundational Public Health Service is being revised to increase the Grant Funding Returned line. Funds are received annually in advance payment from WA State and any unused funds are returned at the end of the state fiscal year. Health and Human Services received an advanced payment of \$2,100,000 for state fiscal year 2023 and is returning the unexpended amount of \$460,766. The expenditure line was already budgeted at \$45,000 and the additional \$415,766 from unanticipated projects will equal the refund amount of \$460,766. The categories being returned are restricted areas that could not be used for other purposes/\$415,766

ACTION TAKEN: CRJm to adopt, CMOs, mc

- 4b Resolution for consideration to adopt the following Supplemental Appropriations::
HHS-Developmental Disabilities – The contract with DSHS Developmental Disabilities is adding \$2,601,623 for State fiscal year 2025. The July to December 2024 budget portion is being added. The remainder will be budgeted in calendar year 2025 to be expended between January and June 2025/\$1,023,660
HHS – Operations – The WA State Department of Health Consolidated Contract Amendment #20 is granting additional funding for the Women, Infants and Children (WIC), Vaccine for Children (VFC) programs and for Covid-19 vaccinations/\$19,173
NonDepartmental –
- The County was awarded grant funding from WA State Department of Agriculture (WSDA) for food assistance, which the County will, in turn, be entering a subaward to Port Angeles Food Bank. PA Food Bank, on behalf of all food banks in the county, will make a large protein purchase and disburse throughout the food banks within Clallam County/\$48,938
 - County has been awarded Department of Commerce (DOC)/Community Development Block Grant (CDBG) for a general purpose grant for a North Peninsula Microenterprise Assistance Program for Clallam and Jefferson Counties. The County is entering into a subaward to Center for Inclusive Enterprise (CIE) to provide the program assistance/\$62,500

ACTION TAKEN: CRJm to adopt, CMOs, mc

PUBLIC COMMENT

- Jeff Tozzer, Sequim, commented on Cays, Macleay and Old Olympic dangerous road
- John Worthington, Sequim, commented on objects to the County going to 7 Cedars, Jamestown Tribe
- Karin Cummins, Sequim, commented on the BOCC service, closed door meetings, noise ordinance and Cays, Macleay and Old Olympic dangerous road

HEARING(S)

- 5a Consideration of resolution adopting the following Debatable Emergencies:
Prosecuting Attorney – Operations and Child Support – This budget change incorporates the changes from implementing the Deputy Prosecuting Attorney Collective Bargaining Agreement (CBA) that was ratified, as well as adjusting the DRS pension employer contribution rate down to reflect a rate change/\$13,977
Treasurer – REET Electronic Technology – Assessor requested funds to pay 50% of Cyclomedia contract, which was approved by the Board of County Commissioners 9/3/2024/\$40,000
Auditor – Additional funding is requested due to the following issues: incorrectly predicted the additional cost for the presidential primary that should have been \$66,000 instead of \$17,000, late arrival of invoices in the amount of \$28,000 that should have been paid in 2023 instead of 2024, and an error in the amount of \$81,000 found in the programing of the 2024 primary, which resulted in requiring the print vendor to reprint and reassemble all ballots, envelopes and inserts/\$159,000

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of October 28 – November 1, 2024
Page 4

- ATM, briefed the Board

ACTION TAKEN: CRJm to open the public hearing, CMOs, mc

- The following provided testimony:
 - Eric Fehrmann, Sequim

ACTION TAKEN: CRJm to close the public hearing and adopt, CMOs, mc

PUBLIC COMMENT

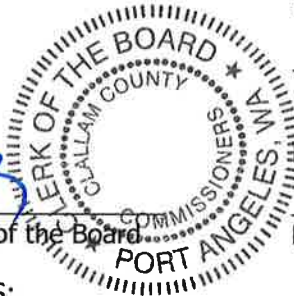
- Denise LaPio, Sequim, commented on different races

Meeting concluded at 10:39 a.m. and continued to 9 a.m., Monday, November 4, 2024.

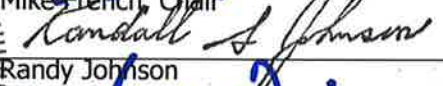
The Board of Commissioners attended Joint meeting with the Port of Port Angeles, Coffee with Colleen, Revenue Advisory Committee Meeting, and Housing Solutions Committee Meetings during the week of October 28.

PASSED AND ADOPTED this 5th day of November 2024.

ATTEST:  Loni Gores, MMC, Clerk of the Board

 BOARD OF CLALLAM COUNTY COMMISSIONERS

 Mike French, Chair

 Randy Johnson

 Mark Ozias

KEY TO ABBREVIATIONS:

ATM Administrator Todd Mielke

CMO Commissioner Mark Ozias

CRJ Commissioner Randy Johnson

CMF Commissioner Mike French

m moved

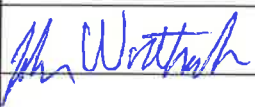
mc motion carried

s seconded

JOINT BOCC/PORT MEETING PUBLIC COMMENT SIGN-UP SHEET

General Public Comment – October 28, 2024 – 1st Session

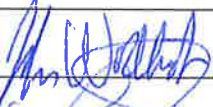
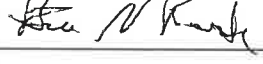
I declare under penalty of perjury under the laws of the State of Washington that any testimony that I give is true and accurate. Please print name and address clearly.

Nº	PRINTED NAME	SIGNATURE	ADDRESS
1	JOHN WORTHINGTON		303 S. 5TH AVE #53 SEQUIM WA
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JOINT BOCC/PORT MEETING PUBLIC COMMENT SIGN-UP SHEET

General Public Comment – October 28, 2024 – 2ND Session

I declare under penalty of perjury under the laws of the State of Washington that any testimony that I give is true and accurate. **Please print name and address clearly.**

Nº	PRINTED NAME	SIGNATURE	ADDRESS
1	John Worthington		3035.5TH AVE G-53
2	Lone Fazio		141 W. 1st Street PA.
3	Ed Bowen		POB 111 CB
4	Bruce Roster		2830 127th - Port Angeles
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**Joint Port of Port Angeles/BOCC
Public Comment**

WHY WE NEED TO GET OUT OF THE NODC

Public comment
Joint meeting
10/28/24 @ 11am
John Worthington

I. Introduction

After being formed originally in 1956, the Puget Sound Regional Council was one of the first ICLEI driven Metropolitan Planning organizations (MPO).

The Puget Sound Regional Council (PSRC) was reformed in 1991 by an interlocal agreement and was designated an Metropolitan Planning Organization by Washington Governor Booth Gardner. This occurred at the same time Congress passed the federal Intermodal Surface Transportation Efficiency Act (ISTEA), which allowed for a larger regional role in planning. It was the "first time" that transportation projects were selected by elected officials with significant public input.

In June of 1992, Agenda 21 was released to the world in print.¹ In the release, the goal of integrating all countries into a world economy is shown below:

"Activities (a) International and regional cooperation and coordination Promoting an international trading system that takes account of the needs of developing countries 2.10. Accordingly, the international community should: a. Halt and reverse protectionism in order to bring about further liberalization and expansion of world trade, to the benefit of all countries, in particular the developing countries; b. Provide for an equitable, secure, non-discriminatory and predictable international trading system; c. Facilitate, in a timely way, the integration of all countries into the world economy and the international trading system."

In 1996, the International Council for Local Environmental Initiatives (ICLEI), drafted the local planning guide for "sustainable communities."² The planning guide states:

"This Guide is presented as a preliminary and introductory guide on the planning elements, methods, and tools being used by local governments to prepare their Local Agenda 21s. By drawing general conclusions from the work that is already underway at the local level, it recommends a general sustainable development planning approach."

¹ <https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf>

² <https://idrc-crdi.ca/sites/default/files/openebooks/448-2/index.html>

The goals **of** the planning guide for those local communities that are required **to** do when they join the ICLEI are publicly available for all **to see** and have been for some time. The ICLEI has admitted the guide was drafted to support the “worldwide local Agenda **21** process” as shown below:

*“During the past three years, ICLEI has been providing training and technical assistance **to** local planning efforts and has been building regional and international networks **to** support the worldwide Local Agenda **21** process.”*

The planning guide requires local governments to decentralize their current governments into

“Decentralize the administration of the plan so that the distinct needs of different neighborhoods and groups can be factored during implementation.”

Once the ICLEI leveraged and contracted partnership **is** “decentralized,” the action plans for the planning guide have clear instructions:

ACTION PLAN GOAL #1

To promote technologies, products, and practices that reduce the use of non-renewable resources and the creation and disposal of wastes.

ACTION PLAN TARGET #1.1

By 2010, reduce the generation of household solid waste **by** 50 percent from the 1995 levels.

ACTION PLAN TRIGGER #1.1

If household solid waste **is** not reduced **by** 25 percent of 1995 levels **by** 2000, then volume-based waste collection charges will **be** instituted.

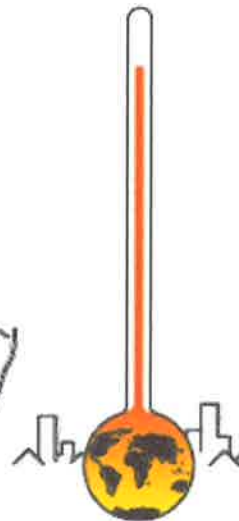
The planning guide cops to its global community goals outlined in Agenda **21** **as** shown below:

*"Finally, **the Local Agenda 21 process is a means for creating strong and self reliant communities that will collectively create a sustainable global community. To appreciate and recognize your individual contribution in making an impact at the global level, it also will be necessary to create local management and information systems to monitor and record your performance.**"*

"As one of the main actors in the creation of Local Agenda 21 mandate, ICLEI continues to play an active role in promoting and facilitating implementation of Local Agenda 21 at the local level, and in reporting on local progress and performance at the global level through the United Nations and other international forums."

On arrival, the ICLEI Charters that local governments agree to follow are laid out within the ICLEI system. There, local governments are allowed access by logging into the agenda, which is also sent out through ICLEI circulars. Circulars like the one shown below:

- ICLEI's new global website: www.iclei.org
- The 4th Municipal Leaders Summit on Climate Change in Montréal, Canada, from 5-7 December 2005 will convene local government leaders worldwide on the occasion of the United Nations climate conference. The Summit will be hosted by the city of Montréal and organized by ICLEI, the Federation of Canadian Municipalities (FCM), and Metropolis. This year, in which many parts of the world have been affected by major flooding, has once more taught us how the impacts of climate change increasingly hit us. The experiences of cities must be considered and the voice of local government must be heard when the Canadian government, as host to the UN meeting, aims "to lead efforts to produce an effective and inclusive agreement including the United States and that sets targets for emerging, developing nations such as China and India". I therefore urge Mayors, Deputy Mayors and Council leaders of our Member local governments to participate in this important event.



The author John Worthington witnessed and participated in the initial roll out of the ICLEI planning guide at the Puget Sound Regional Council in earnest starting in 2001. This report is based upon 23 years of eyewitness accounts of ICLEI activity

in multiple Non-Government Organizations (NGO) including the North Olympic Development Council. (NODC).

II. How Did The NGO's Accomplish Its Global Goals.

A. Federal Grant Leveraging.

Grant leveraging were the predominant means for achieving planned global economic increases for the World Economy. The controlling funding mechanisms were multi-level. Most of them were environmentally themed federal grants. The author initially studied transportation plans calling for density. Incorporated into the transportation plans are comprehensive plans. This led to the push for transit and part of Vision 2020. To get funding, the ICLEI membership embedded in the PSRC were required to get the approval from the NGO for the various local action plans in order to get the money.

Many transportation and environmentally related funds were obtained by the NGO to build capacity for the world economy. Salmon, watershed, floodplain, estuary restoration grants were also. The same ICLEI players were involved in dam removal, re-compete, inflation reduction act and the local climate commitment act.

B. Jaded Planning Software.

The money, however, was not enough. The ICLEI wanted a software program as a tool to ensure global compliance. That software program was called "ClearPath." Almost every city used ClearPath in the decentralized "international governing bodies" in the NGO or had Cascadia Consulting Group. All of the ICLEI partners use or reference "ClearPath." In short, if you wanted the money, you adopted and even matched the federal funding to build a world economy..

The software is built to concentrate on only regional emissions sources. The program does not factor in shipping emissions or lane miles of goods that travel to the municipalities from long distances and apply equitable user and impact fee mentality to the world economy shipping. Its version of consolidating economic activity is flawed and never had any chance to be sustainable. In most cases, ClearPath expanded economic activity by thousands of nautical and air miles.

It was the perfect computer program for the World Economy but the worst one for America and the environment.



Simplify Emissions Management

ClearPath™ is the leading online software platform for completing greenhouse gas inventories, forecasts, climate action plans, and monitoring at the community wide or government-operations scales.

[Learn More](#)

<https://www.epa.gov/system/files/documents/2024-03/jamestownsklallamcprg-pcap.pdf>

C. Globalizing Local Government.

The ICLEI Charter is offered to local county and city municipalities. The Charter is also offered to the local tribes. The local ICLEI members shown below drafted the ICLEI action plans, from the ICLEI decentralized local world government partnership. The ICLEI Charter locked them into a world governing body.

Who we are

ICLEI - Local Governments for Sustainability is a global network of more than 1,750 local and regional governments committed to sustainable urban development. Active in 100+ countries, we influence sustainability policy and drive local action for low emission, nature-based, equitable, resilient and circular development.

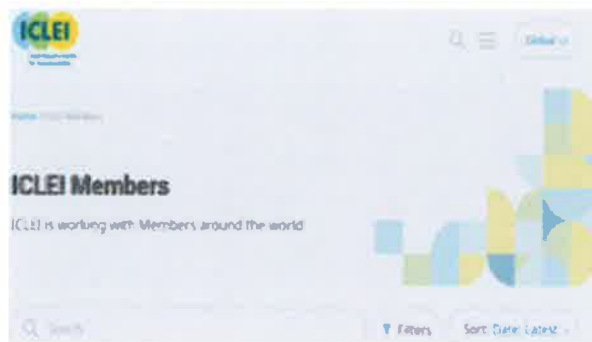
ICLEI's mission is to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with special focus on environmental conditions through cumulative local actions. We bring sustainability to a rapidly developing urban world.

Charter 1.3 - Mission

The Association's Mission shall be to build and serve a worldwide movement of local governments to achieve tangible improvements in global sustainability with special focus on environmental conditions through cumulative local actions.

Charter 1.4 - General Mandate

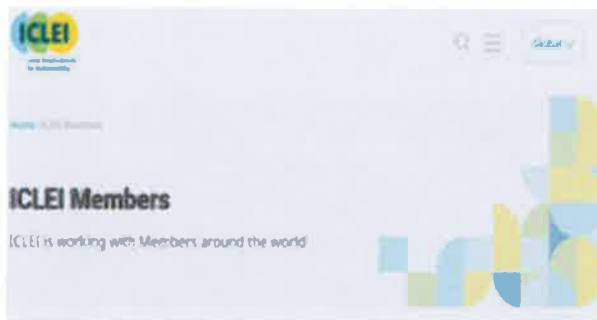
The Association shall build an active and committed municipal membership of local spheres of government (local and regional governments and authorities) as well as international, regional, national and sub-national local-government associations.



Jefferson County, WA

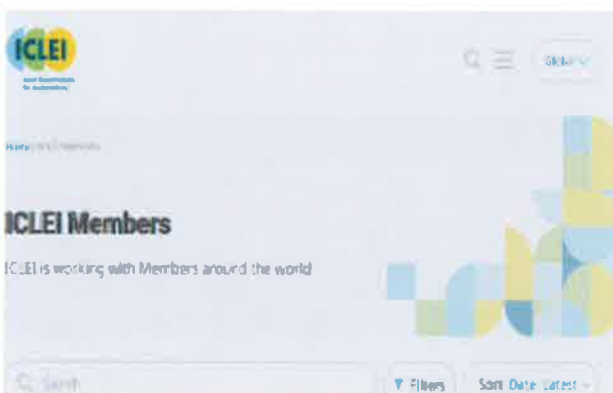
County Commission	Population	Population Year	Member Since
Kate Dean	17,729	2018	07/04/2019

Related activities



City of Port Angeles, WA

Mayor	Population	Population Year	Member Since
Kate Dean	20,076	2018	01/10/2019



Jamestown S'Klallam Tribe of Washington, WA

Tribe Executive Director	Population	Population Year	Member Since
Rochelle Blankenship	592	2012	01/04/2022

Locally on the Olympic Peninsula, “Clear Path” is used in all the comprehensive plans. “Clear Path” focuses only on regional emissions and has never incorporated international shipping into its programming.

Right away it was clear from the ICLEI vision that transportation planning and the comprehensive plans used to help make them oversubscribe to residential development over manufacturing and agricultural locations. In the ICLEI circulars were goals to turn manufacturing spaces into either transit-oriented development or reestablished historic “tree canopy,” or farming space into “open spaces.” You can follow the doctrines all the way to your local agencies and planning commissions.

Vision 2020 and the counterparts could never “centralize economic activity, because that **was** never possible with **a** goal **to**:

***a.** Halt and reverse protectionism in order **to** bring about further liberalization and expansion of world trade, **to** the benefit of all countries, in particular the developing countries; **b.** Provide for an equitable, secure, non-discriminatory and predictable international trading system; **c.** Facilitate, in **a** timely way, the integration of all countries into the world economy and the international trading system.”*

Objectives

*“**In** the years ahead, and taking into account the results of the Uruguay Round of multilateral trade negotiations, Governments should continue to strive **to** meet the following objectives:*

- a.** To promote an open, non-discriminatory and equitable multilateral trading system that will enable all countries - **in** particular, the developing countries - to improve their economic structures and improve the standard of living of their populations through sustained economic development;*
- b.** To improve access **to** markets for exports of developing countries”*

The shipping emissions component was the biggest weakness in the Agenda 21 ICLEI action plans. When confronted with the realities, PSRC supporters would **get** frustrated and lament “there were too many people on the planet,” and world resources are not sustainable.

Equity was another vehicle ICLEI used to recruit people **of** color into supporting **a** global world economy. Races **of** all kinds were promised access to “resources” and “decision making power,” to “heal broken relationships” and obtain “reparations for colonization.”

Legislative agenda

BAINBRIDGE ISLAND BIRCH HILL CANTON CANTONVILLE

ICLEI Feedback on Peer Community Climate Equity Lens.docx

DESCRIPTION

FOUNDER
110222 mvaLabovitz

VISIBILITY
Public

DOCUMENT DATE
N/A

UPLOAD DATE
11/01/22

REQUEST
2022

View Search

Best options for sharing w/Blaik and company:
Park Forest, IL
Milwaukee, OR
Ashland, OR

Racial Equity Framework for the Puget Sound
Vision: We are committed to working collectively to ensure that we are shifting power, resources, and decision-making to communities of color and those most impacted by issues related to the environment and infrastructure. We will work to preserve the culture and identity of diverse communities as we strive to create more integrated and inclusive communities. Fundamental to this vision is the fact that when racial equity is prioritized and normalized, we all advance.



procedural equity	An examination of procedural rights that includes authentic engagement through an inclusive and accessible development and implementation of fair programs or policies.	NACo
restorative Justice	Restorative Justice is a theory of justice that emphasizes repairing the harm caused by crime and conflict. It places decisions in the hands of those who have been most affected by a wrongdoing, and gives equal concern to the victim, the offender, and the surrounding community. Restorative responses are meant to repair harm, heal broken relationships, and address the underlying reasons for the offense. Restorative Justice emphasizes individual and collective accountability. Crime and conflict generate opportunities to build community and increase grassroots power when restorative practices are employed.	Movement4BlackLives



Definitions

Term	Definition	Sources
Capitalism	An economic system in which products are produced and distributed for profit using privately owned capital goods and wage labor. Many assert that a critique of capitalism is essential for understanding the full nature of inequality, as global economic structuring based on capitalism reflects a particular ideology that celebrates individual wealth and accumulation at the lowest cost to the investor, with little regard for the societal costs and exploitation.	Adapted from Movement4BlackLives
Climate Reparations	Compensation mechanisms to former colonized and marginalized developing countries [and communities] that address historical and ongoing injustices of disproportionate impacts of climate change.	Adapted from (Perry, 2020)
	Colonization can be defined as some form of invasion, dispossession, and subjugation of a people. The invasion need not be military; it can begin—or continue—as geographical intrusion in the form of agricultural, urban, or industrial encroachments. The result of such incursion is the dispossession of vast amounts of lands from the original inhabitants. This is often legalized after the fact. The long-term result of such massive dispossession is	

The author **is** inclined to believe **at** this point that most people **of** color do not understand the global and population control objectives of the ICLEI and their local NGO's. All they probably know **is** that they **get to** call the plays and be **in** charge. So they wrongly think.

We acknowledge and honor the ancestral areas of the q̓widičča2a-t̓x̓ (Makah), nəx̌wšáyəmə̌ (Klallam) and t̓əmqəmə̌ (Chimacum) Peoples, who have stewarded the land and waters from Cape Flattery to Point Wilson throughout hundreds of generations. We respect their sovereignty and support their Treaty rights and right to self-determination. Through disease, unfair dealings, oppression, and attempted erasure of their culture, these people have endured and continue to honor their cultural traditions.

Living more sustainably requires us to think holistically and long-term – not just to look forward to the future, but to recognize our past. Colonization has shaped the reality of everyone here today. We take this opportunity to acknowledge that fact and express our desire to be part of the much-needed process of learning about our “landcestry” and repairing relationships with the original people of these lands and waters, as an investment in the generations to come.

We acknowledge and honor the ancestral areas of the q̣ẉidičča2a-ṭx̣ (Makah), nəx̣ʷṣłáyəṃ (Klallam) and ṭšəmqəṃ (Chimacum) Peoples, who have stewarded the land and waters from Cape Flattery to Point Wilson throughout hundreds of generations. We respect their sovereignty and support their Treaty rights and right to self-determination. Through disease, unfair dealings, oppression, and attempted erasure of their culture, these people have endured and continue to honor their cultural traditions.

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<https://www.straitern.org/>




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[Resources](#)
[About](#)
[Climate Action Toolkit](#)

A map of British Columbia, Canada, showing major cities, rivers, and geographical features. The map includes labels for cities such as Vancouver, Victoria, Kelowna, Kamloops, and Prince George. It also shows the Fraser River, Columbia River, and the Pacific Ocean. A scale bar and a compass rose are included in the bottom left corner.

that we live and work on the appropriated homeland and territory of the Jamestown S'Klallam, Puget Sound Salish, Klallam, Makah, Quileute, Hoh and Quinault Tribes. We respect and honor their stewardship and future and their Treaty Rights and status as sovereign nations.

<https://www.noprcd.org/>

D. Federal Grant Misuse or Fraud.

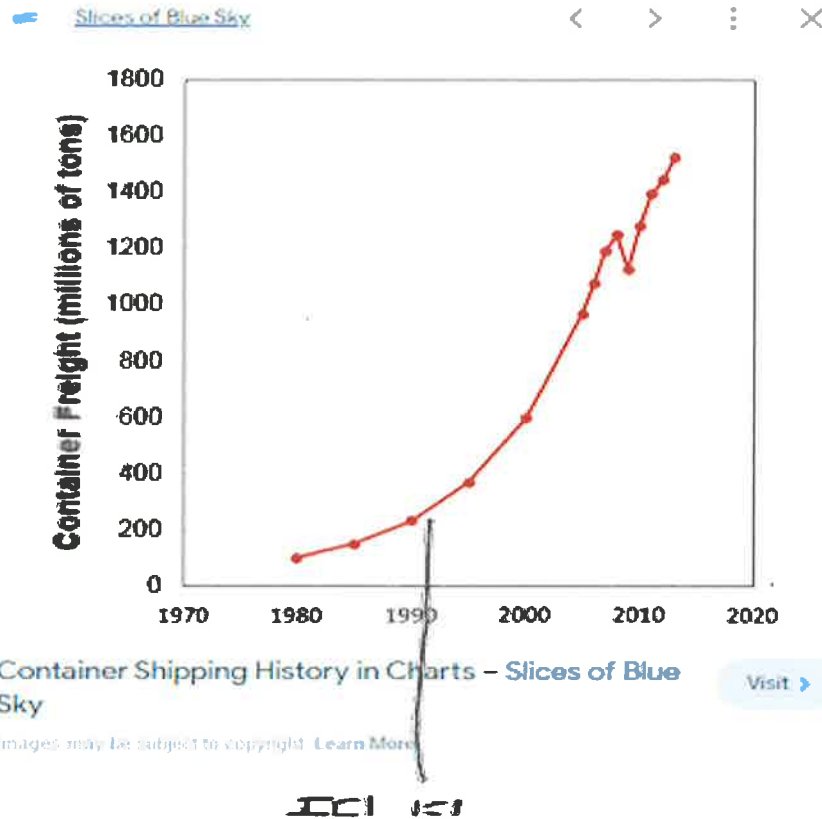
Of course, any governing body needs resources. However, the Congress was never going to subsidize through legislation, a policy giving access to "resources" and "decision making power," to "heal broken relationships" and to obtain "reparations for colonization." That would have been shot down on the floor of Congress or the U.S. Supreme Court.

The ICLEI operatives found opportunities to achieve their goals through federal grant funding for floodplain restoration, salmon restoration, watershed management and estuary restoration funding. None of those grants contain any language referencing a goal to provide access to "resources" and "decision making power," to "heal broken relationships" and to obtain "reparations for colonization." The NODC, EDC and Strait Ecosystems Recovery System action plans achieved those objectives, indirectly through federal and state grants that did not specifically authorize a policy goal to provide access to "resources" and "decision making power," to "heal broken relationships" and to obtain "reparations for colonization."

III. The NODC and Clallam County Economic Development Council (EDC) Have No Chance of Meeting Local Measurables And Should Be Disbanded.

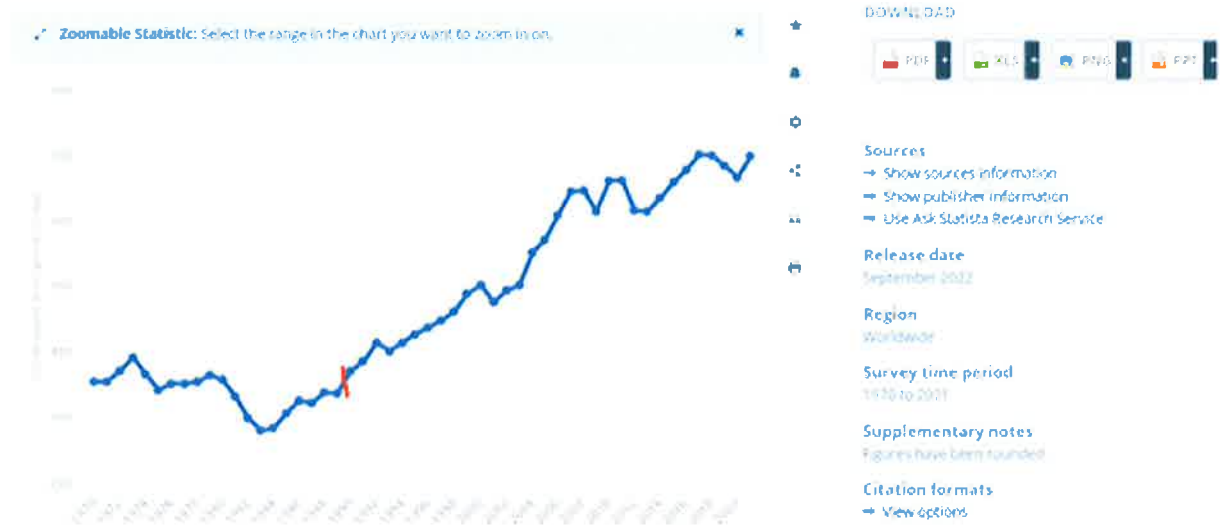
Speaking directly to the point of the why NODC and Clallam County Economic Development Council (EDC) should be disbanded, is because the ICLEI action plans, they have adopted have no chance to improve economic conditions locally. The Olympic Peninsula has wasted 14 years of federal grant funding at the NODC and Clallam County Economic Development Council (EDC).

In the first place, it has never been the goal of NODC and Clallam County Economic Development Council (EDC) to improve local economic conditions on the Olympic Peninsula. To say it in layman's terms, the goal was to put people of color in charge so they could get retribution and punish the Colonizers. They even put that on paper. The shipping increases are a direct indication that the ICLEI operative are meeting their world economy goals in spades as shown below:



The emissions goals set out in Agenda 21 and local Agenda 21 were never possible to meet. An increase in world economy activity was going to have no other result but massive and harmful shipping emissions increases. The shareholders were willing to conceal it from the public and then ignore it when the author presented evidence of the ICLEI Carter environmental malfeasance.

Carbon dioxide emissions from international shipping worldwide from 1970 to 2021 (in million metric tons)



IV. The Damage Done.

I've seen the Charter and the damage done and every lie they told to everyone. Oh.... the damage done.

A. Continuing to Remove the Minerals From Our Food.

Nowhere on God's green earth was better situated to grow and provide agriculture products in highly mineralized soil than the Dungeness Valley. The American settlers were smarter than the skills at the NODC gave them credit for. They built 60 plus miles of irrigation ditched to distribute minerals in alluvium to the soils of the Dungeness. With massive misinformation and using tribal fishing rights not exercises on the other rivers in the region, the unwise decision was made to systematically remove irrigation distribution of alluvium for the specific intent to build up the flat parts of the river in order to flood what once was mineral rich farming soil.

Of course, the goal to limit life spans would never be written down in any fashion, because that would be a documented act of population genocide. Whether a frustrated ICLEI charter member blurted it out in frustration to support shipping bull fat from Argentina and Australia to make hamburger in America in any environmentally friendly way, or just as a result, Americans and people on the

Olympic Peninsula will live shorter life spans with the minerals removed from its diet. This is a casualty of putting our policy making in the hands of ICLEI operatives at NODC and EDC.

The author is shocked the Tribe and other shareholders would decide to limit the life span of future generations just to get power and reparations whether knowingly or unknowingly. Tribal members are eating food without minerals too. I should be able to stop here and for this reason alone this should be enough to disband or re-focus NODC and EDC. If they can't see the urgency and value of this criticism, its time to step aside for future generations sake. Let the future generations decide if they want to eat foods that make them weaker because they do not have minerals and are replaced with "NPK" nitrogen, phosphorus and potassium weakening their immune systems.

<https://www.facebook.com/reel/1509498909689956>

B. The Policy Goal Make Food So Expensive, We Waste less, (Consumption Based) Failed Miserably.

The ICLEI charter member operatives sure get an A plus on this global assignment. The Author has had many landfill arguments with many ICLEI operatives. They say we waste food and cause methane at the dump. Their theory and justification was twofold. Other countries pay that much and if we buy less food, we waste less food.

ACTION PLAN TARGET #1.1

By 2010, reduce the generation of household solid waste by 50 percent from the 1995 levels.

ACTION PLAN TRIGGER #1.1

If household solid waste is not reduced by 25 percent of 1995 levels by 2000, then volume-based waste collection charges will be instituted.

This theory was proven to be a farce when raw foods spoiled from overpricing just replaced wasted scraps at the dump. It was a failed experiment and none of the down your nose operatives will admit there is just as much if not more methane at the dump than when they devised and implemented this policy. The public just consumed cheaper starch foods. Unwise and unhealthy are the best words to describe this policy.

C. The Malsupport of Critical Infrastructure.

The density pursuits of the Metropolitan areas swallowed most of the outer community growth and that was **by** design. The Growth Management Act **in** combination with the ICLEI world economy push, created social engineering instead of jobs and finished infrastructure products. The NODC and EDC does nothing **to** combat this perennial malsupport **by** Washington State and Federal government. In fact, they enable it further.

Needed **is a** legitimate freight and tourism corridor with legitimate over and under structures, wildlife overpasses, and more passing lanes.

The NODC and EDC have done nothing for the Peninsula cities, and the 3rd, 4th, and 5th tribes on **a** match out on the coast. Tourism would be more frequent, and goods would **be less** expensive with rightful and long overdue transportation investments. Biking and hiking and non-motorized commitments do not sustain **a** community, and at that distance people **are** not going to commit **to a** road trip that **is** obnoxious. **It** may come **as a** surprise **to** some ICLEI operatives but driving behind a 5 mile snake of cars for 4 hours does not promote or serve the tourism industry, nor does **it** support the shipping **of** goods.

NODC and EDC failed **to** protect the integrity **of** or improve upon the freight and tourism corridors. They now usher in "complete streets" to serve **a** municipality retail sales tax Gollum cloaked within **a** traffic pedestrian safety campaign.

CONCLUSION

Although there are more reasons, for the reasons identified above, the NODC and EDC should be discontinued or reformed to rectify obvious problems they have created, **as** identified in this report.

BOCC Mail Correspondences Received from other Jurisdictions



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Northwest Regional Office

911 Northeast 11th Avenue

Portland, Oregon 97232

RECEIVED
CLALLAM CO. COMMISSIONERS

OCT 24 2024

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IN REPLY REFER TO:
Division of Realty

October 21, 2024

Certified Mail - 7020 0640 0002 1121 4840 - Return Receipt Required

The Honorable W. Ron Allen
Jamestown S'Klallam Tribe
1033 Old Blyn Highway
Sequim, Washington 98382-7670

Dear Chairman Allen:

This is the decision of the Bureau of Indian Affairs ("BIA"), Northwest Regional Director, on the Jamestown S'Klallam Tribe's ("Tribe") contiguous land-into-trust application for the property more fully identified below, known as the Blyn Basin VII Property ("Property" or "Land") consisting of 84.14 acres, more or less, located in Clallam County, Washington. The proposed acquisition for the property: consolidate land ownership, undeveloped tidelands, and forested lands. The application is not for gaming purposes. For the reasons set forth below, it is my decision to approve the Tribe's request to acquire the Blyn Basin VII Property into trust.

By Tribal Resolution # 31-2024 dated May 30, 2024¹, the Tribe requested that the United States acquire 84.14 acres in trust for the use and benefit of the Tribe.

The Tribe acquired the Property from Dunlap Towing Company, a Washington Corporation, by Statutory Warranty Deed dated May 1, 2001 and recorded the purchase on May 11, 2001 in Clallam County, Washington under document number 2001 1063516.

Land Location and Legal Description

The Property is contiguous to existing Tribal Trust Properties and the Jamestown Indian Reservation. The Property is described as follows:

¹ This fee-to-trust application was submitted after January 11, 2024; therefore, this application and decision is applicable to the revised 25 CFR Part 151 that were effective January 11, 2024.

PARCEL 1: 03-29-12-130000

TIDELANDS AND SHORE LANDS OF THE SECOND CLASS, SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING UPON THAT PORTION OF THE GOVERNMENT MEANDER LINE LYING IN FRONT OF GOVERNMENT LOT 3, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 2: 03-29-12-130100

TRACT 1 IN GOVERNMENT LOT 3 OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., ACCORDING TO ASSESSOR'S MAP OF SAID SECTION AS RECORDED IN VOLUME 4 OF PLATS, PAGE 5, RECORDS OF CLALLAM COUNTY, WASHINGTON;

EXCEPT THE FOLLOWING DESCRIBED TRACTS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 1 IN LOT 3 OF SAID SECTION 12;
THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT 1, 200 FEET TO THE CENTER OF COUNTY ROAD;
THENCE SOUTHWESTERLY ALONG THE CENTER OF SAID COUNTY ROAD 300 FEET TO CULVERT ACROSS SAID COUNTY ROAD;
THENCE DUE NORTH 237 FEET MORE OR LESS TO THE MEANDER LINE OF SEQUIM BAY;
THENCE EASTERLY ALONG SAID MEANDER LINE TO THE POINT OF BEGINNING;
AND EXCEPT THE FOLLOWING DESCRIBED PORTION:
BEGINNING AT A POINT IN THE CENTER OF THE COUNTY ROAD 327 FEET NORTH OF THE SOUTHWEST CORNER OF LOT 3 IN SECTION 12,
TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.,
RUNNING THENCE EASTERLY ALONG THE CENTER OF THE COUNTY ROAD 891 FEET;
THENCE NORTH TO THE MEANDER LINE;
THENCE WESTERLY ALONG SAID MEANDER LINE TO THE NORTHWEST CORNER OF SAID LOT 3;
THENCE SOUTH TO THE POINT OF BEGINNING;
AND EXCEPT RIGHT OF WAY FOR COUNTY ROAD KNOWN AS OLD BLYN ROAD.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 3: 03-29-12-130110

A TRACT OF LAND IN GOVERNMENT LOT 3, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT ON THE NORTH LINE OF THE OLD ROAD, 651 FEET EAST OF THE WEST LINE OF SAID LOT 3;

THENCE EAST ALONG THE NORTH LINE OF SAID COUNTY ROAD 120 FEET;
THENCE NORTH TO THE MEANDER LINE;
THENCE WEST ALONG THE MEANDER LINE 120 FEET;
THENCE SOUTH TO THE POINT OF BEGINNING;

ALSO

BEGINNING AT A POINT ON THE CENTER OF THE COUNTY ROAD FORMERLY THE OLD BLYN HIGHWAY, 327 FEET NORTH OF THE SOUTHWEST CORNER OF GOVERNMENT LOT 3, IN SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.;

THENCE EASTERLY ALONG THE CENTER OF THE COUNTY ROAD 891 FEET;

THENCE NORTH TO THE MEANDER LINE;

THENCE WESTERLY ALONG SAID MEANDER LINE TO THE NORTHWEST CORNER OF GOVERNMENT LOT 3;

THENCE SOUTH TO THE POINT OF BEGINNING;

EXCEPT THE EAST 240 FEET THEREOF;

AND EXCEPT RIGHT OF WAY FOR COUNTY ROAD FORMERLY THE OLD BLYN HIGHWAY;

ALSO

A TRACT OF LAND IN GOVERNMENT LOT 3, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF THE OLD COUNTY ROAD, 771 FEET EAST OF THE WEST LINE OF SAID LOT 3;

THENCE EAST ALONG THE NORTH LINE OF SAID COUNTY ROAD 120 FEET;

THENCE NORTH TO THE MEANDER LINE;

THENCE WEST ALONG THE MEANDER LINE 120 FEET;

THENCE SOUTH TO THE POINT OF BEGINNING.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 4: 03-29-12-130160

THAT PORTION OF TRACT 1 IN LOT 3 OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., AS PER ASSESSOR'S MAP, RECORDED IN VOLUME 4 OF PLATS, PAGE 5, RECORDS OF CLALLAM COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 1 IN LOT 3 OF SAID SECTION 12;

THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT 1, TWO HUNDRED (200) FEET TO THE CENTER OF COUNTY ROAD;

THENCE SOUTHWESTERLY ALONG THE CENTER OF SAID COUNTY ROAD 300 FEET TO A CULVERT ACROSS SAID COUNTY ROAD;

THENCE DUE NORTH 237 FEET, MORE OR LESS, TO THE MEANDER LINE OF SEQUIM BAY;

THENCE EASTERLY ALONG SAID MEANDER LINE TO THE POINT OF BEGINNING;

EXCEPT RIGHT OF WAY FOR COUNTY ROAD NO. 5683 (OLD BLYN ROAD).

TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY AS CONVEYED TO EDWARD HAMPTON SESSIONS AND DONNA LEIGH SESSIONS, HUSBAND AND WIFE, BY QUIT CLAIM DEED RECORDED FEBRUARY 8, 2013, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 2012 1283238:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON; THENCE NORTH 88°56'07" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1502.87 FEET; THENCE NORTH 1°36'55" EAST, A DISTANCE OF 341.56 FEET TO THE NORTHERLY RIGHT OF WAY OF OLD BLYN HIGHWAY; THENCE NORTH 56°37'51" EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 290.98 FEET; THENCE NORTH 2°13'52" EAST A DISTANCE OF 18.74 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 2°13'52" EAST A DISTANCE OF 94.74 FEET; THENCE SOUTH 14°08'33" EAST A DISTANCE OF 82.59 FEET; THENCE SOUTH 58°34'39" WEST, A DISTANCE OF 27.97 FEET TO THE TRUST POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO DR ELOISE W KAILIN, BY QUIT CLAIM DEED RECORDED AUGUST 28, 2012, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 2012-1283239, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON; THENCE NORTH 88°56'07" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1502.87 FEET; THENCE NORTH 1°36'55" EAST, A DISTANCE OF 341.56 FEET TO THE NORTHERLY RIGHT OF WAY OF OLD BLYN HIGHWAY; THENCE NORTH 56°37'51" EAST ALONG SAID RIGHT OF WAY A DISTANCE OF 290.98 FEET; THENCE NORTH 2°13'52" EAST A DISTANCE OF 113.48 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 2°13'52" EAST A DISTANCE OF 78.74 FEET; THENCE SOUTH 64°59'11" WEST A DISTANCE OF 22.60 FEET; THENCE SOUTH 14°08'33" EAST A DISTANCE OF 71.28 FEET TO THE TRUE POINT OF BEGINNING.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 5: 03-29-12-220000

THAT PORTION OF GOVERNMENT LOTS 4, 5 AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., LYING NORTHWESTERLY OF DEAN CREEK, EASTERLY OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILWAY AND SOUTHERLY AND WESTERLY OF THE TRACT CONVEYED BY PHILIP B. GEDELMAN AND ELIZABETH A. GEDELMAN, HIS WIFE, TO LEONARD JOHNSTON BY DEED DATED DECEMBER 7, 1940, RECORDED DECEMBER 16, 1940 IN VOLUME 140 OF DEEDS, PAGE 188, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 192593; EXCEPT AN IRREGULARLY SHAPED TRACT LYING WITHIN GOVERNMENT LOT 4, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH,

RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY BOUNDARY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD WITH THE CENTER LINE OF DEAN CREEK;
THENCE NORTHWESTERLY ALONG SAID RAILROAD RIGHT-OF-WAY BOUNDARY LINE A DISTANCE OF 175 FEET;
THENCE NORTH 35° EAST A DISTANCE OF 200 FEET;
THENCE SOUTH 65° EAST 200 FEET, MORE OR LESS, TO THE CENTER LINE OF DEAN CREEK;
THENCE UPSTREAM FOLLOWING THE CENTER LINE OF SAID DEAN CREEK TO THE POINT OF BEGINNING.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 6: 03-29-12-220080

ALL OF THE LAND LYING BETWEEN THE SHORE LINE OF GOVERNMENT MEANDER LINE OF GOVERNMENT LOTS 4 AND 5, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., AND A LINE MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST SECTION CORNER OF SAID SECTION 12;
THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 12 TO THE NORTH LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT-OF-WAY;
THENCE SOUTHEASTERLY ALONG SAID NORTH LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY RIGHT OF WAY TO A POINT WHICH IS 975.9 FEET SOUTH OF AND 897.3 FEET EAST OF SAID NORTHWEST CORNER OF SAID SECTION 12;
THENCE SOUTH 85° 14' EAST 385.0 FEET;
THENCE SOUTH 28° 45' EAST 335.0 FEET;
THENCE NORTH 53° 35' EAST 164.1 FEET;
THENCE SOUTH 30° 54' EAST 350 FEET, MORE OR LESS, TO INTERSECT THE MEANDER LINE OF SAID SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.,
TOGETHER WITH ALL TIDE AND SHORE LANDS OF THE SECOND CLASS, SITUATE IN FRONT OF, ADJACENT TO OR ABUTTING UPON THAT PORTION OF THE GOVERNMENT MEANDER LINE LYING IN FRONT OF LOTS 4 AND 5, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.

AND TRACT 2 IN GOVERNMENT LOT 4, Assessor's MAP VOLUME 4 OF PLATS, PAGE 5, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.;

EXCEPT THAT PORTION OF THE UPLANDS AND TIDELANDS LYING WEST OF THE FOLLOWING DESCRIBED NORTH-SOUTH BOUNDARY LINE AS ESTABLISHED BY CLALLAM COUNTY CASE NUMBERS 16426 AND 19383;
BEGINNING AT THE NORTHWEST SECTION CORNER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.;
THENCE SOUTH ALONG THE WEST LINE OF SAID SECTION 12, SOUTH 0° 22' 40" WEST A DISTANCE OF 973.95 FEET;

THENCE SOUTH 89° 37'20" EAST APPROXIMATELY 975 FEET 02 INCHES TO THE TRUE POINT OF BEGINNING OF SAID BOUNDARY LINE, WHICH SAID TRUE POINT OF BEGINNING IS PRESENTLY MARKED BY AN EXISTING BRIDGE SPIKE DRIVEN IN THE GROUND AT SAID POINT AND WHICH SAID TRUE POINT OF BEGINNING SHALL ALSO NOW CONSTITUTE THE SOUTHEAST CORNER OF LEONARD JOHNSTON'S PROPERTY AND THE SOUTHWEST CORNER OF V. C. MONAHAN AND ALICE M. MONAHAN, HIS WIFE; AND M.S. ERDAHL AND DOROTHY M. ERDAHL, HIS WIFE; AS IDENTIFIED IN INSTRUMENT RECORDED UNDER AUDITOR'S FILE NOS. 357178, 357179, AND 357180 PROPERTY;

THENCE NORTH 2° 53'04" WEST APPROXIMATELY 295.66 FEET TO AN EXISTING 1-1/2 INCH IRON PIPE AND CONCRETE POST WHICH EXISTING PIPE AND POST ARE LOCATED SOUTH 0° 22'40" WEST 678.57 FEET AND SOUTH 89° 37'20" EAST 958.19 FEET FROM THE SAID NORTHWEST SECTION CORNER OF SAID SECTION 12;

THENCE NORTHEASTERLY CONTINUING OVER AND ACROSS THE ADJOINING TIDELANDS AT AN ANGLE TO JUST CLEAR ON THE WEST AND NORTHERNMOST PILING OF LOG DUMP AND RACES, TO WHICH ANGLE HAS BEEN DETERMINED TO BE NORTH 12°10'26" EAST;

ALSO EXCEPTING FROM THE ABOVE-DESCRIBED UPLANDS, THE FOLLOWING DESCRIBED TRACT; BEGINNING AT A POINT WHICH IS 975.9 FEET SOUTH OF AND 897.3 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 12;

THENCE SOUTH 85° 14' EAST 385 FEET;

THENCE SOUTH 28° 45' EAST 165 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 28° 45' EAST 170 FEET;

THENCE NORTH 53° 35' EAST 164.1 FEET;

THENCE NORTH 49° WEST 112 FEET;

THENCE SOUTH 81° WEST 127 FEET TO THE POINT OF BEGINNING;

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 7: 03-29-12-230010

AN IRREGULARLY SHAPED TRACT LYING WITHIN GOVERNMENT LOT 4, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY BOUNDARY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD WITH THE CENTER LINE OF DEAN CREEK;

THENCE NORTHWESTERLY ALONG SAID RAILROAD RIGHT-OF-WAY BOUNDARY LINE A DISTANCE OF 175 FEET:

THENCE NORTH 35° EAST A DISTANCE OF 200 FEET;

THENCE SOUTH 65° EAST 200 FEET, MORE OR LESS, TO THE CENTER LINE OF DEAN CREEK:

THENCE UPSTREAM FOLLOWING THE CENTER LINE OF SAID DEAN CREEK TO THE POINT OF BEGINNING.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 8: 03-29-12-240000

THAT PART OF GOVERNMENT LOT 4, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON, KNOWN AS THE MILL SITE, LYING NORTH OF COUNTY ROAD FORMERLY THE OLD BLYN HIGHWAY, AND BETWEEN THE SLOUGH ON THE WEST AND ADJOINING WHITTINGSOW AND MCBEE LAND ON THE EAST AND EXTENDING NORTH TO THE FOLLOWING MEANDER-LINE,

EXCEPT THE FOLLOWING DESCRIBED PROPERTY;

BEGINNING AT THE SOUTHEAST CORNER OF TRACT 1, LOT 4, ASSESSOR'S MAP VOLUME 4 PAGE 5;

THENCE WEST ALONG THE SOUTHERLY LINE OF TRACT, 170 FEET, MORE OR LESS, TO THE EAST BANK OF CREEK KNOWN AS JIMMYCOMELATELY CREEK:

THENCE NORTHERLY ALONG SAID EAST BANK TO THE NORTH LINE OF TRACT 1;

THENCE EASTERLY ALONG SAID NORTHERLY LINE TO THE EAST LINE OF SAID TRACT;

THENCE SOUTH ALONG SAID EAST LINE TO THE POINT OF BEGINNING.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, THE DEPARTMENT OF FISH AND WILDLIFE, AS CONVEYED BY DEED RECORDED AUGUST 24, 2005, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 2005 1163481.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 9: 03-29-12-240030

BEGINNING AT A POINT ON THE NORTH SIDE OF THE COUNTY ROAD ON THE LINE BETWEEN LOTS 3 AND 4 IN SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M.;

THENCE WESTERLY ALONG SAID COUNTY ROAD 20 FEET;

THENCE NORTHERLY 390 FEET TO THE MEANDER LINE;

THENCE EASTERLY ALONG SAID MEANDER LINE 20 FEET;

THENCE SOUTHERLY ALONG THE LINE BETWEEN GOVERNMENT LOTS 3 AND 4 A DISTANCE OF 390 FEET TO THE POINT OF BEGINNING

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

PARCEL 10: 03-29-12-240040

TRACT 3, GOVERNMENT LOT 4, SECTION 12, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON, ACCORDING TO ASSESSOR'S PLAT THEREOF RECORDED IN VOLUME 4 OF PLATS, PAGE 5, RECORDS OF CLALLAM COUNTY, WASHINGTON.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, THE DEPARTMENT OF FISH AND WILDLIFE, AS CONVEYED BY DEED RECORDED AUGUST 24, 2005, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 2005 1163481.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

A Land Description Examination and Validation ("LDEV") Request was submitted on June 20, 2024 and certified by BIA OTS Liaison, Trisha Johnson on August 5, 2024. The LDEV received a *concur, low risk* and stated the following:

This case consists of ten parcels that make up the entire application. The descriptions for those parcels are largely Metes & Bounds descriptions with a few described as tracts from an included assessors plat. The descriptions are tied to the PLSS and close within an acceptable amount. The parcels are all contiguous reducing the risk of possible overlap issues. The description is deemed acceptable as written.

The GIS acreage was calculated to be within 5% of the TAAMS 84.14 acres and is deemed acceptable.

Based off the most recent available NAIP satellite imagery there do not appear to be any unauthorized encumbrances or encroachments. A large portion of this property is along the shore and subject to boundary changes as the Ordinary High Water line shifts over time.

I find that the Tribe has fulfilled the requirements of 25 CFR § 151.8 governing requests for approval of acquisition because the Resolution # 31-2024, sets out the identity of the parties, a description of the land, and other information showing the acquisition comes within 25 CFR Part 151.

REGULATORY REQUIREMENTS, 25 CFR Part 151 (2024)

This decision of the BIA Northwest Regional Director is discretionary. This Application was submitted after Bureau of Indian Affairs issued the revised 25 CFR Part 151 regulations for fee-to-trust acquisitions, effective on January 11, 2024 ("2024 Regulations"). Therefore, this decision is issued pursuant to the revised 25 CFR Part 151 regulations.

§ 151.3 – Land Acquisition Policy

Section 151.3 of Title 25 of the *Code of Federal Regulations* set forth the Department's land acquisition policy. I find that the acquisition is consistent with the policy because of the following:

1. The land is located contiguous to the Jamestown Reservation and Tribal Trust Properties.

2. The Tribe already owns the land as evidenced by the Statutory Warranty Deed and the title evidence. The Office of the Solicitor, Pacific Northwest Region, reviewed the title evidence and provided Preliminary Title Opinion BIA-00089622 dated September 6, 2024 and found title to be vested in the Tribe; and
3. The acquisition will further Tribal interests by facilitating Tribal self-determination and consolidates land ownership (i.e., the property is contiguous to the Jamestown Reservation and Tribal Trust Properties).

25 CFR § 151.3(b) (1)-(3).

§ 151.10(a)(1) – Statutory Authority

Section 5 of the Indian Reorganization Act of 1934 (IRA) (Section 5) authorizes the Secretary to acquire land in trust for “Indians,” which includes all persons of Indian descent who are members of “any recognized Indian tribe now under federal jurisdiction.” In 2009, the United States Supreme Court (Supreme Court) in *Carcieri v. Salazar* construed the term “now” to refer the year of the IRA’s enactment 1934; however, the Supreme Court did not interpret the phrase “under federal jurisdiction.” In 2014, the Department’s Solicitor provided guidance on the phrase “under federal jurisdiction” by issuing Solicitor Opinion M-37029 (Sol. Op. M-37029). Multiple federal court decisions hold that the Department’s interpretation memorialized in Sol. Op. M-37029 is reasonable.

The Tribe was under federal jurisdiction in 1934. The Tribe's predecessor was party to the 1855 Treaty of Point No Point with the United States, the Tribe received benefits and annuities pursuant to that treaty and the federal government continued to provide services and benefits to the Tribe up to, and after, 1934. During the implementation of the IRA, the federal government endeavored to organize the Tribe and acquire land for it and made the determination that the Tribe was eligible for the benefits of the IRA.

On February 10, 1981, the Tribe was acknowledged as a federally recognized Indian tribe, effectively confirming its continuing existence and supervision by the federal government. 45 Fed. Reg. 81890 (Dec. 12, 1980). The federal acknowledgment of the Tribe through the process set forth in 25 C.F.R. Part 83 in 1981 further confirms that the Tribe was under federal jurisdiction in 1934 and has existed continuously and autonomously since at least 1855.

Finally, the Tribe's continuing relationship to the United States was also confirmed when the Tribe intervened in *United States v. Washington* and established its continuing right to exercise treaty fishing activities reserved to it under the 1855 Treaty of Point No Point.

For purposes of the “under federal jurisdiction” analysis, the United States understood that the Tribe was under the federal jurisdiction and supervision of the United States in 1934, and that the adult residents of the Reservation met the IRA’s definition of “Indian.” That understanding

was re-affirmed when the Tribe was acknowledged by the United States in 1981 and was also confirmed when the Tribe intervened in *United States v. Washington*.

§ 151.10(a)(3) – Purposes for which the land will be used

The current/proposed purposes for the land will be used for the following: consolidate land ownership, undeveloped tidelands, and forested lands.

There is no change of land use for the BIA to consider.

§ 151.10(a)(4) – BIA's ability to discharge additional responsibilities

The programs at the Puget Sound Agency and Northwest Regional Office are capable of handling the additional responsibilities brought by acquiring this land into trust. The principal programs affected will be Realty, Division of Environmental, and the Land Titles and Records Office.

Based on the above facts, I find that the additional 84.14 acres, will not unduly burden the BIA staff. Therefore, I find that the BIA is equipped to discharge the additional responsibilities associated with bringing this land into trust status.

§ 151.10(b) – Great Weight

The Secretary shall give great weight to acquiring land that serves certain tribal interests. This acquisition further tribal interests by facilitating Tribal self-determination and to consolidate land ownership (contiguous to the Jamestown Reservation and Tribal Trust Properties). I find that this interest weighs in favor of the acquisition of the Property in trust for the Tribe.

25 CFR § 151.10(b) (4) and (8)

§ 151.10(c) – Tribal Interests

I find that the acquisition will further Tribal interests by facilitating tribal self-determination and to consolidate land ownership. Any adverse impacts to local governments' regulatory jurisdiction, real property taxes, and special assessments will be minimal; therefore, the application should be approved.

§ 151.10(d) – Impacts to regulatory jurisdiction, real property taxes and special assessments

A Notice of Application was sent to the State of Washington, Governor's Office ("State") on and Clallam County ("County") on July 23, 2024. The notices provided 30 days for written response.

Both the County and the State did not respond to the Notice of Application.

There were no written comments to rebut the presumption of minimal adverse impacts to regulatory jurisdiction, real property taxes and special assessments. Therefore, I find that the Tribal community will benefit from the acquisition.

§ 151.14 – Title Review

A Request for Preliminary Title Opinion was submitted to the Office of the Solicitor, Pacific Northwest Region and a Preliminary Title Opinion BIA-00089622 was issued on September 6, 2024, which stated that items 1 and 2 in Schedule B, Part II C of the preliminary title evidence except from coverage various taxes, assessments and processing fees related to exempt properties. These items should be eliminated from the title evidence and all taxes and assessments, if any, must be paid in full.

Items 10-17 in Schedule B, Part II C of the preliminary title evidence except from coverage various undefined rights of way, easements and public access rights. These items should be addressed by a Tribal Resolution that they will not interfere with the Tribe's intended use of the property or be removed.

Items 33 and 34 in Schedule B, Part II C of the preliminary title evidence should be eliminated or addressed by a written resolution that states that the Tribe acknowledge the easements and the Tribe--not the United States--is responsible for obligations, if any arising from these items.

By Resolution # 51-2024 dated September 27, 2024, the Tribe addressed the above items.

§ 151.15 – Review of Environmental Conditions

The Secretary shall comply with the requirements of the National Environmental Policy Act (NEPA), applicable Council on Environmental Quality regulations, Department of Interior regulations and guidance, and 602 DM 2, Land Acquisitions: Hazardous Substances Determinations. An Exception Checklist for BIA Categorical Exclusions dated September 30, 2024, indicates that an Environmental Assessment is not required because the tribe indicated that no development, physical alteration, or change of land use after acquisition is planned or known. Therefore, I find that approval of this acquisition falls under 516 DM 10.5 (I) and is categorically excluded. Should future development occur, compliance with NEPA will be required if federal funding or a federal decision is involved.

Historic/Endangered Species Compliance

Since the Tribe has no plans for further development of this property, I anticipate no impact to any historic or archaeological resources or to any threatened or endangered species that may exist on the property. Should future development occur, compliance with laws governing historic properties and endangered species, if applicable, will be required.

Phase I Environmental Site Assessment

A Phase I Environmental Site Assessment (ESA) was completed by Kristen Burgess, EP, LG, of ESA Associates, Inc. (ESAAI) on May 17, 2024. The consultant found no known or suspected Recognized Environmental Conditions (RECs), historical RECs, controlled RECs, Business Environmental Risks (BERs), or other evidence of environmental liability at this Property.

The Phase I Environmental Site Assessment was reviewed by the Northwest Regional Environmental Scientist on October 4, 2024, and he stated that: “The Phase I ESA and supporting documents fulfill the requirements of NEPA, 40 CFR § 312, ASTM E 1527-13/21 Standard Practice, and 25 CFR Part 151, and the property is suitable for acquisition under the U.S. Department of the Interior Manual 602 DM 2.13 Acquisition, A & B.”

Please note – Phase I ESA report components will be 180-days old on November 13, 2024, and the report will expire on May 17, 2025; 12 months from the date of issue.

If the fee-to-trust application reaches *Step 13-Acceptance of Conveyance* and the date of the Phase I ESA report exceeds 180 days (11/12/2024), an updated ESA is required.

Decision

The proposed uses and purposes of the property are non-gaming and not illegal. In view of the foregoing, all applicable legal requirements have been satisfied, and I hereby approve the Tribe’s fee-to-trust application for the Blyn Basin VII Property.

Appeal Rights

This decision may be appealed by any person or entity who is adversely affected by the decision of the Regional Director. A Notice of Appeal shall be in writing, signed by the appellant or by his attorney of record or other qualified representative as provided by 43 CFR 1.3, and filed with the Interior Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy Street, Arlington, Virginia 22203, within 30 days after receipt by the appellant of the decision from which the appeal is taken.² A copy of the Notice of Appeal shall simultaneously be filed with the Assistant Secretary—Indian Affairs. As required by § 4.333 of this part, the Notice of Appeal sent to the Board shall certify that a copy has been sent to the Assistant Secretary—Indian Affairs. A Notice of Appeal not timely filed shall be dismissed for lack of jurisdiction.

² The regulations governing appeals to the Board from decisions of BIA officials are contained in 43 CFR §§ 4.310, 4.332-4.333.

A Notice of Appeal shall include:

- (1) A full identification of the case;
- (2) A statement of the reasons for the appeal and of the relief sought; and
- (3) The names and addresses of all additional interested parties, Indian tribes, tribal corporations, or groups having rights or privileges which may be affected by a change in the decision, whether or not they participated as interested parties in the earlier proceedings.

In accordance with 25 CFR 2.20(c) a notice of appeal shall not be effective for 20 days from receipt by the Board, during which time the Assistant Secretary—Indian Affairs may decide to review the appeal. If the Assistant Secretary-Indian Affairs properly notifies the Board that he has decided to review the appeal, any documents concerning the case filed with the Board shall be transmitted to the Assistant Secretary-Indian Affairs.

When the appellant is an Indian or Indian tribe not represented by counsel, the official who issued the decision appealed shall, upon request of the appellant, render such assistance as is appropriate in the preparation of the appeal.

At any time during the pendency of an appeal, an appropriate bond may be required to protect the interest of any Indian, Indian tribe, or other parties involved. See 43 CFR § 4.332

Service of Notice of Appeal

On or before the date of filing of the notice of appeal the appellant shall serve a copy of the notice upon each known interested party, upon the official of the Bureau of Indian Affairs from whose decision the appeal is taken, and upon the Assistant Secretary—Indian Affairs. The notice of appeal filed with the Board shall certify that service was made as required by this section and shall show the names and addresses of all parties served.

The notice of appeal will be considered to have been served upon the date of personal service or mailing or electronic transmission in accordance with § 4.310(f). See 43 CFR § 4.333.

Sincerely,

RUDY
PEONE

Digitally signed by
RUDY PEONE
Date: 2024.10.21
10:32:29 -07'00'

Rudy Peone
Acting Northwest Regional Director

Distribution List for the Notice of Decision

State of Washington
Governor's Office of Indian Affairs
Post Office Box 40909
Olympia, Washington 98504-0909

Certified Mail No.: 7020 0640 0002 1121 4857

Clallam County Commissioners
Clallam County
223 East Fourth Street, Suite 4
Port Angeles, Washington 98362

Certified Mail No: 7020 0640 0002 1121 4864