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NOV 18 2024

BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of November 11-15, 2024

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Tuesday, November 12, 2024. Present were Commissioners French, Ozias and Johnson and Administrator Mielke.

Items of discussion per the agenda published October 31 were:

- Calendar/Correspondence
- Resolution reappointing Gene Unger, Amanda Stanley, Marie Marrs, Jim Haguewood, Dr. William Kintner, and Robert Pepin to the Lake Sutherland Steering Committee
- Resolution reappointing Roberta Stoneman, Teresa Barrett, Pamela Hicks, Jonathan Andrus, and Laura Johns to the Developmental Disabilities Advisory Committee
- Resolution reappointing Bruce Fernie to the Behavioral Health Advisory Board
- Resolution reappointing John Hunter to the North Pacific Coast Marine Resources
- Resolution reappointing Adele Kelly to the Clallam Bay Sekiu Sewer Advisory Committee
- Resolution reappointing Steve Deutermann to the Civil Service Commission
- Resolution reappointing Jon Cash to the Crescent Community Advisory Council
- Pre-application questionnaire with Office of Crime Victim Advocacy for the STOP Formula Grant
- Discussion on proposed budget reductions to be considered on November 26
- Discussion on proposed budget revisions to be considered on November 26
- Discussion of proposed supplemental appropriations to be considered on November 26
- Discussion of proposed debatable emergencies to be considered on November 26

Meeting concluded at 9:32 a.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair French called the meeting to order at 10 a.m., Tuesday, November 12, 2024. Also present were Commissioners Ozias and Johnson and Administrator Mielke.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

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

CONSENT AGENDA

- 1a Approval of vouchers for the week of November 4
- 1b Approval of minutes for the week of November 4
- 1c Resolution appointing Alisen Mayfield to the Peninsula Housing Authority Board of Commissioners
- 1d Resolution reappointing Wendy Sisk and Kristina Bullington to the Behavioral Health Advisory Board
- 1e Resolution appointing Alicia Amerson to the Marine Resources Committee
- 1f Resolution reappointing Barbara Sandford, Walter Morton, and Steven Blakeman to the Sheriff's Citizens Advisory Committee
- 1g Resolution appointing Bryon Monohon and reappointing Francis Maybury to the Heritage Advisory Board
- 1h Resolution appointing Nerissa Davis to the Revenue Advisory Committee
- 1i Proclamation Recognizing Adoption Day 2024

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

REPORTS AND PRESENTATIONS

- CMO Recognized Adoption Day 2024
 - Sherri Jones, DCYF, provided comment
- CRJ commented on Boys and Girls Club Auction and Dinner, Veteran's Day Ceremony, carbon
- CMO commented on Boys and Girls Club Auction and Dinner, Veteran's Day Ceremony, Animal Solutions Advisory Committee, Energy Futures Conference
- CMF commented on Law Library, West End Business Association Meeting, Recompete

PUBLIC WORKS

- 2a Quit Claim Deed with City of Sequim for all of South Seventh Avenue between West McCurdy Road and East Silverhorn Silberhorn Road

ACTION TAKEN: CRJm to approve with the correction of the name change to Silberhorn, CMOs, mc

BUDGET

- 3a Notice that the following budget reductions will be adopted by Resolution on November 26:
Multiple Funds – 2023 shared services cost allocation true up/\$15,843

ACTION TAKEN: CRJm to issue notice, CMOs, mc

- 3b Notice that the following budget revisions will be adopted by Resolution on November 26:
Sheriff – Jail – Allocating underspent Corrections salary line due to staffing shortages to Norpoint Protective Services contract/\$37,500

ACTION TAKEN: CRJm to issue notice, CMOs, mc

- 3c Notice that the following supplemental appropriations will be adopted by Resolution on November 26:
Sheriff – 911 Enhanced – Due to additional tax revenue received for Enhanced 911, revenue and expenditure lines need to be increased to receive and disburse unanticipated extra funds/\$60,000
HHS – Operations – Additional funding from WA State Department of Health Consolidated Contract Amendment to support public health employees through learning, training, safety & workplace enhancements/\$112,000
Parks & Facilities – Fair – Additional funding from State Pari-Mutuel and Logging Show Purse Sponsorship to fund increased costs of County Fair/\$26,009

ACTION TAKEN: CRJm to issue notice, CMOs, mc

- 3d Resolution calling for a hearing to be held November 26 at 10:30 a.m. for the following debatable emergencies:

Multiple Funds – 2023 shared services cost allocation true up/\$473,882

General Fund Reserves

- 2023 shared services cost allocation true up/- \$473,882
- 2023 shared services cost allocation true up/\$15,843

ACTION TAKEN: CRJm to issue notice, CMOs, mc

HEARING(S)

- 4a Resolution regarding adopting the Six-Year 2025-2030 Transportation Improvement Program and a Resolution adopting the Annual Construction Program for 2025
- Steve Gray, Public Works, provided a staff report

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

- The following provided testimony:
 - John Worthington, Sequim,
 - Tom Butler, Port Angeles
 - Ed Bowen, Clallam Bay
 - Walter Trail, Sequim
 - Joshua Duerst, Sequim
 - Doug Crooks, Sequim

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of November 11-15, 2024
Page 3

- Jeff Tozzer, Sequim
- The following sent in written testimony: Liam Antrim, Joshua Duerst, Rachel May-Duerst, Sarah Bones - Five Acre School, Douglas Crooks, Walter Trial, Lavada Schultz, and Ray May (see attached)

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

ACTION TAKEN: CRJm to adopt a Resolution approving the Six-Year 2025-2030 Transportation Improvement Program, CMOs, mc

ACTION TAKEN: CRJm to adopt a Resolution approving Annual Construction Program for 2025, CMOs, mc

PUBLIC COMMENT

- Mark Fischer, Port Angeles, commented on Cultural Access Tax
- Ed Bowen, Clallam Bay, commented on item 4a, Makah Tribe
- Kari Chance, Port Angeles, commented on Cultural Access Tax
- Morgan Bartholick, Port Angeles, commented on Cultural Access Tax
- Steve Raider-Ginsburg, Port Angeles, commented on Cultural Access Tax (see attached)
- John Worthington, Sequim, commented on North Olympic Development Council, Cultural Access Tax, Item 4a
- Doug Fahlgren, Sequim, commented on Cultural Access Tax
- Marissa Meek, Blyn, commented on Cultural Access Tax
- Melody Todnem, Port Angeles, commented on Cultural Access Tax
- Cathy Dodd, Port Angeles, commented on Cultural Access Tax
- Melissa Clark (Karen Hanan), Sequim, commented on Cultural Access Tax (see attached)
- Shannon Cosgrove, Port Angeles, commented on Cultural Access Tax
- Jeff Tozzer, Sequim, commented on Veteran's dinner, Department of Interior Jamestown land transfers, Towne Road Budget, Town Hall meeting
- David Brownell, Sequim, commented on Cultural Access Tax
- Eric Fehrmann, Sequim, commented on Cultural Access Tax, Tribes, taxes
- Debra Boynton, Port Angeles, commented on Cultural Access Tax
- Steve Rodeman, Sequim, commented on Cultural Access Tax
- Denise Lapio, Sequim, commented on acronyms, Initiative 2124, Cultural Access Tax, business map growth,
- Pete Griffin, Sequim, commented on Cultural Access Tax
- Sheila McCann, Port Angeles, commented on Cultural Access Tax
- David Herblin, Port Angeles, commented on Cultural Access Tax

Meeting concluded at 12:19 p.m. and continued to 9 a.m., Monday, November 18, 2024.

The Board of Commissioners attended U.S. Coast Guard Veteran's Day Ceremony, Coffee with Colleen, and KONP Radio Show during the week of November 11.

PASSED AND ADOPTED this 12th day of November 2024.

ATTEST:

Loni Gores, MMC, Clerk of the Board



BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

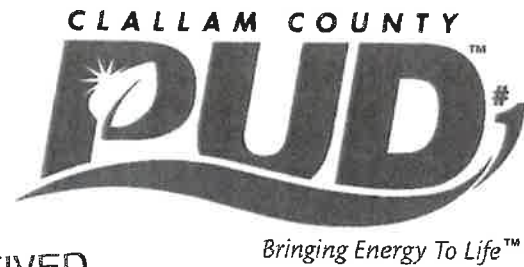
Randy Johnson

Mark Ozias

BOCC Mail Correspondences Received from other Jurisdictions

October 30, 2024

Board of County Commissioners
Clallam County, Washington
223 E. 4th St., Suite 4
Port Angeles, WA 98362



RECEIVED
CLALLAM CO. COMMISSIONERS

NOV 04 2024

1...2...3...A... CC Roads DCD

RE: Department of Energy GRIP Grant Application

Dear Clallam County Board of Commissioners:

As you may remember, PUD No. 1 of Clallam County submitted a proposal to the Department of Energy (DOE) Grid Resilience and Innovation Partnerships (GRIP) funding opportunity number DE-FOA-0003195. Thanks in large part to support from partners like Clallam County, our proposal titled *West End Resiliency through Parallel Transmission Loop Project* (Application Control Number 3195-1919) was provisionally selected for funding. Sadly, due unforeseeable cost escalations discussed below, we were not publicly announced as a grant recipient on 10/18/2024 with the current slate of GRIP projects. We were asked by DOE to formally withdraw our application last Friday, which was approved at our Board of Commissioners meeting on Monday, 10/28/24.

Just a few days before receiving word from DOE that we were successful in this highly selective national competition, we learned from BPA that project costs have escalated to over \$80 million. The delta between the grant award of \$29 million, even with a Clallam PUD contribution of 34%, makes the project unfeasible at this time. We attempted to pursue an alternative battery solution that could accomplish the same goal of reducing West End power outage duration by 98% within the original proposed budget, but DOE cannot approve a new scope of work under the GRIP grant competition.

This is a heartbreaking outcome for Clallam PUD, our trusted community partners, and West End residents alike. Please know that we remain committed to pursuing alternative solutions to address the longstanding grid reliability and resilience challenges in the West End. We have several grant proposals currently under consideration from Department of Commerce that, if funded, will help to harden the West End grid. We also continue to work with DOE to identify other federal funding sources that could support viable solutions. We will keep you updated as new developments unfold. Thank you, again, for your trusted partnership. Please reach out if any additional information or clarification is needed.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sean Worthington", written over a horizontal line.

Sean Worthington
General Manager
(360) 565-3240



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Northwest Regional Office
911 Northeast 11th Avenue
Portland, Oregon 97232

IN REPLY REFER TO:
Division of Realty

RECEIVED
CLALLAM CO. COMMISSIONERS
NOV 06 2024
1...2...3...A...

CERTIFIED MAIL – 7020 0640 0002 1037 2770 - RETURN RECEIPT REQUESTED

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") off-reservation land-into-trust application for the property more fully identified below, known as the "**Carlsborg I Property**" ("Property" or "Land") consisting of 1.86 acres, more or less, located in Clallam County, Washington. The proposed acquisition for the property: JKT Excavating, Inc., a wholly owned Tribal enterprise is using the property for office space and storage of equipment and supplies. 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 Carlsborg I Property into trust.

The Tribe requested by Resolution Number 05-24 dated January 30, 2024, that the United States acquire 1.86 acres, more or less, in trust for the use and benefit of the Tribe and its membership.

The Tribe acquired the Property from Cygnus Home Service, LLC, formerly known as Schwan's Home Service, Inc., formerly known as Schwan's Sales Enterprises, Inc., a Minnesota Corporation, by Statutory Warranty Deed dated September 21, 2021 and recorded in Clallam County, Washington on October 1, 2021 as document number 2021-1426840.

Land Location/Legal Description

Address: 231 Business Park Loop, Carlsborg, Washington 98324

The subject property is approximately 0.47 miles Northwest from Tribal Trust Property, 129 T 1012. The Property is legally described as follows:

Lot 1 of Schwan's Short Plat, as per Short Plat recorded March 21, 1996 in Volume 27 of Short Plats, Page 80, under Clallam County Auditor's File No. 736482, and as per Amended Short Plat recorded in Volume 30 of Short Plats, Page 42, under Auditor's File No. 2003 1104265, being a Short Plat of Parcel 11 of Carlsborg Industrial Park Survey recorded in Volume 21 of Surveys, Page 53, being a portion of the East Half of the Southeast Quarter of Section 15, Township 30 North, Range 4 West, W.M., Clallam County, Washington.

Situate in Clallam County, State of Washington.

A Land Description Examination and Validation ("LDEV") Request was submitted on February 13, 2024 and certified by BIA OTS Liaison, Trisha Johnson on March 13, 2024. The LDEV received a *concur, low risk* and stated the following:

The land description for this case is a lot based off an amended subdivision plat, the plat was based on the subdivision of a lot from a earlier plat. All the plats have been attached to this packet. The description is deemed low risk and acceptable as written.

The GIS acreage was calculated to be within 5% of the 1.86 TAAMS acres and is deemed acceptable.

Based on the most recent available NAIP satellite imagery there do not appear to be any unauthorized encroachments or encumbrances on the subject parcel. On the Schwans Short Plat there is shown where a fence line crosses the northern property, although the amended plat does not show the fence any longer. Should be examined further during the CIP as the satellite imagery does nor (*sic*—not) readily show fence lines in most cases.

I find that the Tribe has fulfilled the requirements of 25 CFR § 151.8 governing requests for approval of acquisition because the Resolution Number 05-24 dated January 30, 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 on January 31, 2024, 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—2024 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 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-00081171 dated May 14, 2024 and found title to be vested in the Tribe; and
2. The acquisition will further Tribal interests by facilitating Tribal self-determination and economic purposes.

25 CFR § 151.3(b) (2) and (3).

§ 151.8 – Complete Acquisition Package

The application package was deemed complete on October 17, 2024, and a letter was sent in accordance with 25 CFR § 151.8(b)(1) and (2) to inform the Tribe that the Bureau of Indian Affairs is in possession of a complete acquisition package and a Notice of Decision will be issued by the BIA Northwest Regional Director within 120 calendar days.

§ 151.11(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*.

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

The Tribe’s proposed/current purpose of the acquisition is JKT Excavating, Inc., a wholly owned Tribal enterprise is using the property for office space and storage of equipment and supplies.

According to the Tribe’s fee-to-trust application, the Tribe does not have any plans to develop the site.

§ 151.11(a)(4) – Whether the BIA is equipped 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 1.86 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.

§ 151.11(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 economic purposes I find that this interest weighs in favor of the acquisition of the Property in trust for the Tribe.

25 CFR § 151.11(b) (8).

§ 151.11(c) – Jurisdictional problems, potential conflicts of land use, and impact on the state and local government’s tax base

A Notice of Application was sent to the State of Washington, Governor’s Office of Indian Affairs (“State”), Clallam County Assessor’s Department, and Clallam County Commissioners (“County”) on September 6, 2024. The State and County received its Notice on September 11, 2024.

Clallam County Assessor’s Department responded on September 11, 2024 by providing a table that included the taxes in the amount of \$4,356.24 and assessments in the amount of \$4.22.

Location of the Land and Potential Conflicts of Land Use

“In reviewing such comments, the Secretary will consider the location of the land and potential conflicts of land use. The Secretary presumes that the Tribe will benefit from the acquisition.” As stated above, the subject property is 0.47 miles Northwest from Tribal Trust Property 129 T 1012. There should be no potential land use conflicts since the Tribe has no plans to develop the land or change the land use.

The State did not respond to the Notice of Application, and the County did not raise any potential conflicts of land use.

The current use/purpose is less likely to cause potential conflicts of land use.

Regulatory Jurisdiction

As to regulatory jurisdiction, the acquisition of this subject property into trust status should not create regulatory jurisdictional problems. After the acquisition by the United States in trust for the tribe, the Tribe will have regulatory jurisdiction over the land. The Tribe will also have civil and criminal jurisdiction to the full extent of federal law.

The State did not respond to the Notice of Application and the County did not raise any regulatory jurisdictional issues.

Based on BIA’s current understanding no basis exists to conclude that jurisdictional problems or land use conflicts will arise as a result of the land’s acquisition in trust status. Therefore, I find that the Tribe 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 was issued on May 14, 2024 and stated that

items 1-4 (taxes/assessments) must be eliminated from the title evidence. All taxes and other assessments must be paid through the date of closing. Item 18 must be eliminated from the title evidence.

A Supplemental Title Report dated October 18, 2024 showed that item 18 was eliminated.

§ 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 Exclusion dated July 16, 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 Assessments

Kristen Burgess, EP, LG, of ESA Associates, Inc. performed a Phase I Environmental Site Assessment (ESA) on the Property. The Phase I Environmental Site Assessment dated January 12, 2024 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.

BIA updated components of the ESA by reviewing the attached environmental questionnaire completed by Leo Gatén, Property Owner Representative/Governmental Policy Advisor, and conducting an online EPA – WA Ecology – Clallam Co. Assessor's Office database review.

No new RECs and/or other issues of environmental concern were identified at the property that would appear to alter the conclusions of the 2024 Phase I ESA report.

The Phase I Environmental Site Assessment (ESA) was received and reviewed/updated by the Northwest Regional Environmental Scientist on October 18, 2024, and stated that: "The 2024 Phase I ESA, online research, 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.”

No further fee-to-trust related environmental review is required for this parcel.

Decision

The proposed use and purpose of the Property is non-gaming and not illegal. In view of the foregoing, all applicable legal requirements have been satisfied, and I hereby approve the fee-to-trust application of the Tribe’s Carlsborg I 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.¹ 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.

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.

¹ The regulations governing appeals to the Board from decisions of BIA officials are contained in 43 CFR §§ 4.310, 4.332-4.333.

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: 2024.11.04 14:24:51
-08'00'

Rudy Peone
Acting Northwest Regional Director

cc: Jamestown S’Klallam Tribe, 1033 Old Blyn Highway, Sequim, Washington 98382-7670
Regular USPS Mail

Distribution of the Notice of Decision

State of Washington
Governor's Office of Indian Affairs
Capitol Court Building
1110 Capitol Way South, Suite 225
Olympia, Washington 98501
Certified Mail – 7020 0640 0002 1037 2749
Regular USPS Mail

Clallam County Commissioners
Clallam County
223 East Fourth Street, Suite 4
Port Angeles, Washington 98362
Certified Mail – 7020 0640 0002 1037 2756
Regular USPS Mail

Assessor's Department
Clallam County
223 East Fourth Street, Suite 2
Port Angeles, Washington 98362
Certified Mail – 7020 0640 0002 1037 2763
Regular USPS Mail

BONNEVILLE POWER ADMINISTRATION

Transmission Line Maintenance

Transmission line maintenance occurring in your area soon

Bonneville Power Administration (BPA) crews and contractors will be conducting vegetation maintenance work on and next to the transmission right-of-way to ensure safe and reliable transmission of high-voltage power to the region's electrical utilities. BPA will use a professional vegetation management contracting service to perform this work.

The Olympia District vegetation maintenance project includes removing incompatible trees and brush species on and next to the transmission corridor through integrated vegetation management techniques. We will also be applying herbicide within our ROW. Please notify us if you have a well within 164-feet of our ROW. If you have any questions about this work please contact Jason Hunt at 253-880-4112 or jdhunt@bpa.gov
Visit: www.bpa.gov/environmental-initiatives/sustainability/vegetation-

BONNEVILLE POWER ADMINISTRATION
PO BOX 3621
PORTLAND, OR 97208



quodient

FIRST-CLASS MAIL
IMI

\$000.56⁹

11/05/2024 ZIP 97232
043M32205673

US POSTAGE

PARCEL ID: 0329041103250000 (MULTIPLE PARCELS)

OWNER OR CURRENT RESIDENT

223 E 4TH ST

PORT ANGELES, WA 98362-3000

RECEIVED

CLALLAM CO. COMMISSIONERS

NOV 07 2024

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United States Department of the Interior
BUREAU OF INDIAN AFFAIRS
PUGET SOUND AGENCY
2707 COLBY AVENUE
SUITE 1101
EVERETT, WA 98201

RECEIVED
CLALLAM CO. COMMISSIONERS

NOV 08 2024

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IN REPLY REFER TO:
Real Estate Services
TR-4609-P5

Case Number: 56819

NOTICE OF NON-GAMING LAND ACQUISITION APPLICATION

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, 151.10 On-Reservation, notice is given of the application filed by the JAMESTOWN S'KLALLAM TRIBE to have real property accepted "in trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any governmental services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with the zoning.

We provide the following information regarding this application:

Applicant:

JAMESTOWN S'KLALLAM TRIBE

Legal Land Description/Site Location:

See "Exhibit A" for legal descriptions.

Project Description/Proposed Land Use:

Property is currently zoned as residential. No intended change in land use.

NOLA001



Office Codes: P-P, 06, 129 AD Number: 4200437463 Case: 56819

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act (NEPA) of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs office listed at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted one thirty day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. You will be notified of the decision to approve or deny the application.

If any party receiving the enclosed notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to the PUGET SOUND AGENCY Office attention: CAROLEE TOBY, REALTY SPECIALIST, (564) 200-2529.

Sincerely,



Digitally signed by
JANINE VAN DUSEN
Date: 2024.11.06
13:25:12 -08'00'

SUPERINTENDENT

Enclosure(s)

NO LA 201



Office Codes: P-P, 06, 129 AD Number: 4200437463 Case: 56819

Case Number: 56819

Applicant Name: JAMESTOWN
S'KLALLAM TRIBE

LEGAL DESCRIPTION EXHIBIT A

Tract ID:

Tract Name: BLYN BASIN V

<u>Land Area</u>	<u>Land Area Name</u>	<u>Tract Number</u>	<u>LTRO</u>	<u>Region</u>	<u>Agency</u>	<u>Resources</u>	
129	JAMESTOWN KLALLAM (CLALLAM)		PORTLAND, OR	NORTHWEST REGIONAL OFFICE	OLYMPIC PENINSULA AGENCY	Both (Mineral and Surface)	
<u>Section</u>	<u>Township</u>	<u>Range</u>	<u>State</u>	<u>County</u>	<u>Meridian</u>	<u>Legal Description</u>	<u>Acres</u>
7	029.00N	002.00W	WASHINGTON	CLALLAM	Willamette		22.720
DESCRIPTION: CLALLUM COUNTY AP# 022907228020, 022907328010 & 0229070328020 METES AND BOUNDS: PARCEL 2 OF STROM LARGE LOT SUBDIVISION, AS RECORDED IN VOLUME 1 OF LARGE LOT SUBDIVISIONS, PAGE 97, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 2003- 1107903, BEING A PORTION OF GOVERNMENT LOT 1 IN SECTION 7 TOWNSHIP 29 NORTH, RANGE 2 WEST, W.M., CLALLAM COUNTY, WASHINGTON. SITUATE IN CLALLAM COUNTY STATE OF WASHINGTON. CONTAINING 6.78 ACRES M/L. LOT 1 OF LARSEN LARGE LOT SUBDIVISION, RECORDED NOVEMBER 15, 1996 IN VOLUME 1 OF LARGE LOT SUBDIVISIONS, PAGE 49, UNDER CLALLAM COUNTY AUDITOR'S FILENO. 747728, BEING A PORTION OF GOVERNMENT LOT 6 IN SECTION 7, TOWNSHIP 29 NORTH, RANGE 2 WEST, W.M., CLALLAM COUNTY, WASHINGTON. SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON. CONTAINING 9.64 ACRES M/L. LOT 2 OF LARSEN LARGE LOT SUBDIVISION, RECORDED NOVEMBER 15, 1996 IN VOLUME 1 OF LARGE LOT SUBDIVISIONS, PAGE 49, UNDER CLALLAM COUNTY AUDITOR'S FILE NO. 747728, BEING A PORTION OF GOVERNMENT LOT 6 IN SECTION 7, TOWNSHIP 29 NORTH, RANGE 2 WEST, W.M., CLALLAM COUNTY, WASHINGTON. SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON. CONTAINING 6.30 ACRES M/L.							
7	029.00N	003.00W	WASHINGTON	CLALLAM	Willamette		4.860
DESCRIPTION: CLALLUM COUNTY AP# 022907230200 METES AND BOUNDS: THAT PORTION OF THE WEST HALF OF GOVERNMENT LOT 2 IN SECTION 7, TOWNSHIP 29 NORTH, RANGE 3 WEST, W.M., CLALLAM COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 7; THENCE NORTH 2°23'10" EAST ALONG THE WEST LINE OF SAID SECTION 7, A DISTANCE OF 200.11 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 2°23'10" EAST ALONG SAID WEST LINE A DISTANCE OF 331.22 FEET; THENCE SOUTH 85°31'52" EAST A DISTANCE OF 656.70 FEET; THENCE SOUTH 1°56'05" WEST A DISTANCE OF 331.32 FEET; THENCE NORTH 85°31'52" WEST A DISTANCE OF 659.31 FEET TO THE TRUE POINT OF BEGINNING. EXCEPT THAT PORTION CONVEYED TO CLALLAM COUNTY BY DEED RECORDED UNDER CLALLAM COUNTY RECORDING NO. 234812. SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON. CONTAINING 4.86 ACRES M/L.							

WDAEAD1



Office Codes: P-P-06-129 AD Number: 4200437463 Case: 56819

CC:

BY CERTIFIED MAIL:

CLALLAM COUNTY COMMISSIONERS
223 EAST FOURTH STREET, SUITE 4
PORT ANGELES, WA 98362
Certified Mail ID: 7020 0640 0002 1121 4338

CITY OF SEQUIM
152 W. CEDAR STREET
SEQUIM, WA 98382
Certified Mail ID: 7020 0640 0002 1121 4345

STATE OF WASHINGTON
GOVERNOR'S OFFICE OF INDIAN AFFAIRS
1110 CAPITAL WAY SOUTH, SUITE 225
OLYMPIA, WA 98501
Certified Mail ID: 7020 0640 0002 1121 4352

NOLAQ01



Office Codes: P1P1061129 AD Number: 4200437463 Case: 56819



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
OLYMPIC PENINSULA AGENCY

2707 COLBY AVENUE

SUITE 1101

EVERETT, WA 98201

RECEIVED
CLALLAM CO. COMMISSIONERS

NOV 08 2024

1...2...3...A...

IN REPLY REFER TO:
Real Estate Services
TR-4609-P5

Case Number: 58181

NOTICE OF NON-GAMING LAND ACQUISITION APPLICATION

Pursuant to the Code of Federal Regulations, Title 25, INDIANS, 151.10 On-Reservation, notice is given of the application filed by the JAMESTOWN S'KLALLAM TRIBE to have real property accepted "in trust" for said applicant by the United States of America. The determination whether to acquire this property "in trust" will be made in the exercise of discretionary authority which is vested in the Secretary of the Interior, or his authorized representative, U.S. Department of the Interior. To assist us in the exercise of that discretion, we invite your comments on the proposed acquisition. In order for the Secretary to assess the impact of the removal of the subject property from the tax rolls, and if applicable to your organization, we also request that you provide the following information:

- (1) If known, the annual amount of property taxes currently levied on the subject property allocated to your organization;
- (2) Any special assessments, and amounts thereof, that are currently assessed against the property in support of your organization;
- (3) Any governmental services that are currently provided to the property by your organization; and
- (4) If subject to zoning, how the intended use is consistent, or inconsistent, with the zoning.

We provide the following information regarding this application:

Applicant:

JAMESTOWN S'KLALLAM TRIBE

Legal Land Description/Site Location:

See "Exhibit A" for legal descriptions.

Project Description/Proposed Land Use:

VACANT LAND; NO CHANGE IN LAND USE INTENDED AT THIS TIME.

NOLA201



Office Codes: P1P1061129 AD Number: 4200447602 Case: 58181

As indicated above, the purpose for seeking your comments regarding the proposed trust land acquisition is to obtain sufficient data that would enable an analysis of the potential impact on local/state government, which may result from the removal of the subject property from the tax roll and local jurisdiction.

This notice does not constitute, or replace, a notice that might be issued for the purpose of compliance with the National Environmental Policy Act (NEPA) of 1969.

Your written comments should be addressed to the Bureau of Indian Affairs office listed at the top of this notice. Any comments received within thirty days of your receipt of this notice will be considered and made a part of our record. You may be granted one thirty day extension of time to furnish comments, provided you submit a written justification requesting such an extension within thirty days of receipt of this letter. Additionally, copies of all comments will be provided to the applicant for a response. You will be notified of the decision to approve or deny the application.

If any party receiving the enclosed notice is aware of additional governmental entities that may be affected by the subject acquisition, please forward a copy to said party.

A copy of the application, excluding any documentation exempted under the Freedom of Information Act (FOIA), is available for review at the above address. A request to make an appointment to review the application, or questions regarding the application, may be directed to the PUGET SOUND AGENCY Office attention: CAROLEE TOBY, REALTY SPECIALIST, (564) 200-2529.

Sincerely,



Digitally signed by
JANINE VAN DUSEN
Date: 2024.11.05
12:30:05 -08'00'

SUPERINTENDENT

Enclosure(s)

NOLA001



Office Codes: P.P.06.129 AD Number: 4200447602 Case: 58181

CC:

BY CERTIFIED MAIL:

CLALLAM COUNTY COMMISSIONERS
223 EAST FOURTH STREET, SUITE 4
PORT ANGELES, WA 98362
Certified Mail ID: 7020 0640 0002 1121 4307

CITY OF SEQUIM
152 W. CEDAR STREET
SEQUIM, WA 98382
Certified Mail ID: 7020 0640 0002 1121 4314

STATE OF WASHINGTON
GOVERNOR'S OFFICE OF INDIAN AFFAIRS
1110 CAPITAL WAY SOUTH, SUITE 225
OLYMPIA, WA 98501
Certified Mail ID: 7020 0640 0002 1121 4321

NOLA201



Office Codes: P.P.06.129 AD Number: 4200447602 Case: 58161

Public Hearing

November 12, 2024

Item 4a

Written Testimony Received

Gores, Loni

From: LIAM ANTRIM <pamliaam@msn.com>
Sent: Monday, October 7, 2024 10:29 AM
To: web_Commissioners
Subject: Fwd: Online Form Submission #5870 for Contact the Roads Division

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

Dear Commissioners -

I am forwarding a comment submitted to the Roads Division re: revisions to the county transportation plan. It seems unlikely that this issue is relevant to the transportation plan but I would like you to be aware of my comment.

I hope to find the appropriate route for promoting this recommendation to the county for future road improvement projects.

Briefly, chip seal surfacing of road shoulders is not a bicycle friendly option as the rough surface causes significant vibration, which aggravates sore wrists, slows you down, and encourages cyclists to shift toward the painted line at road shoulder edge or directly onto the traffic lane where chip seal gets smoothed by heavy vehicle traffic. Chip seal of road shoulders really detracts from cycling safety, efficiency and pleasure.

Some roads are surface with chip seal on vehicle lanes and smoother shoulders - I recommend this as the model for future road improvement projects, particularly on popular cycling commuter routes or roadways.

Thank you for your service to the community
Liam Antrim
207 Pond Lane, Sequim

Begin forwarded message:

From: noreply@civicplus.com
Subject: Online Form Submission #5870 for Contact the Roads Division
Date: October 7, 2024 at 10:17:58 AM PDT
To: pamliaam@msn.com

Contact the Roads Division

First Name Liam

Last Name	Antrim
Email	pamliaam@msn.com
Phone Number	360-683-2305
Subject	transportation plan or policy
Comments/Questions	I do not see this covered in the new transportation plan under development. I have provided this comment at public meetings in the past but do not know the best place to direct this recommendation. I would like Clallam County to consider bicycle-friendly pavement construction, particularly on arterials that are major cycling (commuting and pleasure) routes throughout the county. Chip seal on road shoulders is not bicycle friendly. The rough surface makes riding unpleasant (downright painful if one has arthritis) and unsafe as riders tend to move off the rough shoulder space and onto the painted line or traffic lanes where chip seal gets smoothed out by heavy vehicle traffic. A good example is Sequim-Dungeness Way, north of Old Olympic Highway - a beautiful but miserable stretch of road for cyclists. Other examples are widespread. Some places have chip seal on the main traffic lanes and a smoother surface on the shoulders where cyclists prefer to ride - these roads are a pleasure to ride and much safer for cyclists. Perhaps this should be considered in county road construction policy. I appreciate your service to the county. Liam Antrim, Sequim

Please Note

This form is not for emergencies. If you have an emergency, please phone 911.

Gores, Loni

From: J D <duersty@gmail.com>
Sent: Saturday, November 9, 2024 1:36 PM
To: web_Roads; Gores, Loni
Subject: Residential Feedback - Clallam County Commissioner Meeting Oct 16 & Nov 12 2024

Some people who received this message don't often get email from duersty@gmail.com. [Learn why this is important](#)

November 9, 2024

To: Board of Clallam County Commissioners & Clallam County Public Works

TIP Project #3- DNWR Access Improvements (Kitchen Dick Rd/Lotzgesell curve changes)

Background:

As you may recall, the land surrounding the Kitchen-Dick and Lotzgesell roads was granted to the county in the early 1980s, at a time when this area was still quite rural. Both number of homes in the area was small, as was the number of people living in Clallam County, relative to what it is today. The curve project has long been on the county's "to-do" list, but, as I've learned from a longtime resident the curve project had been funded once before, only to be moved off the list after neighborhood concerns and requests.

For whatever reason, in recent years, the county decided to combine the curve project with the Dungeness Wildlife Recreation Area improvements, which seems to have expedited its prioritization. While I understand the need to address infrastructure concerns, I respectfully request that the curve project be separated from the park project. This would allow the park road near the bluff to be moved back for safety reasons without rushing into changes that may not fully account for the current realities of our neighborhood and the significant impact softening the curve will present to all in the area.

At the recent Board of County Commissioners/Six Year TIP planning meeting on October 16th, Mr. Steve Gray explained that the curve project would move forward as initially designed in the 1980s, softening the curve and maintaining a speed limit of 45 mph. Given that this plan has not been updated in over 40 years, I urge the county to reconsider this approach. Our community has grown significantly, and we are now dealing with much higher traffic volumes than were likely envisioned when this plan was first created.

Concerns:

One of the key concerns is the high probability of increased vehicle speeds if the curve is softened. One of the council members at the meeting on the 16th of October had even commented that he is very familiar with this curve and that, even he, would likely travel up to 60mph, easily, if the curve were softened and the road widened, because the road would support that speed. He also brought up the rural character of smaller roads, and their charm, would be lost if this road is widened. As I've lived here for almost 10 years, I can absolutely tell you that many vehicles already greatly exceed the speed limit, often reaching speeds so fast they cause a strong draft as the car speeds by. Currently, the sharpness of the curve is the only feature that forces drivers to slow down, providing a crucial safety buffer for residents, pedestrians, and local wildlife.

If the curve is modified without additional traffic calming measures, it will lead to higher speeds, making it more difficult and dangerous for residents navigate and to turn onto Lotzgesell Road, especially from side roads like Maynard Drive.

I feel that the safety of my wife and I will be endangered by the planned design speeds as we will be forced to enter and exit our home at the apex of this new curve. Currently no homeowners are entering or exiting the road at the apex of a curve, so with the inevitable increase in speeds and the added danger of residential ingress/egress changes I urge you to please re-assess the plans to account for the safety of the neighboring residents. There are numerous undeveloped lots on the apex of this curve who will be similarly impacted when they build if changes are made.

Additionally, we have many elderly neighbors who will be forced to walk across 3 lanes of traffic to get to their mailboxes if this new turn lane to the park is installed. Increased speeds will also impact the safety of children attending nearby Five Acre School as well as other pedestrians who frequently walk along the road to get to the park entrance from the many houses along the Blue-Ribbon Farms subdivision.

Finally, traffic collisions may also increase with higher speeds as there is a major wildlife crossing corridor with numerous deer trails deeply worn in from the park land to the tall grass on the South side of Lotzgesell Rd.

Suggestions Mentioned at the October 16th TIPs meeting:

Several suggestions were made during the public comment period, including:

- **Installing a roundabout:** Rachel proposed this idea to encourage slower speeds and provide safer access for larger vehicles, especially those turning from Maynard Drive. Unfortunately, this was dismissed due to funding limitations.
 - In my opinion a roundabout seems to be a very good idea to account for those turning from Maynard Rd, slowing down traffic, keeping traffic flow regulated, not having residential ingress/egress at the apex of a dangerous curve and protecting the mail carrier who will need to stop on this curve to deliver.
 - Additional note: Pilots at Blue Ribbon Farms in the past voiced that they actually prefer no homes be built on the lots near the current corner as they may interfere with the flight approach if built too high. If a roundabout was put in this would have strong community support.
- **Separating the curve project from the park project:** Wendy Clark from Jamestown Clallam recommended this option which would allow the park road, which is dangerously close to the bluff, to be prioritized without rushing changes to the curve. No decision was made on this suggestion.
 - I support this recommendation as it will allow for more time and funding to be aligned with a proper design that will support the safety of residents in the area.
- **Postponing the curve project to allow for further study:** Given the drastic increase in local population and traffic, many residents believe the current plan is outdated. No final response was provided to this idea.
 - I support this recommendation with the same reason I support separation from the park project. An updated design and proper community alignment is needed for the safety of all residents in the area.

I respectfully urge the county to reconsider the design and approach to this project, taking into account the significant changes in our community over the past 40 years. While we understand the need for infrastructure improvements, it is critical that any changes are made with safety as the top priority for both residents and visitors.

As a further suggestion, if monies need to be spent, why not place large speed bumps throughout the area, especially on either side of the park and school, or other ways to slow down the traffic such as flashing signs/rumble strips, as that is my, and many residents main concern?

Let us work together to find other creative solutions to slow down the area, making it safer, the residents happier and the county be able to spend the money it needs to spend. Does that sound reasonable?

Thank you for your time and for considering our concerns. We greatly appreciate the county's openness to public input and hope for a solution that serves the best interests of the community. I look forward to further discussions and a thoughtful path forward.

Sincerely,

Joshua Duerst and Rachel May-Duerst

72 Lotzgesell Rd, Sequim WA 98382

Email: duersty@gmail.com



November 11, 2024

To: Clallam County Commissioners and Clallam County Public Works

I am writing to express my serious concerns about the proposed realignment project for the curve at the intersection of Kitchen-Dick Road and Lotzgesell Road. As the Director of Five Acre School, which has served the Dungeness community for the past 30 years, I feel a deep responsibility to both the families we serve and the natural environment in the area. We are also committed to being stewards of the land, our community and the wildlife that call this region home, and I believe the proposed changes to this intersection could have significant, unintended consequences.

My primary concern is the safety of children and families who travel this stretch of road regularly. Currently, the speed limit on Lotzgesell Road in front of Five Acre School is already too high, and vehicles frequently exceed the posted speed limit. This issue has been raised multiple times by our neighbors on Holgerson and Lotzgesell Roads with the County Roads Department. However, it has been stated that, since Five Acre is a private school, this is not a County concern. It is important to note that under RCW 46.61.440, the state code does not differentiate between public and private schools in regard to traffic safety.

I am deeply concerned that the proposed plan to realign the curve at Kitchen-Dick and Lotzgesell Roads will likely increase vehicle speeds, making this already hazardous stretch of road even more dangerous for pedestrians, cyclists, and drivers alike. There are no apparent provisions in the plan to address these safety issues or to mitigate the potential for increased speeding.

Additionally, the environmental impact of this project cannot be overlooked. Our school and the surrounding community are located in an ecologically sensitive area. The proposed changes to the roadway could affect wildlife movement, contribute to habitat fragmentation, and result in further risks to local species.

I urge you to consider alternative solutions that would enhance safety for both people and wildlife without compromising the integrity of our community. Possible measures might include the installation of traffic circles, reduced speed limits, speed indicator signs—with a goal of managing traffic flow while reducing speed and improving safety.



We ask that the County work with us to explore these alternatives and take a collaborative approach to address the concerns raised by our community. The safety and well-being of our children, families, and the local ecosystem must be prioritized as part of any road improvement project.

Thank you for your attention to these critical matters. I look forward to your response and to working together to ensure that the needs of the community are met while ensuring safety and environmental protection.

Sincerely,

Sarah Bones
Director

To: Clallam County Commissioners & Clallam County Public Works
From: Douglas Crooks, Clallam County resident
RE: Re-evaluate proposed Kitchen-Dick/Lotzgesell curve project

As a resident of the area adjacent to the proposed Kitchen-Dick/Lotzgesell Roads curve realignment, I strongly urge each commissioner to step back and re-evaluate this portion of the Six-Year TIP plan.

Specifically, I'm asking each commissioner to support the presentation made by local citizens at your Oct. 16 planning meeting on the Six-Year TIP plan. These specific points, in their presentation and written comments, are particularly salient:

1. The current plan, which was initially proposed more than 40 years ago, is outdated relative to the huge increase in area residences, the enormous increase in traffic volume (now more than 900 vehicles/day on Lotzgesell Road), and the danger increased vehicle speeds present to residents' ingress/egress and to students, staff and parents at Five Acre School.
2. Separate the curve project from the park road project. First, this will allow realignment of the park road--away from the bluff--to be prioritized. Second, this separation provides necessary time to update plans for curve realignment, to factor in increased population and traffic volumes to the outdated plan, and to incorporate safety and speed-reduction measures.
3. Softening the curve will greatly increase vehicle speeds--beyond the current 45 mph limit--unless corresponding measures to limit speeds are part of the project. Without these mitigation measures, safety will be an increased issue at the park entrance, at Five Acre School, at Holgerson Road (an ingress/egress point for more than 40 residences), at other roads entering this corridor, at the dangerous Hogback Road/Lotzgesell curve junction, and beyond.

Douglas Crooks
393 Holgerson Road
Sequim, WA 98382
206-538-4504 c
douglas_crooks@yahoo.com

From: Walter Trial (wally@sequimbay.net)

To: Clallam County Commissioners & Clallam County Public Works

Subject: Residential Feedback- TIP Project #3- DNWR Access Improvements (Kitchen Dick Rd. Lotzgesell curve realignment project)

As a county resident living on Holgerson Road that abuts Lotzgesell Road, I am writing to voice my concern about the proposed realignment project for the curve at Kitchen Dick Road and Lotzgesell Road. My primary concern is public safety and the posted speed limit that currently exists on these roadways (i.e., 45mph). I and many of my neighbors travel these roadways on a daily basis. The large number of vehicles that traverse this rural roadway (average daily traffic of 938 vehicles according to the County Roads Dept.) is a cause for concern, primarily because of the speed limit posted here.

The curve realignment project was proposed more than 40 years ago when the population in this area was much smaller. Realignment of the curve will allow much higher traffic speeds than currently exist. This poses a public safety concern to those of us who live nearby and enter and exit this roadway from driveways and secondary roads such as Holgerson Road.

Another serious public safety concern is the current speed limit of 45mph that exists at the entrance to a school (Five Acre School) located on Lotzgesell Road adjacent to the Dungeness Recreation Area. Parents arriving with their children in the morning and picking them up after school must deal with this excessive speed limit. In addition, the school playground is next to the roadway. I have raised this issue several times in the past with the County Roads Department and have been told that because this is a private school, speed limits here are not a concern of the County.

While Clallam County might ignore school speed limits, the State of Washington (RCW 46.61.440) allows for the posting of reduced speed limits in school zones. "A county or incorporated city or town may create a school or playground speed zone on a highway bordering a marked school or playground, in which zone it is unlawful for a person to operate a vehicle at a speed in excess of twenty miles per hour." It should be noted here that the State Code does NOT distinguish between public and private schools. Why Clallam County continues to ignore this serious public safety issue is a mystery.

Others have suggested that the curve realignment project be de-coupled from the roadway work that is proposed within the Dungeness Recreation Area. I agree with this level-headed approach and urge the Roads Department to re-evaluate the curve design and to explore other, possibly more practical engineering options for the Kitchen Dick/Lotzgesell roadway curve.

This is a public safety issue that many residents in this local community are concerned about. We are trusting that the County will listen and work with our community to resolve these concerns.

Sincerely,

Walter Trial

435 Holgerson Road

Gores, Loni

From: Gray, Steve
Sent: Tuesday, November 12, 2024 9:36 AM
To: Gores, Loni
Subject: FW: Kitchen Dick and Lotzgesell Rd

Public comment on Draft Six Year (2025-2030) Transportation Improvement Program.

-----Original Message-----

From: L E Schultz <cjs162salon@gmail.com>
Sent: Monday, November 11, 2024 6:32 AM
To: Gray, Steve <steve.gray@clallamcountywa.gov>
Subject: Kitchen Dick and Lotzgesell Rd

[You don't often get email from cjs162salon@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Just to let you know. We have several people including myself that are handicapped or hearing impaired that live across from the Dungeness County Park. We already have trouble Getting the mail as it is. Even crossing the street to walk at the park can be a struggle with speeders.

What about 5 acre school. Parents park on the side of Lotzgesell Rd to pick up their kids. Plus I really feel the drive ways are to close together to increase the speed.

Thank you
Lavada Schultz

Gores, Loni

From: Gray, Steve
Sent: Tuesday, November 12, 2024 9:36 AM
To: Gores, Loni
Subject: FW: Residential Feedback - Clallam County Commissioner Meeting Oct 16 & Nov 12 2024

Public comment on Draft Six Year (2025-2030) Transportation Improvement Program.

From: Ray May <raylynmay@gmail.com>
Sent: Saturday, November 9, 2024 2:02 PM
To: Gray, Steve <steve.gray@clallamcountywa.gov>; Johnson, Randy <randy.johnson@clallamcountywa.gov>
Subject: Residential Feedback - Clallam County Commissioner Meeting Oct 16 & Nov 12 2024

Some people who received this message don't often get email from raylynmay@gmail.com. [Learn why this is important](#)

November 9, 2024

To: Board of Clallam County Commissioners & Clallam County Public Works

TIP Project #3- DNWR Access Improvements (Kitchen Dick Rd/Lotzgesell curve changes)

Background:

As you may recall, the land surrounding the Kitchen-Dick and Lotzgesell roads was granted to the county in the early 1980s, at a time when this area was still quite rural. Both number of homes in the area was small, as was the number of people living in Clallam County, relative to what it is today. The curve project has long been on the county's "to-do" list, but, as I've learned from a longtime resident the curve project had been funded once before, only to be moved off the list after neighborhood concerns and requests.

For whatever reason, in recent years, the county decided to combine the curve project with the Dungeness Wildlife Recreation Area improvements, which seems to have expedited its prioritization. While I understand the need to address infrastructure concerns, I respectfully request that the curve project be separated from the park project. This would allow the park road near the bluff to be moved back for safety reasons without rushing into changes that may not fully account for the current realities of our neighborhood and the significant impact softening the curve will present to all in the area.

At the recent Board of County Commissioners/Six Year TIP planning meeting on October 16th, Mr. Steve Gray explained that the curve project would move forward as initially designed in the 1980s, softening the curve and maintaining a speed limit of 45 mph. Given that this plan has not been updated in over 40 years, I urge the county to reconsider this approach. Our community has grown significantly, and we are now dealing with much higher traffic volumes than were likely envisioned when this plan was first created.

Concerns:

One of the key concerns is the high probability of increased vehicle speeds if the curve is softened. One of the council members at the meeting on the 16th of October had even commented that he is very familiar with this curve and that, even he, would likely travel up to 60mph, easily, if the curve were softened and the road widened, because the road would support that speed. He also brought up the rural character of smaller roads, and their charm, would be lost if this road is widened. As I've lived here for almost 10 years, I can absolutely tell you that many vehicles already greatly exceed the speed limit, often reaching speeds so fast they cause a strong draft as the car speeds by. Currently, the sharpness of the curve is the only feature that forces drivers to slow down, providing a crucial safety buffer for residents, pedestrians, and local wildlife.

If the curve is modified without additional traffic calming measures, it will lead to higher speeds, making it more difficult and dangerous for residents navigate and to turn onto Lotzgesell Road, especially from side roads like Maynard Drive.

I feel that the safety of my wife and I will be endangered by the planned design speeds as we will be forced to enter and exit our home at the apex of this new curve. Currently no homeowners are entering or exiting the road at the apex of a curve, so with the inevitable increase in speeds and the added danger of residential ingress/egress changes I urge you to please re-assess the plans to account for the safety of the neighboring residents. There are numerous undeveloped lots on the apex of this curve who will be similarly impacted when they build if changes are made.

Additionally, we have many elderly neighbors who will be forced to walk across 3 lanes of traffic to get to their mailboxes if this new turn lane to the park is installed. Increased speeds will also impact the safety

of children attending nearby Five Acre School as well as other pedestrians who frequently walk along the road to get to the park entrance from the many houses along the Blue-Ribbon Farms subdivision.

Finally, traffic collisions may also increase with higher speeds as there is a major wildlife crossing corridor with numerous deer trails deeply worn in from the park land to the tall grass on the South side of Lotzgesell Rd.

Suggestions Mentioned at the October 16th TIPs meeting:

Several suggestions were made during the public comment period, including:

- **Installing a roundabout:** Rachel proposed this idea to encourage slower speeds and provide safer access for larger vehicles, especially those turning from Maynard Drive. Unfortunately, this was dismissed due to funding limitations.
 - In my opinion a roundabout seems to be a very good idea to account for those turning from Maynard Rd, slowing down traffic, keeping traffic flow regulated, not having residential ingress/egress at the apex of a dangerous curve and protecting the mail carrier who will need to stop on this curve to deliver.
 - Additional note: Pilots at Blue Ribbon Farms in the past voiced that they actually prefer no homes be built on the lots near the current corner as they may interfere with the flight approach if built too high. If a roundabout was put in this would have strong community support.
- **Separating the curve project from the park project:** Wendy Clark from Jamestown Clallam recommended this option which would allow the park road, which is dangerously close to the bluff, to be prioritized without rushing changes to the curve. No decision was made on this suggestion.
 - I support this recommendation as it will allow for more time and funding to be aligned with a proper design that will support the safety of residents in the area.
- **Postponing the curve project to allow for further study:** Given the drastic increase in local population and traffic, many residents believe the current plan is outdated. No final response was provided to this idea.
 - I support this recommendation with the same reason I support separation from the park project. An updated design and proper community alignment is needed for the safety of all residents in the area.

I respectfully urge the county to reconsider the design and approach to this project, taking into account the significant changes in our community over the past 40 years. While we understand the need for infrastructure improvements, it is critical that any changes are made with safety as the top priority for both residents and visitors.

As a further suggestion, if monies need to be spent, why not place large speed bumps throughout the area, especially on either side of the park and school, or other ways to slow down the traffic such as flashing signs/rumble strips, as that is my, and many residents main concern?

Let us work together to find other creative solutions to slow down the area, making it safer, the residents happier and the county be able to spend the money it needs to spend. Does that sound reasonable?

Thank you for your time and for considering our concerns. We greatly appreciate the county's openness to public input and hope for a solution that serves the best interests of the community. I look forward to further discussions and a thoughtful path forward.

Sincerely,

Joshua Duerst and Rachel May-Duerst

[72 Lotzgesell Rd, Sequim WA 98382](#)

Email: duersty@gmail.com

General Public Comment

FIELD ARTS & EVENTS HALL

201 W. FRONT ST
P.O. BOX 71
PORT ANGELES
WA 98362

360.477.4679
FIELDHALLEVENTS.ORG

BOARD MEMBERS

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Nathan West

Steven Raider-Ginsburg
EXECUTIVE & ARTISTIC DIRECTOR

Field Arts & Events Hall Board Resolution in Support of Cultural Access Tax

Public Comment
11/12/24
Steve Raider-
Ginsburg

Chapter 36.160 of the Revised Code of Washington grants local governments and the communities they serve the fiscal tools needed to provide economic support for cultural organizations: non-profits that advance and support the visual or performing arts; science or technology; or heritage; or natural history. The Clallam County Commissioners are considering whether to enact a 0.1% increase in the local sales tax to provide funding under this law to these organizations.

The Board of Directors for the Field Arts & Events Hall adopts this resolution in support of that Cultural Access tax and urges the Clallam County Commissioners to pass this increase under the authority granted to them by this law.

This initiative would enhance local artistic, cultural, historical, and scientific learning experiences for Clallam County residents. Qualifying non-profit organizations would use these funds to:

- Expand educational programs and outreach initiatives
- Enhance the quality and variety of cultural events and exhibitions
- Support local artists, scientists, and historians
- Increase accessibility to cultural experiences for all residents
- Build or enhance programs for local schools

All Clallam County residents would tangibly benefit from these enhancements through increased quality of life and decreased crime rates. Enhanced access to arts and culture for improves students' grades and increases graduation rates while creating greater civic participation, neighborhood cohesion, and pride.

Funds for these enhancements are derived from sales taxes, almost half of which are paid by tourists and visitors to Clallam County. County residents receive these benefits at an average cost of \$25 per household. A public vote would further delay the start of this program, and require these non-profit organizations to engage in costly campaigns that divert from their core missions.

We urge the Commissioners to act under their direct authority and adopt this Cultural Access Tax before the end of this calendar year.

Adopted on Saturday, November 9th by the Board of Directors for the Field Arts & Events Hall

Brooke Taylor
11/11/2024
Brooke Taylor, Board President

Date

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11/11/2024
Brooke Taylor, Board President

Date

Dear Clallam County Commissioners,

My name is Karen Hanan. In my role as the Executive Director of ArtsWA, the Washington State Arts Commission and as a citizen of Port Angeles, I strongly support the County Commissioners' passage, through councilmanic vote, of the Clallam Cultural Access Tax:

Public comment
11/12/24
melissa clark
Karen Hanan



There are many reasons to do this, and the following provide a few examples.

- **Investing in our community:** "A strong arts and culture scene enriches our lives and attracts visitors. This tax is an investment in our community's future."
- **Supporting local organizations:** "Our local arts and cultural organizations provide invaluable services. This tax will help ensure their sustainability."
- **Creating opportunities for youth:** "Arts and culture programs inspire creativity and provide opportunities for young people to learn and grow."
- **Promoting tourism:** "A vibrant cultural scene draws visitors to our area, boosting our local economy."
- **Improving quality of life:** "Access to arts and culture enhances our quality of life and makes Clallam County a more attractive place to live."
- **Preserving our heritage:** "This tax will help preserve our local history and cultural heritage for future generations."
- **Small investment, big impact:** "A small increase in sales tax can have a significant impact on our community's cultural offerings."

Thank you for your consideration.

Karen

Karen J. Hanan, Executive Director

ArtsWA (WA State Arts Commission)

Karen.hanan@arts.wa.gov