



19
JUL 09 2024

BOARD of CLALLAM COUNTY COMMISSIONERS

MINUTES for the week of July 1-5, 2024

WORK SESSION – 9 a.m.

The work session convened at 9 a.m., Monday, July 1, 2024. Present were Commissioners French, Ozias and Johnson, and Administrator Mielke.

Items of discussion per the agenda published June 27 were:

- Calendar/Correspondence
- Resolution appointing Abigail Bohman and Viola Ware to the Homelessness Task Force
- Resolution appointing Gabriel Bugarin to the Conservation Futures Program Advisory Board
- Contract with Washington State Criminal Justice Training Commission for wellness programs
- Resolution authorizing the temporary closure of Olympic Hot Springs Road No. 17810
- Letter of support for Small Scale Water Efficiency Project – AMI Metering Conversion Phase I
- Resolution authorizing Conservation Futures Program Advisory Board Bylaws Change
- Streamkeepers project and funding presentation
- Briefing and request a call for proposals to be received no later than Tuesday, July 23, 2024 at 10 a.m. regarding the Clallam County Hearings Examiner
- Letter to the City of Port Angeles changing the County contact designee to the County Administrator for the Emergency Operations Center
- Review the "How Did We Do" reports comparing each month's actual performance

Meeting concluded at 1:07 p.m. and continued to an executive session at 1 p.m. regarding litigation and property.

EXECUTIVE SESSION

The Board convened in open session at 1:13 p.m. to discuss litigation. Present were Commissioners Ozias, French and Johnson, Administrator Mielke, Prosecuting Attorney Office Boughton and Nichols, Finance Department Lane and Turner, Sheriff's Office King, Risk Management Reyes, Health and Human Services LoPiccolo and outside counsel Derek Loeser and David Ko.

ACTION TAKEN: CRJm to recess to executive session for 30 minutes, CMOs, mc

The Board recessed into executive session at 1:14 p.m.

The Board convened in open session at 1:43 p.m.

Action will be taken at the end of all executive sessions.

The Board convened in open session at 1:43 p.m. to discuss litigation. Present were Commissioners Ozias, French and Johnson, Administrator Mielke, Prosecuting Attorney Office Boughton and Nichols, Sheriff's Office King, Risk Management Reyes, Public Records Major, and Department of Community Development Fleming.

ACTION TAKEN: CRJm to recess to executive session for 1 hour, CMOs, mc

The Board recessed into executive session at 1:46 p.m.

The Board convened in open session at 2:49 p.m.

Action will be taken at the end of all executive sessions.

The board recessed at 2:49 p.m. for a 10-minute break.

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of July 1-5, 2024
Page 2

The Board convened in open session at 3 p.m. to discuss property. Present were Commissioners Ozias, French and Johnson, Administrator Mielke, Prosecuting Attorney Office Boughton and Nichols, Finance Department Lane and Turner, Sheriff's Office King and Waknitz, Risk Management Reyes, Real Estate Capps, Assessor Rushton, and Department of Community Development Fleming.

ACTION TAKEN: CRJm to recess to executive session for 1 hour and 15 minutes, CMOs, mc

The Board recessed into executive session at 3:01 p.m.

The Board convened in open session at 4:16 p.m. and extended for 30 minutes

The Board recessed into executive session at 4:37 p.m.

ACTION TAKEN: CMOM that with regards to opioid litigation, moved to direct Keller Rohrback to amend our complaint to add any defendants recommended by Keller Rohrback, CRJs, mc

ACTION TAKEN: CMOM to authorize the County Administrator, on behalf of the BOCC, to put forth a purchase offer on the parcel of land identified, and that the purchase price not exceed the maximum amount discussed. Additionally, this motion would authorize the Chair and the County Administrator to execute all documents necessary for the completion of this transaction, CRJs, mc

Meeting concluded at 4:39 p.m.

REGULAR MEETING OF THE BOARD OF CLALLAM COUNTY COMMISSIONERS

Chair Frenchy called the meeting to order at 10 a.m., Tuesday, July 2, 2024. Also present were Commissioner Ozias and Administrator Mielke. Commissioner Johnson was excused.

REQUEST FOR MODIFICATIONS/APPROVAL OF AGENDA

ACTION TAKEN: CMOM to adopt the agenda as modified, CMFs, mc

PUBLIC COMMENT

- John Worthington, Sequim, commented on item 1d

CONSENT AGENDA

- 1a Approval of vouchers for the week of June 24
- 1b Approval of payroll for the period ending June 15
- 1c Approval of minutes for the week of June 24
- 1d Resolution appointing Abigail Bohman and Viola Ware to the Homelessness Task Force
- 1e Resolution appointing Gabriel Bugarin to the Conservation Futures Program Advisory Board
- 1f Resolution authorizing the temporary closure of Olympic Hot Springs Road No. 17810
- 1g Resolution authorizing Conservation Futures Program Advisory Board Bylaws Change
- 1h Letter of support for Small Scale Water Efficiency Project – AMI Metering Conversion Phase I
- 1i Notice to call for hearing to be held on Tuesday, July 23, 2024 at 10:30 a.m. regarding the Mid-Year 2024 Budget Review
- 1j Resolution authorizing temporary change in customer service hours for the Department of Community Development, Environmental Health and Public Works Department service counter
- 1k Proclamation Recognizing July as Lavender Month

ACTION TAKEN: CMOM to adopt the consent agenda, CMFs, mc

REPORTS AND PRESENTATIONS

- CMO read the Proclamation Recognizing July as Lavender Month
 - Beth Pratt, Sequim Chamber of Commerce thanked the BOCC and invited the community to attend the Lavender Festival
- CMO commented on Clallam Transit Board Meeting, Washington Association of Counties General Membership Meeting, Department of Natural Resources Ecosystem, North Olympic Development Council Meeting
- CMF commented on Washington Association of Counties General Membership Meeting

CONTRACTS AND AGREEMENTS

2a Contract with Washington State Criminal Justice Training Commission for wellness programs

ACTION TAKEN: CMOM to approve, CMFs, mc

2b Agreement amendment 1 with Clallam Public Defender for indigent public defense services

ACTION TAKEN: CMOM to approve, CMFs, mc

2c Agreement with Washington State Council of County and City Employees, Local 1619-MP for collective bargaining

ACTION TAKEN: CMOM to approve, CMFs, mc

2d Agreement with Deputy Prosecutor Association Bargaining Unit for collective

ACTION TAKEN: CMOM to approve, CMFs, mc

ADMINISTRATION

3a Call for proposals to be received no later than Tuesday, July 23, 2024 at 10 a.m. regarding the Clallam County Hearings Examiner

ACTION TAKEN: CMOM to adopt, CMFs, mc

PUBLIC WORKS

4a Letter and WS-4 Form for planning assistance related to Highland Irrigation District

ACTION TAKEN: CMOM to approve, CMFs, mc

PUBLIC COMMENT

- John Worthington, Sequim, commented on reservoir project, North Olympic Development Council
- Karl Hatton, Sequim, commented on PenCom, 911 Addressing Ordinance
- Kenneth Reandeau, Port Angeles, commented on McKinley Paper Company closure
- Denise Lapio, Sequim, requesting clarification on a comment made by Commissioner Ozias
- Pepai Whipple, Sequim, commented on Clallam County political environment
- Jeff Tozzer, Sequim, commented on McKinley Paper Company, meeting structure, North Olympic Development Council, Dungeness Off-Channel Reservoir Project, Towne Road

HEARING(S)

H1 Collaborative grant application with CIE for HUD CDBG funding

- ATM, Briefed the BOCC
- Una Wirkebau, Reconnect Coordinator, provided comment
- Rick Dickinson, Project Lead for CIE on the Olympic Peninsula

ACTION TAKEN: CMOM to open the public hearing, CMFs, mc

- The following provided testimony:
 - Eric Fehrmann, Sequim
 - John Worthington, Sequim
 - Jeff Tozzer, Sequim
 - Karin Cummins, Sequim

ACTION TAKEN: CMOM to close the public hearing and adopt, CMFs, mc

BOARD of CLALLAM COUNTY COMMISSIONERS
MINUTES for the week of July 1-5, 2024
Page 4

H2 Ordinance titled "911 Addressing System"

- Donella Clark, Department of Community Development, provided a staff report
- Karl Hatton, City of Port Angeles PenCom, provided comment

ACTION TAKEN: CMOM to open the public hearing, CMFs, mc

- CMF noted no one provided testimony
- The following provided testimony:
 - Jeff Tozzer, Sequim
 - Karin Cummins, Sequim
 - Eric Fehrmann, Sequim
 - Pepai Whipple, Sequim

ACTION TAKEN: CMOM to close the public hearing and adopt, CMFs, mc

H3 Ordinance titled Carlsborg Urban Growth Area

- Donella Clark, Department of Community Development, provided a staff report

ACTION TAKEN: CMOM to open the public hearing, CMFs, mc

- The following provided testimony:
 - John Worthington, Sequim
 - Pepai Whipple, Sequim
 - Logan Hammon, Sequim

ACTION TAKEN: CMOM to close the public hearing and adopt, CMFs, mc

PUBLIC COMMENT

- Karin Cummins, Sequim, commented on Independence Day, communication
- Eric Fehrmann, Sequim, commented on communication

Meeting concluded at 11:22 a.m. and continued to 9 a.m., Monday, July 8.

The Board of Commissioners attended WSAC Virtual Update, Coffee with Colleen, during the week of July 1.

PASSED AND ADOPTED this 9th day of July 2024.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Mike French, Chair

Randy Johnson

Mark Ozias

ATTEST:

Loni Gores, MMC, Clerk of the Board

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



BOARD OF CLALLAM COUNTY COMMISSIONERS PUBLIC HEARING

H3 Ordinance titled Carlsborg Urban Growth Area

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	LOGAN HAMMON	Logan Hammon	303 MILL RD
2			
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4			
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11			
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18			
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20			

BOCC Mail Correspondences Received from other Jurisdictions



June 20, 2024

RECEIVED
CLALLAM CO. COMMISSIONERS

JUN 24 2024

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

Clallam County Commissioner
223 E 4th St Suite 4
Port Angeles, WA 98362

Greetings:

The Washington Clean Air Act (RCW 70A.15) requires that prior to the fourth Monday of June each year; the Air Pollution Control Authority shall notify each city, town, and county, within their jurisdiction, of their assessment.

At its June 12, 2024, meeting, the Olympic Region Clean Air Agency's Board of Directors established the per capita assessment for 2025 at \$0.956. The population figure for unincorporated Clallam County of 46,090 is based upon the publication by the Washington State Office of Financial Management, Forecasting Division; "2023 Population Trends for Washington State."

This letter will serve as notification that your Contribution for calendar year 2025 to the Olympic Region Clean Air Agency is \$44,062.04. You will receive a statement for this amount in January. Please contact ORCAA if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff C Johnston", written in a cursive style.

Jeff C. Johnston, Ph.D.
Executive Director



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Northwest Regional Office

911 Northeast 11th Avenue

Portland, Oregon 97232

RECEIVED

CLALLAM CO. COMMISSIONERS

JUN 24 2024

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

IN REPLY REFER TO:

Division of Realty

May 9, 2024

Certified Mail—Return Receipt Requested 7020 0640 0002 1121 3928

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 Golf Course II Property (“Property” or “Land”) consisting of 1.96 acres, more or less, located in Clallam County, Washington. The proposed acquisition for the property: consolidate land ownership and office space and storage for the maintenance crew and their equipment for the contiguous Cedars at Dungeness Golf Course. 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 Golf Course II Property into trust.

By Tribal Resolution #06-2024 dated January 30, 2024¹ requested that the United States acquire 1.96 acres in trust for the use and benefit of the Tribe. JKT Gaming, Inc. dba 7 Cedars Casino, a tribally chartered corporation owns the property in fee status.

JKT Gaming, Inc. dba 7 Cedars Casino acquired the property from Flagstar Bank, FSB by Bargain and Sale Deed dated October 14, 2009 and recorded the purchase on October 27, 2009 in Clallam County, Washington under document number 2009-1244595.

Land Location and Legal Description

Address: 1721 Woodcock Road, Sequim, Clallam County, Washington.

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.

The Property is contiguous to the Jamestown Reservation (129 T1015)². The property is described as follows:

LOT 3 OF SCHMITTROTH SHORT PLAT, RECORDED JANUARY 28, 1992 IN VOLUME 23 OF SHORT PLATS, PAGE 11, UNDER CLALLAM COUNTY RECORDING NO. 663191, BEING A SHORT PLAT OF A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 30 NORTH, RANGE 4 WEST, W.M., CLALLAM COUNTY, WASHINGTON.

SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

Land Description Review and Chain of Surveys Certificates were prepared by James Wengler, PLS, CFedS and certified by Robert Femling, Chief Cadastral Surveyor of the Bureau of Land Management ("BLM") on January 4, 2024. The Land Description Review Certificate states that the land description is acceptable as written and presented. The Chain of Surveys Certificate states that the land surveys are acceptable.

A Land Description Examination and Validation ("LDEV") Request was submitted on February 7, 2024 and certified by BIA OTS Liaison, Trisha Johnson on February 23, 2024. The LDEV received a *concur, low risk*.

The LDEV indicated that the land description is tract of land being that part of Lot 3 of the Schmittroth Short Plat recorded on January 20, 1992 in Volume 23 of short plats, page 11, under Auditor's File No. 663191, records of Clallam County, Washington. Said description being a portion of Southwest Quarter in Section 3, Township 30 North, Range 4 West, Willamette Meridian, Clallam County, Washington. The description closes within an acceptable amount and conforms to the PLSS. The land description is deemed acceptable for the stated purpose. The GIS acreage was calculated to be within 5% of the 1.960 acres. Based on the most recent available imagery there does not appear to be any unauthorized encroachment or encumbrances.

I find that the Tribe has fulfilled the requirements of 25 CFR § 151.8 governing requests for approval of acquisition because the Resolution #06-2024, 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-

² On July 21, 2017, Acting Assistant Secretary-Indian Affairs signed a Proclamation, which proclaimed 129 T1015, to be made part of the Jamestown S'Klallam Tribe's Reservation.

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.
2. The Tribe already owns the land as evidenced by the Bargain and Sale Deed³ and the title evidence. The Office of the Solicitor, Pacific Northwest Region, reviewed the title evidence and provided Preliminary Title Opinion BIA-00080561 dated March 14, 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).

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.

³ JKT Gaming, Inc., dba 7 Cedars Casino, a tribally chartered corporation.

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 and office space and storage for the maintenance crew and their equipment for the contiguous Cedars at Dungeness Golf Course.

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 1.96 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. 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 March 6, 2024 and Clallam County ("County") on March 20, 2024. The notices provided 30 days for written response. The State received its Notice of Application on March 11, 2024, and the County received its Notice of Application on March 25, 2024.

Both the State and County 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-00080561 was issued on March 14, 2024, which stated that items 1-3, 5, and 9 in Schedule B, Part II (C) of the title evidence must be satisfactorily eliminated or addressed.

Items 1-3 excepts from coverage various taxes, liens, and assessments. These items should be eliminated from the title evidence and all taxes and assessments, if any, must be paid in full.

Item 5 excepts from coverage—covenants, conditions and restrictions.

Item 9 excepts from coverage—critical area and buffer.

By Tribal Resolution #19-2024 dated March 27, 2024, the Tribe addressed items 5 and 9 of the title evidence.

§ 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.

NEPA

An Exception Checklist for BIA Categorical Exclusions dated April 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 Assessment

A Phase I Environmental Site Assessment (ESA) was completed by Kristen Burgess, EP, LG, of ESA Associates, Inc. (ESAAI) on January 12, 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 April 12, 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.”

Certain components of the ESA report will begin to expire on July 10, 2024, and the Phase I ESA report will expire on January 12, 2025; 12 months from date of issue.

If the fee-to-trust application reaches fee-to-trust *Step 13-Acceptance of Conveyance* and the Phase I ESA report date exceeds 180 days (July 10, 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 Golf Course II Property.

Appeal Rights

This decision may be appealed by any person or entity who is adversely affected by the decision of the Regional Director. Appeals must be submitted to the Interior Board of Indian Appeals (IBIA) at the following address: Interior Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203. The appeals process begins when you file with the reviewing official a notice of appeal, complying with the provisions of 25 CFR §§ 2.205–2.207.

Deadline for Appeal. Your notice of appeal must be submitted in accordance with the provisions of 25 CFR § 2.214 within 30 days of the date you receive notice of this decision pursuant to 25 CFR § 2.203. If you do not file a timely appeal, you will have failed to exhaust administrative remedies as required by 25 CFR part 2. If no appeal is timely filed, this decision will become effective at the expiration of the appeal period. Not extension of time may be granted for filing a notice of appeal.

Appeal Contents and Packaging. Your notice of appeal must comply with the requirements in 25 CFR § 2.214. It must clearly identify the decision being appealed. If possible, attach a copy of this decision letter. The notice and the envelope in which it is mailed should be clearly labeled, "Notice of Appeal." Your notice of appeal must list the names and addresses of the interested parties known to you and certify that you have sent them and this office copies of the notice by any of the mechanisms permitted for transmitting the Notice of Appeal to the BIA.

Where to Send Copies of Your Appeal. If the reviewing official is the IBIA, you must also send a copy of your appeal to the Assistant Secretary-Indian Affairs and to the Associate Solicitor, Division of Indian Affairs. If the reviewing official is the IBIA, your appeal will be governed by the IBIA's regulations, at 43 CFR part 4.

Assistance. If you can establish that you are an enrolled member of a federally recognized Tribe and you are not represented by an attorney, you may, within 10 days of receipt of this decision, request assistance from this office in the preparation of your appeal. Our assistance is limited to serving your filings on the interested parties and allowing limited access to government

records and other documents in the possession of this office. We cannot obtain an attorney for you or act as your attorney on the merits of the appeal.

Sincerely,


Bryan K. Mercier, Regional Director

Digitally signed by BRYAN
MERCIER
Date: 2024.05.09 10:02:44
-07'00'

Bryan K. Mercier
Northwest Regional Director

Distribution List of 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 3911

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

Certified Mail No: 7020 0640 0002 1121 3935

*Public Notice to Acquire Land into Trust – BIA Regional Director Decisions
(for publication in the local newspaper)*

ACTION: Notice of decision to acquire land into trust under 25 Code of Federal Regulations, Part 151.

SUMMARY: The Regional Director, Bureau of Indian Affairs, U.S. Department of the Interior, on the below date, has made a determination to acquire real property in trust for JAMESTOWN S'KLALLAM TRIBE.

The land referred to as former Golf Course II Property property, herein and is described as:

See "Exhibit A" for legal descriptions.

DATE: This determination was made on 05/09/2024.

FOR FURTHER INFORMATION CONTACT: BIA NORTHWEST REGIONAL OFFICE, Bureau of Indian Affairs, 911 NE 11TH AVENUE, PORTLAND, OR 97232, telephone (503) 231-6702.

SUPPLEMENTARY INFORMATION: This notice is published to comply with the requirement of 25 CFR § 151.12(d)(2)(iii) that notice be given of the decision by the authorized representative of the Secretary of the Interior to acquire land in trust.

A copy of the determination is available [at the following website: n/a AND/OR from the office identified in the FOR FURTHER INFORMATION section of this notice]. Any party who wishes to seek judicial review of the Regional Director's decision must first exhaust administrative remedies. The Regional Director's decision may be appealed to the Interior Board of Indian Appeals (IBIA) in accordance with the regulations in 43 C.F.R. 4.310-4.340.

If you choose to appeal this decision, your notice of appeal to the IBIA must be signed by you or your attorney and **must be either postmarked and mailed (if you use mail) or delivered (if you use another means of physical delivery, such as FedEx or UPS) to the IBIA within 30 days from the date of publication of this notice.** The regulations do not authorize filings by facsimile/fax or by electronic means. Your notice of appeal should clearly identify the decision being appealed. You must send your **original** notice of appeal to the IBIA at the following address: Interior Board of Indian Appeals, Office of Hearings and Appeals, U.S. Department of the Interior, 801 North Quincy Street, Suite 300, Arlington, Virginia 22203. You must send **copies** of your notice of appeal to (1) the Assistant Secretary – Indian Affairs, U.S. Department of the Interior, MS-4141-MIB, 1849 C Street N.W., Washington, D.C. 20240; (2) each interested party known to you; and (3) the Regional Director. Your notice of appeal sent to the IBIA must include a statement certifying that you have sent copies to these officials and interested parties and should identify them by names or titles and addresses.

If you file a notice of appeal, the IBIA will notify you of further procedures. If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.

PNRDD01

P; P; 06; 129; 4200432128; 56249; 129T000055

Office Codes: P, P, 06, 129 AD Number: 4200432128 Case: 56249

LEGAL DESCRIPTION EXHIBIT A

Tract ID:

Tract Name: GOLF COURSE II PROPERTY

<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>
3	030.00N	004.00W	WASHINGTON	CLALLAM	Willamette		1.960

METES AND BOUNDS: LOT 3 OF SHORT PLAT RECORDED JANUARY 20, 1992 IN VOLUME 23 OF SHORT PLATS, PAGE 11, UNDER AUDITOR'S FILE NO. 663191, RECORDS OF CLALLAM COUNTY, WASHINGTON, BEING A SHORT PLAT OF A PORTION OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 30 NORTH, RANGE 4 WEST, W.M., CLALLAM COUNTY, WASHINGTON. SITUATE IN CLALLAM COUNTY, STATE OF WASHINGTON.

WDAEA01



Office Codes: P,P,06,129 AD Number: 4200432128 Case: 56249