W. Gary Worthington Attorney at Law

August 15, 2024

The Commissioners & Director Diana Dupuis Washington State Parks and Recreation Commission P.O. Box 42650 Olympia, WA 98504-2650

Re: Cama Beach State Park Decisions and Future Planning

Dear Commissioners and Director Dupuis:

We are writing as former owners of Cama Beach, and as donors to Washington State Parks through our charitable trusts of approximately \$10 million in property value (in 1990s dollars), and well over \$2 million in cash to fund the Master Plan and what eventually became the Cama Center building.

We would first like to say that we very much appreciate that you, the Commissioners, are generously serving with no compensation, other than knowing that you are offering your experience and judgment in the best interests of the people of Washington State, present and future.

When we turned over ownership of the Cama Beach waterfront to the Commission, we turned over a sacred trust – a trust involving the protection of the sole remaining large historic 1930s waterfront family saltwater fishing resort (and also, of course, the protection of the tribal artifacts and remains below the ground surface).

We now fear that the Commission, although with the best of intentions, might soon make a decision based on incomplete information that sets aside that sacred trust and fails to provide this unique National Register treasure, and living museum, the protection it requires.

We believe that the Commission is legally obligated, as well as having a duty to future generations, to protect the historic cabins and other resort buildings and to reopen them to the public in their current location as soon as feasible.

In the agreement dated April 12, 2004, and ratified June 1, 2004, between us and the Commission for the cash donations for what became the Cama Center Building, the parties agreed in Section 13 that among the most important reasons for our Trusts to make the donation was the buildings' intended use in providing kitchen, dining, meeting, lodging, and restroom facilities for members of the public attending educational programs at Cama Beach State Park.

That section also provides that "Educational programs will be a primary and significant purpose of Cama Beach State Park."

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Section 14 of that Agreement states that "the parties understand that one of the most important reasons for the Trusts to make the donation of the buildings is that the activities conducted in the buildings are anticipated to enhance and help ensure the preservation of the adjacent historic resort buildings and related structures. The Commission undertakes to make bona fide and continuing significant efforts to preserve, in accordance with its own Cultural Resources Management Policy, and to interpret to the public, the historic structures and artifacts of Cama Beach."

We consider that agreement to still be in effect and binding upon the Commission and the agency.

Both the likelihood of future sea level rise and the condition of the sea wall were well known at the time of the agreement. Indeed in the first edition of my (Gary Worthington's) book on Cama Beach, published in 2008, on page 107 the past flooding issues were mentioned, as well as the fact that in 2007 the cabins were raised an average of one-and-one half feet in new foundation posts and around two hundred truck loads of fill were brought in and spread in the lowest areas.

The text goes on to say on the same page that "sea level rise due to global climate change may make these improvements even more relevant." (That same text is repeated on page 113 of the second edition of the book which you, as Commissioners, should each have.)

Consequently, projected possible sea level rise and the sea wall condition would not be valid legal reasons to abandon the cabins and other historic resort buildings in their waterfront locations.

The last sentence of the Commission's own Critical Areas Policy appears to be applicable here: "It is recognized that when historic structures or other historic facilities are involved, extra care and expense may be involved in the short term to comply with this policy, but that they will be both responsible and cost-effective in the long-term."

Various alternatives, both "hard" and "soft," exist to protect the sea wall and the resort buildings, and there are many people with expertise that can be brought to bear such as coastal geologists, shoreline restoration managers, and civil engineers, and resources such as the Northwest Straits Foundation. It may well be that a combination of solutions will be best (including, possibly, measures such as raising the cabins again and not making the cabins available for rent during certain predicted King Tide events, and maybe a low dike across the north end of the current resort area following the existing rock wall from the sea wall to the base of the hill).

We believe those solutions, and funding sources such as FEMA, have not been adequately explored, given the supremely important implications of the decisions to be made, including the serious, major long term effects on such a large number of interested parties and constituencies, as well on the land and the buildings themselves.

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It is likely that whatever course of action appears to be the best alternative will be costly and naturally will require permits, as well as an agreement satisfactory to the interested tribes. An experienced person has pointed out that with regard to obtaining permits, Cama Beach actually has an advantage, since it has over a mile of shoreline, most of which can be left to natural processes, as the portion needing repair is a relatively small percentage of the whole. In fact, much of the northern section of the sea wall is already protected by natural accretions of logs, gravel, and shells that are in some places even higher than the wall. This would all be taken into account in evaluating any required mitigation.

We have long felt that the Native American use of the site should be better presented to the public, and we would be very supportive of the tribes being offered an opportunity such as an interpretive long house or other facility in an appropriate location.

The fact that undertaking that project will be difficult, time consuming for the staff, and expensive, does not justify setting aside the obligation and the sacred trust. In our own experience, most things worth doing are indeed hard and take time.

We therefore urge the Commission to:

- 1. Fulfil its obligation to do everything necessary to protect this one-of-a kind historic treasure for present and future generations, including obtaining an engineering study to come up with the alternatives, the permits to be needed, and the likely costs.
- 2. Request an appropriation in the coming Legislative session to fund the project and undertake it as soon as possible, before the historic buildings and sea wall deteriorate further. We will work with the Commission, the Director, and staff, as we did before, to obtain that needed funding.
- 3. Make the necessary water and sewer arrangements to reopen the highly popular cabins as soon as possible in their current locations, making them again available for the public to experience and enjoy, and bringing in revenue.

Thank you.

Sincerely,

W. Gary Worthington, Attorney at Law, and Trustee, Worthington Foundation

Sandra R. Worthington, Trustee, Worthington Foundation