

## Olympia's Plan for Kaiser Woods: Realities versus Wishes

*"The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created."<sup>1</sup>*

"Have you checked your mail today?" a neighbor texted me on March 14.

In my mailbox was a postcard from the Olympia Parks and Recreation Department. As I read it, I felt like I had been gut-punched. OPARD was announcing its plan to develop the 68.67 acre forested natural area above our neighborhood as a "dedicated" mountain bike park.

This is how neighbors living in Westbrook Park subdivision on the west side of Olympia first learned that the site we had worked so hard for six years to protect from three housing projects was going to become something almost as devastating. It depicted a mountain biker barreling down a trail and referred to the park by a name we were unfamiliar with—"Kaiser Woods"—rather than "Park Heights," which is how we had known it. Some neighbors didn't even know it referred to the park at the top of the dead-end main road through our neighborhood. Many neighbors were enraged by it. Some thought it had no relevance to them, so they tossed the card.

The notice was sent to all the residents in Westbrook Park and Ken Lake residents who live within 600 feet of the park. It invited recipients to go to a website called "Engage Olympia" to see a presentation about the park, learn the results of a feasibility study of four parks that were considered for the mountain bike park/facility, and to fill out an online survey using a new untried method of obtaining citizen feedback.

We had been blind-sided by a City decision that would affect all of us and a treasured park (literally in our backyards) with a "fait accompli" development plan into which we had been allowed no input. We were the most affected stakeholder but had been left out of the planning process—while bikers had been sitting at the table with OPARD staff for at least two years.

***"Developments  
never die. They just  
come back in a  
different form."  
Andy McMillan***

Andy McMillan was a wetlands biologist who led the neighborhood's fight to defeat the developments from 2006-2012, while he also was battling bone marrow cancer. Not long after he died in 2014, the City moved a step towards fulfilling Andy's wish to have the site developed as a park when it purchased it for that purpose.

<sup>1</sup> Attorney General Slade Gorton opinion regarding public meetings and government transparency, 1971

## **Deviation from OPARD's Formal Priority-Setting Process**

In 2015, OPARD engaged citizens in a formal priority-setting process via a series of public meetings that identified their preference for “hiking trails, restrooms and swimming opportunities.” In 2016, Elway Research conducted a randomized survey of 700 citizens, who refined those priorities to “hiking and biking trails,” and other preferences like restrooms and swimming opportunities.

The Kaiser Woods purchase was funded partly with a grant from the Wildlife and Conservation Group, a foundation created by former governors Slade Gorton and Dan Evans, in a proposal to “build hiking trails” on the site. In 2018, the City chipped in the other half of the \$1.3 million price with a Capital Funds Program grant (still being paid by Prop 1 taxes), which funded “hiking and biking trails.”

But in 2016, the Olympia Parks and Recreation Plan made a reference that *“Kaiser Woods” could be a good site for off-road bike trails, pending an analysis of the potential impacts on adjacent neighbors; this area could prove (sic) Olympia residents an opportunity for mountain biking within Olympia City Limits.* OPARD’s 2018 request for a City grant mentioned an “off-road mountain biking park possibly at Kaiser Woods. The project will also include design for a restroom, parking area, and entry kiosk. The project will incorporate ways to minimize potential impacts to adjacent property owners.”

## **Where did the idea of a mountain bike park idea come from?**

There was no evidence of broader support by Olympia citizens for a “dedicated mountain bike park” (which is a whole different animal from “hiking and mountain biking trails”) except by three small, well-organized, influential groups of mountain bikers who had long sought a park dedicated for their use. And no analysis of impacts on neighbors took place (as required by the City grant) before the decision to use Kaiser Woods Park as a mountain bike park was made.

Curiously, according to several city officials and contrary to the results of OPARD’s formal priority-setting process, Kaiser Woods “had been purchased with a mountain bike park in mind.”

## **The Express Train that Left Some Important Passengers at the Station**

The morning after the notice arrived, I called OPARD Assistant Director Jonathon Turlove with concerns both about the park and the process that had excluded neighbors. I complained about the blatant bias in the survey: i.e., it was tailored to bikers, based on the foregone conclusion that the park would be a mountain bike park, could be filled out multiple times by one individual and had a short timeframe for response. When I asked Turlove for additional time so our neighbors could learn more about the plan and for me to organize my neighbors to communicate those findings before filling out the survey, he responded: “I’m not going to let you get organized!” My request for a public meeting, so neighbors could ask OPARD questions about the plan, was denied.

After being lobbied by some colleagues, Turlove relented and agreed to extend the survey deadline and to allow a public meeting, both to occur about six weeks later.

Concerned neighbors and environmentalists came to the May 2 public meeting with a long list of questions to ask OPARD staff about the KW plan. (They were outnumbered 10 to 1 by bikers who had been rallied by the local biking organizations, in a meeting designed to suppress questions.) When a long-time Westbrook Park resident tried to ask one of them, she was told that all questions were restricted only to the presentation given by the OPARD planner.

To gather the data necessary to inform others about the park project, I became a more than full-time, over-caffeinated, fact-obsessed investigator. I went digging through Andy McMillan's files on the housing project proposals to find plats, hydrology reports, a traffic study and his notes and correspondence about the site. I met many people in the park to discuss the City's plans and the facts "on the ground." I conducted interviews with mountain bikers, hikers, Westbrook Park and Ken Lake neighbors, environmentalists, state agency specialists, OPARD staff, staff at DNR's Capitol Forest where there are 166 miles of biking trails for all skill levels, park planners from other mountain bike parks in the state, the resource manager of Manke Timberland which owns 800 acres right next to the park riddled with intermediate and advanced trails for bikers.

I studied the feasibility study and site plans of the four parks that OPARD had conducted: Watershed Park, Fraser Trails, Kaiser Woods and LBA Woods. I discovered that staff had inaccurately scored Kaiser Woods on three key criteria, wrongly pushing Kaiser Woods to the top of the list as the preferred site for off-road mountain biking.

After six weeks of intense research, I had gathered enough information to uncover serious issues with the plan. The 2018 feasibility study for the project, for example, had overlooked the two wetlands and two streams on the site, which increased KW's score significantly. The private mountain biking advocacy group, Evergreen Mountain Bike Alliance (hired to produce three plans for the park) didn't address them in their designs, despite having spent many hours studying the site for mountain bike trail potential.

When I alerted OPARD staff about the wetlands and streams, they said they were going to move forward anyway and do the necessary environmental studies later. Surprised, I asked how they could plan a park without first delineating and rating the existing wetlands and streams and determining the size of their required buffers, which would limit the space available for trails? Turlove replied, "Oh, we can mitigate for the wetlands later."

But, according to the Washington State Department of Ecology website, the first step of the state’s mitigation sequence is to *avoid the wet areas in the first place*.

The deeper I dug, the more clear it became that OPARD’s decision was one that required no “ground-truthed” rationale. It had something better--the enthusiastic support of the three local mountain biking organizations OPARD named specifically as the key stakeholders in their roll-out of the Kaiser Woods plan: Friends of Capitol Forest, South Sound Mountain Biking Alliance and Evergreen Mountain Bike Alliance. (The City’s plan is for volunteers from these groups to design, build and maintain the park.)

No mention was made of the two affected neighborhoods (Westbrook Park and Ken Lake), whose representatives had been kept in the dark whenever they inquired about the status and timeframe for the park’s development. They were told repeatedly that nothing was likely to happen at the park anytime soon and that their desire to be involved in the planning process was “premature.”<sup>2</sup> This apparently is unlike other Olympia parks, e.g., the dog park, which was designed in conjunction with neighbors.

A park steward called Evergreen Mountain Bike Alliance with questions about the park concept plans. He was brushed off: *“Just trust us. We know what we’re doing.”*

### **Maybe It’s Not What You Know, It’s Who You Know**

In my investigation, I learned that some key people and groups were aligned with and influenced by the mountain biking park advocates. Two law firms we contacted for legal help declined because of “conflict of interest” due to their association with mountain bikers. Two state agency staff—one responsible for monitoring wildlife on the site, the other for oversight of the KW grant funds—decided not to pursue my concerns about impacts on wildlife or possible misappropriation of the grant monies. (Both acknowledged they are bikers who live within bike riding distance of KW and want the park to happen.)

After one mountain biker spoke at a board meeting, the Ken Lake Homeowner Association board decided to remain “neutral” on the issue, despite the evidence I presented them about the increased risks for flooding, waterborne illnesses, sedimentation, changing water levels and toxic algal bloom in the lake if Kaiser Woods becomes a mountain bike park. Several Ken Lake neighbors told us that bikers had “taken over the board” several years earlier and were blocking any communications about the park from going to their residents. The board president is rumored to be a close personal friend of the most outspoken bikers.

### **The Culture of Mountain Biking**

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<sup>2</sup> As of this writing, neighbors are still being told by OPARD staff that their input is premature.

Mountain bikers are a diverse group, but have a culture with its own ethics, language, beliefs, practices, and attire. Some of their own bloggers describe their sport as high risk, thrill-seeking, expansionist (to acquire more trails on public land), environmentally destructive and addictive.<sup>3</sup> Many bikers wear protective gear such as a full face mask and body armor. Mountain bike parks post signs to warn other users that they should enter the park only “at their own risk.”

Some bikers say they are good environmental stewards. But the premier mountain biking advocacy group in the state (Evergreen Mountain Bike Alliance) says their mission is to acquire as much public land as possible for new trails and that they focus on “sustainable recreation, trail maintenance, advocacy, education, volunteerism and trail building.”<sup>4</sup> One advanced biker said about biking on clear-cut land: “We’re go there for the trails, not the trees.”

Because bikers move faster than hikers, and the risk of collisions with pedestrians is high, bikers have the right of way in mountain bike parks. Many bikers are polite, and don’t want to hurt anyone, but are accustomed to people getting out of their way.

One blogger chastised fellow bikers about a disturbing trend of damaging the environment with aggressive, irresponsible biking and leaving trash and human waste on trails.<sup>5</sup> Research on environmental impacts of mountain biking reveals many reasons for concern about the fragile Kaiser Woods site, which has shallow soils over fractured basalt rock<sup>6</sup> and provides important wildlife habitat.

### **Fast-Tracked Decision-Making Process**

The decision-making process about Kaiser Woods so far has fit right in with some aspects of mountain biking. It has moved fast, seems to have appeared from out of nowhere and expects other stakeholders to just get out of the way. Not unlike other “cults,” bike park advocates kept their planning with OPARD staff secret even from their own members. On Jan. 8, two months before the City announced their plans, a local biker group posted on their website that they had been keeping the plan for the park “under wraps for some time” and complimented the OPARD staff for “stepping up bigtime” to make the park happen.

OPARD staff kept the secret, too. Two long-time KW park stewards were outraged when they first heard about the decision, unveiled at the same time as the flawed feasibility results and a survey designed in a way that skewed results and inflated “vote” counts that give a false picture

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<sup>3</sup> “The Culture of Mountain Biking has Gone Astray,” Mike Curiak Lacey Mine, **Adventure Journal**, May 17, 2018

<sup>4</sup> [https://www.evergreenmtb.org/images/files/EMBA\\_StrategicPlan\\_FINAL.pdf](https://www.evergreenmtb.org/images/files/EMBA_StrategicPlan_FINAL.pdf)

<sup>5</sup> “Opinion: STOP Riding Like This! Ease the Impact of Mountain Biking on the Environment,” Chris Daniels, Singletracks.com, June 29, 2015

<sup>6</sup> Mountain Biking: A Review of the Ecological Effects, <https://www.lib.washington.edu>, Miistakis Institute, Feb 2010

of public support for the plan. “We were lied to,” says Dave Stevenson, a long-time informal steward who lives in Westbrook Park.

### **Some Biker Comments about the Park**

**“Serious bikers will get bored with (the park) quickly, but in the meantime the peace and quiet of our neighborhood will be trashed.”** A Westbrook Park neighbor who mountain bikes

**“I won’t even go into the park to work up a sweat. I’ll just use it to get to Manke Timberland trails.”** An advanced biker/ Ken Lake resident.

**“I don’t want to drive 10 miles to get to mountain bike trails at Capitol Forest.”** Several local bikers and City staff.

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### **Bikers’ Wants versus Neighbors’ Needs**

What survey respondents said they want for “their” park (as many bikers call it) is very revealing about the level of development and usage they think they can have at Kaiser Woods: e.g., campgrounds; a shelter and restrooms for camps by Evergreen Mountain Bike Alliance; showers for bikers and their bikes; dual biking trails; electrical plug-ins for food trucks; an equipped tool shed for bike repairs; a safe spot to take a break; a clear-cut space for the Medivac helicopter to land; and “the fewer rules, the better.”

Perhaps no one has told them there’s no water or power at Kaiser Woods. And that the City is highly unlikely to pay to put any in. The City plans to develop this park “on the cheap,” using volunteer labor and at the expense of the neighbors’ peaceful, quiet setting, their personal safety, security, and property values. Traffic safety in Westbrook Park, already a problem in Park Drive’s four blind curves, will increase if the neighborhood becomes a thoroughfare and overflow parking lot for biker work parties, meets and other large events.

### **Taking the Long-Term View**

As the City moves forward with any more development at Kaiser Woods (it already has hiking and biking trails!), OPARD should take into account some long-term projections that could affect it: 1) the access to Manke timberland trails (one of the criteria for selecting Kaiser Woods

for the mountain bike park) could be foreclosed at any point; 2) if Manke land is sold to developers who are considering building a huge multi-sports park including extensive mountain biking and running trails, Kaiser Woods may be needed as natural space buffer between that facility and the neighborhoods below it; and 3) as anticipated sea level rise floods multi-use parks at the water's edge (like Priest Point Park), we may look back and regret that we over-developed Kaiser Woods for one user group, instead of preserving it for some natural open space and low-impact, multi- use.

## **Genie Rules**

A high-ranking City official told me recently, after I expressed concerns about the process: “We are not going to re-start this process. This genie is already out of the bottle.”

Curious about that metaphor, I looked up the story of Aladdin and his genie. It turns out that there are rules for genies: e.g., they can serve only one master at a time; wishes cannot create chaos or evil; no wish can go against the wish of a previous master; and wishes can be denied.<sup>7</sup>

City staff are public “servants”—and Olympia citizens, their master, have clearly stated our park priorities in a formal process that did not include a “dedicated mountain bike park.”

The mountain bikers’ desire for a park in City limits (as one survey respondent commented) “skates dangerously close to privatization of public land.” The current OPARD plan to grant the bikers’ wish, no matter what the facts on the ground or the park’s impacts on its neighbors, is unrealistic, environmentally destructive, socially irresponsible and short-sighted.

The bikers’ dream park has gained a great deal of momentum with the assistance of OPARD staff. But their wish should be denied and this genie put back in the bottle.

Instead, Kaiser Woods should be used as a multi-use, neighborhood park with open space and some hiking and biking trails, in accordance with the “wishes” of the citizens of Olympia and to honor the environmental legacy of Andy McMillan without whose dedicated efforts to stop the housing developments the City would have no Kaiser Woods Park to develop.

Evonne Hedgepeth, Ph.D., long-time resident of Westbrook Park and widow of Andy McMillan

*For more details, visit [www.evonne.life/resources-and-tools](http://www.evonne.life/resources-and-tools) and scroll down to the blue section for downloadable files with additional information about Kaiser Woods.*

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<sup>7</sup> The Genie Rule Book, wattpad.com