

# PROPOSAL FOR THE LEASE OF THE SEA GATE AND RETENTION POND AREA

## Madrona Community Inc (MCI) Lease Option

Due to Skagit County Land Use Ordinances the option of MCI purchasing the small amount of land necessary to own and maintain the Sea Gate for water management purposes of the fresh water wetlands from the DNR most likely will not happen.

MCI in the long term **should be allowed** to manage the water entering and leaving the fresh water wetlands to let the DNR accomplish **their stated goal** of removing the Cook related structures and reconstructing any damage to the environment in doing so and then exiting the property and never to come back.

Allowing MCI to manage the water entering and leaving the freshwater wetlands via the Sea Gate assures that the current eco-system (fresh water wetlands) will be protected and the investments and values of the MCI properties and infrastructure will be maintained in both the short and long term.

A viable long term solution to the water management issue impacting MCI and the DNR would be to negotiate a long term **non-cancellable lease** with the DNR.

- Execute an original 99 year lease acceptable and beneficial to both parties.
  - Within the lease would be an automatic additional 99 year lease so long as any portion of MCI exists in Strawberry Bay.
  - Any changes to the lease must be mutually acceptable, if one party disagrees then the original language and intent shall prevail.
  - The lease reimbursement to the DNR would be 1 (one) payment for each 10 year period as is the current Road Use Permit.
    - Any increases to the lease payment will not exceed 1% of the last agreed 10 year payment amount and be enforced on each 10 year anniversary there after.
- The terms of the lease will allow MCI personnel, contractors, sub-contractors and equipment to access the lease property for the purpose of maintenance of the Sea Gate, the Sea Gate pond area and the seaward berm and outfall.

Insurance such as liability and all the other types of insurance found to be necessary will need to be investigated and negotiated with the short and long term goal of allowing MCI to manage the water issue for the mutual benefit of the parties.

A personal observation after dealing with the DNR for over 30 years, they can customize the agreement "Boiler Plate" to the benefit of both parties and that is what we are looking for...hopefully they want a good outcome as well.

This document is being offered by Alan Clarey a 50 year resident of Madrona Estates Inc. as a working example of how the DNR can co-exist with MCI...**and demonstrates that there is not a need to convert the existing fresh water wetlands that has been documented for centuries into a salt water wetland.**

Respectfully,  
Alan D. Clarey  
December 2, 2023