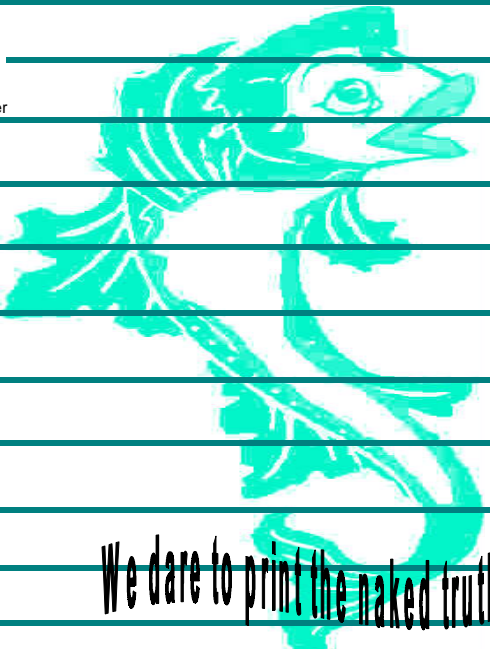




We Remember



We dare to print the naked truth!

The Naked Fish

COUNTY'S EXPERTISE IN BEST AVAILABLE SCIENCE

"EQUAL TO HIGH SCHOOL BOOK REPORT"

Recent changes by the state legislature to Washington's Growth Management Act (GMA) have mandated the use of "Best Available Science" when cities and counties develop regulations to comply with the GMA. The recently proposed Critical Areas and Stormwater Ordinances purport to be part of King County's response to that mandate. A recently completed technical review of those ordinances by private sector scientist Dr. Teresa Zeitler disagrees.

Dr. Zeitler reviewed over 1500 pages of relevant documents including the Tri-County Model 4(d) Rule Response Proposal and Biological Review upon which much of the proposed regulation in the new ordinances is based. Much of the "Best Available Science" used was originally gathered as part of that Tri-County proposal. Dr. Zietler is quite succinct in her assessment of that science.

"The importance of the GMA's requirement for use of 'Best Available Science' cannot be overemphasized in development of county regulations. Unfortunately, it is not always easy for a layperson, a regulator, a lobbyist, or a politician to truly understand just what this phrase means. It's neither realistic nor appropriate for those without sufficient technical background to be charged with the task of writing regulations that encompass diverse scientific concepts. **This paves the way for significant errors, inadequate and nonsensical solutions, and even unsound or dangerous practices** ³. [emphasis ours]

"It is equally inappropriate for those without a critical research background to compile and report scientific infor-

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Democracy must be something more than two wolves and a sheep voting on what to have for dinner. —James Bovard

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Thinking cannot be carried on without the materials of thought; and the materials of thought are facts, or else assertions that are presented as facts. A mass of details stored up in the mind does not in itself make a thinker; but on the other hand thinking is absolutely impossible without that mass of details. And it is just this latter impossible operation of thinking without the materials of thought which is being advocated by modern pedagogy and is being put into practice only too well by modern students. In the presence of this tendency, we believe that facts and hard work ought again to be allowed to come to their rights: it is impossible to think with an empty mind.

J. Gresham Machen

The Naked Fish is published by May Valley Environmental Council (MVEC) a non-profit community group dedicated to sensible environmental management of private property. Articles in *The Naked Fish* cover subjects of concern both to local and national readers. We try to provide environmental information not commonly found in the major media. Articles with by-lines reflect the research, views and opinions of the author which may not reflect positions on the issues adopted by MVEC.

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BUREAUCRACY SUCKING OUR LIFE BLOOD

By Preston Drew

As I see it, relations with landowners, especially rural landowners, and the King County regulatory establishment have never been worse. There is a widespread perception that fairness left us long ago. A reasonable balance of public interests and private rights does not exist. Landowners are being forced to bear the brunt of disproportionate costs and regulation. Voluntary compliance is low. Unpermitted activity is rampant. Housing costs are excessive. The new critical areas ordinance increases regulation in many areas, which will only exacerbate this already poor situation. What this is really about is money, power and control. Job creation in the form of overbearing bureaucracy. Bureaucracy at all levels is sucking the productive lifeblood out of our society.

I first became involved in local land-use policy in 1999 when I received a letter from the county informing me that my Snoqualmie Valley property was "critical habitat." They wanted to downzone me even though I had already been downzoned twice. My wife and I never planned on developing a subdivision, but with the new zoning we would lose forever the option to build even a second home on our 20 acres. We decided to fight. With neighbors, and eventually many people, the downzone proposal was defeated and did not become part of the 2000 King County Comprehensive Plan. During this effort, I became familiar with land-use policy and implementation. I have had discussions with hundreds of people over these years concerning all aspects of land use, property rights and environmental issues. Scarcely a day goes by that I don't hear an opinion. In my work as a contractor, I see the negative economic impacts of land use over-regulation.

A major part of the Critical Areas Ordinance (CAO) is increased buffers around wetlands and streams. A buffer is not a critical area. It is otherwise usable land that has the misfortune of being in the vicinity of "critical" land. A landowner with category 1 wetlands would have to provide a 300-foot buffer. Three hundred feet of land from any critical area boundary. If the critical area is a stream that runs through the prop-

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HUMAN INTEREST STORIES WANTED

The editors of *The Naked Fish* wish to provide more local interest items in this publication. The items can be either news — births, deaths, marriages, accidents, etc. — or human interest type stories about local residents. Please send anything you think would be of interest to our readership to:

nakedfish@maycreek.com

or

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COUNTY'S EXPERTISE IN BEST AVAILABLE SCIENCE

EQUAL TO HIGH SCHOOL BOOK REPORT

(Continued from page 1)

mation under the guise of 'Best Available Science' when such efforts can truly represent no more than the equivalent of a high school or undergraduate 'book report'⁴. Citing technical references has no merit whatsoever if the context and applicability of the references is not understood, if the credentials of the source cannot be objectively evaluated, and if the selection of references is not comprehensive or judicious.

³ Technical Review of Proposed Updates to King County Critical Areas and Stormwater Ordinances, January 2003.

⁴ This is the level of "expertise" embodied in the Tri-County Model 4(d) Rule Response Proposal."

Dr. Zeitler included a list of conclusions in the summary to her technical review. They are reprinted verbatim in the bulleted text that follows:

- ◆ Many of the proposed ordinance changes were produced under the guise of meeting the state-mandated requirement that "Best Available Science" be used in developing policies and regulations to protect critical areas. Although the state mandate is not absolute, it is clearly interpreted as such by developers of the proposed ordinances, which contributes to an unduly conservative and preemptive approach taken for land use, particularly in rural areas. This is in spite of the fact that *no scientific analyses of the effectiveness of the existing code were performed*. There were no efforts to quantify or otherwise determine where the existing code was working or where it needed to be improved.
- ◆ No scientific analysis of the likely effectiveness of the proposed ordinance changes was conducted. No efforts to quantify or otherwise validate the proposed changes were made.
- ◆ While claiming to represent a balance between environmental and economic considerations, *the proposed ordinance revisions were developed without any economic analysis* of potential impacts, either short- or long-term.
- ◆ The Tri-County Model 4(d) Rule Response Proposal, which is behind many of the proposed changes, *is not based on "Best Available Science"* as spelled out in Washington Administrative Code

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Lifeblood

(Continued from page 2)

erty, the buffer (maximum 165 feet) applies on each side. The landowner must provide a signed and notarized document that is recorded by the county, much as a deed would be. This is viewed by most landowners as an uncompensated taking of private property.

The Fish and Wildlife Conservation Areas provisions of the CAO proposal include the preservation of a permanent 325-foot buffer around a tree that has a nesting Red Tailed Hawk. That's over seven acres of land lost to a bird in great abundance. There is no stress on this population. They are everywhere. Same with the Pileated Woodpecker. If a landowner has deer or elk on their property, they may be subject to restrictions and be forced to submit to, and pay for, wildlife studies.

The clearing limit proposals establishes a new low for the institutional planners down there at the county building. If this one goes through then I will be forced to

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**MVEC meets every
Monday at 7 PM at
Leonard's Bar and Grill
See you there!**

Lifeblood

(Continued from page 3)

draft and send some form of declaration that I am a free person and that the property I own is indeed mine. The county wants to limit clearing to 35 percent of the total land area and then force the owner to place the balance of his/her property in a conservation easement. The proposal further dictates the land uses allowed within the uncleared property. This simply can not be allowed to happen. If it does, it will not indicate that socialism is coming, but that it has already arrived.

The subject of private property rights versus the public interest has been debated since the beginning of this nation. It was so important to the founders that they included a provision in the Fifth Amendment to the Constitution that a taking of private property for public use required compensation. There exists an indirect taking, by regulation, when a landowner is forced to ask permission for virtually any activity on their property, and then be forced to surrender basic property rights to secure that permission. Proposals that include such provisions will foster continued distrust of government.

Just because you do not take an interest in politics doesn't mean politics won't take an interest in you.

—Pericles (430 B.C.)

COUNTY'S EXPERTISE IN BEST AVAILABLE SCIENCE EQUAL TO HIGH SCHOOL BOOK REPORT

(Continued from page 3)

(WAC) 365-195. Not a single characteristic of a "valid scientific process," as outlined in the state code, can be claimed for the Tri-County Model Proposal, or for the Biological Review that was performed of this model.

- ◆ Numerous mistakes are found throughout the proposed ordinances. Many of these represent significant errors in technical issues and definitions. Many could have dangerous or unintended consequences. All of the errors contribute to a confusing and technically inadequate product—and one that is clearly not "Best Available Science."
- ◆ The proposed ordinance revisions exemplify a fundamental conflict between code-based regulations and good science, by promoting arbitrary criteria over site-specific, genuine scientific information. Particularly where natural processes are concerned, *it is inherently impossible to accommodate "Best Available Science" through regulations based on arbitrary definitions and restrictions.*
- ◆ The Federal definitions and mandates of the Endangered Species Act that limit "take" of Chinook salmon and bull trout have been distorted in translating this limit into the Tri-County Model and the proposed code changes. Based on the make-up of the Tri-County Coalition and the type of literature that was used to develop the Model, this appears to have been done to support an agenda that has little basis in scientific fact, no basis in economic realities, and no justifiable mandate per Federal requirements. An underlying political agenda is strongly suggested in some of the literature put forth by the Tri-County Coalition.

She addresses "Best Available Science" concepts, including the legislature's intent, at length in her report. Again in her words:

"The legislature's intent behind requiring use of 'Best Available Science' was to guard against biased studies and non-factual information that might be promoted by individuals or groups with vested interest in a particular outcome.

"While the intention is commendable, the phrase has been variously interpreted and defined, lending to overall confusion on the issue. To some extent, this is a function of trying to precisely define a difficult phrase that can legitimately claim various meanings.

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BEE KEEPING AND DITCH DIGGING

By Douglas Bandelin

Eureka! I have discovered something. A truth, perhaps a reason, a primary motivating reason for the insanity of my time.

Consider the paradox of Zeno. It's 300 B.C., somewhere in the Aegean. Two philosophers sit in the shade under an olive tree. The sun is slowly crossing the sky and the shade line is moving. Soon the two men will be in the sun. The hot Mediterranean noon-day sun. It will bake their brains inside their bald heads (all Greek philosophers are bald). They must move. But there is a problem.

The problem is that Point A, where they are sitting, is some distance from Point B, in the shade. The real distance is not too important. But let us say Point B is 20 paces from Point A, 20 steps away. But also it is 40 half steps, 80 quarter steps, 160 eighth steps, and so on. In fact, there is an infinite number of fractions of steps between Point A and Point B.

That is, infinite. Yes, I said infinite. Now, infinity is a number too big to count, too big to imagine. And here is the problem, because, as we all know, to be in

a point one has to be stationary, and it takes time to go through an infinite number of points. How much time? Well, let's see. If the points are infinite then the amount of time needed would be infinite as well. And so the quandary.

As their bald heads begin to bake in the Mediterranean sun, the philosophers try to think of a way they can get to the shade. No matter how hard they think, the problem is unsolvable. They are in an infinite loop, a pattern of thought that always feeds back on itself.

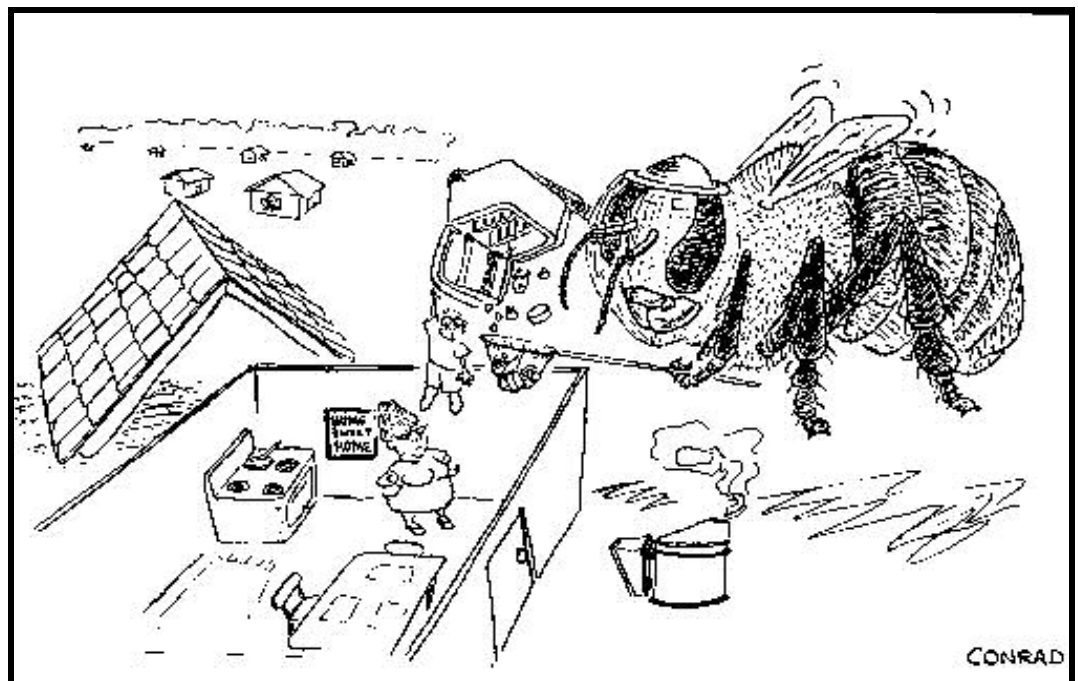
The two men sit. The sun cooks their heads. They ponder, and still this problem of infinity keeps them glued to their chairs.

Meanwhile Mrs. Zeno, who has long been used to her husband's silliness, sends her oldest son to get a beehive from the beekeeper on the far side of the village. Soon he returns, and Mrs. Zeno directs him to throw the hive at the two men, who immediately get up and not only run into the shade but continue to a nearby river and take a cool dip.

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PROPERTY RIGHTS PAC

Several residents of Enumclaw have taken the lead role in forming a political action committee dedicated to promoting and protecting property rights. When 125 people, instead of the expected 20, showed up for the first meeting, they took it as a sign to proceed. A small committee has been charged with getting the PAC organized and ready to go. Steve Hammond, President, Ron Mariotti VP, Derek Schroeder, Secretary and MVEC member Laurel McFarland, Treasurer, are the initial officers. The next main meeting has been set for Thursday, April 3, at 7:30 at the Enumclaw Sales Pavilion.



Hive Harvest on the Planet of the *Apis*

YOUR MISSION, SHOULD YOU CHOOSE TO ACCEPT IT

Monday, March 10, 2003, could have been an important day for unincorporated King County but, unfortunately, Mr. Phelps did not show up. The new King County Commission on Governance met for the first time on that day. The Commission is charged by the King County Council with taking a comprehensive look at King County government and making recommendations of any changes that might be needed. Ostensibly, every aspect of King County government is fair game.

King County Executive Ron Sims, King County Council Chairwoman Cynthia Sullivan, County Prosecutor Norm Maleng, and presiding Superior Court Judge Richard Eadie were assigned the task of picking the commission members. [Text from the King County web site that announced the appointments to the commission is listed in its entirety at the end of this article] As you would expect, the cities, big labor, big business, social services, minorities and even the courts are represented. No representative from unincorporated King County made the commission nor was there any sign that one was even considered. The urban elite in King County have once again ignored their local government function in their rush to provide ever expanding regional services to the urban areas.

The Commission's mission is, of course, impossible. They will meet 24 times for two hours. That is 48 hours to take an in-depth look at the bowels of King County government and come up with constructive suggestions for repairs. This should be a standing commission with rotating members charged with the perpetual task of recommending improvements, not a one-shot, half-hearted political maneuver.

It appears that it will be a Herculean task just to get most of them in a room at the same time. Of the eight members appointed to the nine-member commission, only six were there for the whole meeting. One was out of the country and one had to leave after twenty minutes because of jury duty. They spent some time discussing the necessity of teleconferencing for future meetings. They spent most of the first two hours trying to figure out how to hire administrative and research help with the \$50,000 provided by the Council.

Most of the members present for the first meeting seemed to be reasonably intelligent and well intentioned. They did resist somewhat the considerable steering pressure applied by the two Council staff members there to "facilitate" the meeting. It seems that County staff uses that tactic at all levels. There did seem to be a total lack of homework on any of the issues they are charged with looking at. They are obviously used to

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BEE KEEPING AND DITCH DIGGING

(Continued from page 6)

Mrs. Zeno smiles and turns to her son. "Some problems cannot be solved by thinking, but must be dealt with by doing," she says, then turns to finish the pita bread for dinner.

But back to my problem. King County Government has discovered scholasticism—thinking without doing—and loves young minds who spend their lives thinking and writing reports. It comes naturally to those folks. After all, what did they really do all those years in school?

Listen, people. Cleaning a ditch is really, really, really easy! Hardly worth \$80 a foot, let alone the \$600 a foot that it cost the county taxpayers the last time it was tried. Now my problem boils down to two questions: Where can I get a beehive, and where do I toss it?

The poem entitled "Found Once Again" in the February issue was written by L. E. Cornelison. Unfortunately, Mr. Cornelison's name was spelled incorrectly. We have another of his works in this issue and have taken pains to get his name right.

Government is the great fiction, through which everybody endeavors to live at the expense of everybody else.

—Frederic Bastia

YOUR MISSION, SHOULD YOU CHOOSE TO ACCEPT IT

(Continued from page 7)

having staffs available to sift and filter the information reaching them. It is likely they will consume several meetings trying to learn the background of the various issues. Surely there are equally qualified folks in this county who keep abreast of these issues.

At this point the only mechanism in place for input from anyone but staff are two public hearings which are not yet scheduled. The taxpayers who pay the three billion dollars that County government spends yearly will get our traditional two minutes each. Commission member Richard Derham was the only member who acknowledged that there are groups outside of government that would have useful information. Hopefully, the Commission can quickly establish a method for such groups and knowledgeable individuals to provide input. It would be a shame to ignore the very ones who do their homework on the issues.

The next meeting of the Commission is scheduled for Thursday, March 27, 2003, from 1:00 to 3:00 p.m. in room 216 of the King County Administration building located at 500 Fourth Ave.

The text from this point on has been taken directly from the King County web site at http://www.metrokc.gov/mkcc/News/2003/0203/JP_KL_governance.htm.

The review of the structure of

county government continues with today's unanimous confirmation by the Metropolitan King County Council of eight appointments by the County Executive to the King County Commission on Governance, the panel that will take the most comprehensive look at county government since the approval of the King County Charter.

"Since this commission will be dealing with some very difficult and challenging issues, we want it to be as independent, as open, and as apolitical as possible," said Councilmember Julia Patterson, prime sponsor of the ordinance that created the commission. "We know there are no easy solutions to the challenges facing the county, but this commission can be a strong first step in coming up with the answers to help us restructure the system so we can more effectively meet the needs of the people of King County."

The commission members were selected by a committee comprised of the County Executive, the Chair of the County Council, the Prosecuting Attorney and the Presiding Judge of Superior Court. The Executive appointed the commission members, subject to council confirmation.

The members of the Commission on Governance are:

Mark Endresen is a Benefits Consultant for the Teamsters Representatives Retirement Plan. He has been a Research Director for

the Joint Council of Teamsters and served as an economist for the Seattle Professional Engineering Employees in Aerospace (SPEEA).

Richard Derham served as a Commissioner on the 2001 State Redistricting Commission. Derham is on the Board of Directors of the Washington Policy Center and has served as president of the Seattle-based think tank.

Dave Gering is the Executive Director of the Manufacturing Industrial Council of Seattle, a non-profit association of industrial businesses from throughout the city that promote the city's industrial job base, including the development of municipal and regional support for the infrastructure necessary to sustain it.

Steve Goldblatt is Associate Dean for External Affairs in the College of Architecture and Urban Planning at the University of Washington. He has served as President of the Associated Schools of Construction, the first chair of Sound Transit's Citizen Oversight Panel, and a member of ST's Central Link Project Review Committee.

Anne Levinson served as the chair of the Washington Utilities and Transportation Commission, leaving the position in 1999 to help establish Seattle's Mental Health Court, where she was the Presiding Judge. Levinson has recently been working as Special Counsel for the Special Committee on Adolescents in Need of Long

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YOUR MISSION, SHOULD YOU CHOOSE TO ACCEPT IT

(Continued from page 8)

Term Placement, the panel that help develop policy and recommendations for reform of the state's delivery systems for foster care youth with complex needs.

Sharon Maeda is on the Board of Global Ministries of The United Methodist Church. Prior to joining Global Ministries, Maeda was the Director of the Seattle Community Development Partnership and served as a Community Outreach Officer for U. S. Department Housing and Urban Development.

Bill Ptacek has served as Director of the King County Library System since 1989. He's responsible for a system that has 42 community libraries and an annual circulation of over 15 million items. Ptacek is chair of the Developmental Disabilities Committee for King County and President of the Bellevue Rotary Club.

Steve Williamson is the Executive Secretary-Treasurer of the King County Labor Council and serves on the board of the Seattle-King County Workforce Development Council.

The purpose of the commission is to study and assess the current structure of King County government and make recommendations to the executive and the council on a number of issues including:

- ◆ Examining general fund expenditures and possible changes to the county's revenue structure.
- ◆ Deciding if there should be a dedicated revenue source for the criminal justice system, including funding for human services programs that reduce

recidivism.

- ◆ Determining if elected county officials should be partisan or non-partisan.
- ◆ Determining if any elected county official should be elected or appointed.
- ◆ Potentially changing the size and structure of King County government, including all elective county offices.
- ◆ Potentially changing the size and structure of the King County Council, including the number of councilmembers, staffing and salaries.
- ◆ Looking for increased efficiencies within the structure of county government.

"We were looking for a wide range of experience and expertise, with a commitment to making the county government more efficient," said Councilmember Kathy Lambert. "What we're asking these individuals to do will be comprehensive and they're all eager to get to work."

Commission members will meet to decide their organizational structure and operations, and are expected to present their recommendations to the County Council by March 31, 2004.

Read more about the commission on the King County Council's LEGISEARCH system at <http://mkcclegisearch.metrokc.gov>. Type in "2002-0436 and "2002-0608" through "2002-0616"

Deputy Executive Calvin Hoggard Takes Tour

The much anticipated meeting and tour with Deputy King County Executive Calvin Hoggard took place on March 10. He was accompanied by Water and Lands Resource Division head Daryl Grigsby. MVEC appreciates very much that he took the time to learn about our dilemma.

Ten MVEC members attended the meeting as well as John Walsh from Panther Creek. Mr. Hoggard listened attentively but tended to repeat the standard County line of the State and Feds make us do it. Subsequent telephone conversations indicate that he does indeed see the very real problems in the valley and is willing to pass his concerns on to Ron Sims.

Synthetic Trees

(Continued from page 5)

to Dr Lackner, synthetic trees could help clean up an atmosphere grown heavy with carbon dioxide, the most abundant gas produced by humans and implicated in climate warming. He predicts that one synthetic tree could remove 90,000 tonnes of CO₂ in a year - the emissions equivalent of 15,000 cars. "You can be a thousand times better than a living tree," he said.

For now, the synthetic tree is still a paper idea. But Dr Lackner is serious about developing a working model. His efforts suggest the wide net of ideas cast by scientists as they face the challenge of mitigating climate change. Dr Lackner believes that carbon sequestration technology must be part of the long-term solution. Global reliance on fossil fuels would not decrease any time soon, he said, and developing countries cannot be expected to wait until alternatives are available.

The technology calls for two things: seizing carbon and then storing it. Direct capture of CO₂, from power plants for example, is the simplest, according to Dr Lackner. But this doesn't work for all polluters. A car can't capture and store its carbon dioxide on-board; the storage tank would be too large. "It's simply a question of weight," he said. "For every 14 grams of gasoline you use, you are going to have 44 grams of CO₂."

The alternative is to capture emis-

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AN OFFICIAL OF THE GOVERNMENT SAID

By L. E. Cornelison

An official of the government said:

Those statements are most certainly lies.

Pure slanderous rumours. It is a minor skirmish.

A police action. Our troops should be out of there in a few weeks. Your brave sons and daughters have our newest and most advanced technologies of warfare. We have such beautiful weapons. Remember that God is on our side.

A Senate Committee has begun an inquiry into the matter.

An official of the government said:

Accidents happen. We'll put people to work cleaning it up.

Major population centers are not threatened at this time.

We will dispose of it out West somewhere. On an Indian Reservation or on an earthquake fault. Perhaps near a good water source. A panel has been formed to look into the matter right after the coming holidays are observed.

An official of the government said:

He was a foreign leader who made trouble for our business ventures. He had to be gotten rid of. We will pick the leader they need to run their country.

We will pick the religion they need. We will put people to work there. Yes

It is true a handful of innocent women and children were

murdered, but we were able to field test our newest weapons.

A Senate sub-committee will begin an immediate inquiry into the matter.

An official of the government said:

Simulated bread and milk will be distributed to all those

below the poverty line. Each household place said items

on a kitchen table and pretend to be full. One size fits all,

and there are now assorted colors. Rental fire wood will also

be made available. Each household piles the wood next to the

side of said dwelling and pretends to be warm. A House sub-

committee has been chosen to look into the matter next week.

An official of the government said:

The once secret program of severed heads kept alive is now

open to the general public. Reserve your family shelf-space

now. This is a first-come first-serve basis only, and financing

is available. Multi-dimensional television and a full selection

of medications are available. Veterans welcome. Shelf-space

is available in all regions. A panel to make an inquiry of this

pioneering project is being chosen as we speak.

An official of the government said:

Lobotomies will be free again this month. The public should

be prepared for long lines. Each participant will receive one

free flag. Also announced is the program to bury the dead under

major freeways, so that all people can take an active part in

the road to destruction. Delays on major routes should be

expected. Officials of the government could not be reached for comment.

Synthetic Trees

(Continued from page 10)

sions from the wind. In this case, a synthetic tree would act like a filter. An absorbent coating, such as limewater, on its slats or "leaves" would seize carbon dioxide and retain the carbon. Dr Lackner predicts that the biggest expense would be in recycling the absorber material. "We have to keep the absorbent surfaces refreshed because they will very rapidly fill up with carbon dioxide," he said. If an alkaline solution such as lime-water were used, the resulting coat of limestone would need to be removed.

Dr Lackner is considering other less-alkaline solutions to prevent carbonate precipitation. "There are a number of engineering issues which need to be worked out," he said. A synthetic tree could be planted anywhere. A small one could sit like a TV on the lawn to balance out the CO₂ emitted by one person or family. He estimated that 250,000 synthetic trees worldwide would be needed to soak up the 22 billion tonnes of CO₂ produced annually.

But not everyone is rooted to the idea. Massachusetts Institute of Technology engineer Howard Herzog thinks Dr Lackner's design will not hold together on the scale he proposes. He said you would expend more energy in capturing the CO₂ - in keeping the slats coated in absorbent and disposing of it - than you would save. "Once the solvent captures the CO₂, it holds it on tight," said Dr Herzog, "and it's going to take a lot of energy to break those bonds." He said that much more research was needed on the technology.

"The idea of air capture is seductive and would really be great to have," said Dr Herzog, "but it's important to separate out the concept from the technical details."



"Forty days and forty nights of rain? What about the environment?"

Letter to King County

The assertion that King County is revising its critical areas and storm water regulations to comply with state and federal laws is highly misleading. It constitutes an attempt to place the blame for the CAO on the State and Federal governments. We strongly suspect that King County bureaucracy is responsible for most, if not all, of the new requirements of the CAO. Unless the county can prove with scientific certainty that the water quality in the rural and suburban areas is declining, there is no justification whatsoever for further regulations.

The proposed CAO regulations should be discarded and the present Sensitive Areas Ordinance be revised to reflect ONLY those requirements directly and specifically related to new federal and state requirements. Further, these requirements should be clearly cited.

Neither the CAO nor its predecessor, the SAO, addresses the major polluters of our waterways: water runoff from paved-over areas of parking lots, roadways, and city and suburban activities that are in many cases simply ignored. Moreover, the county exempts itself from the CAO, which seems odd if it truly believes in its crusade to clean up the environment. And in many cases the cities within King County are either ignoring the rules imposed by the SAO, or, worse yet, operating under guidelines in direct opposition to the CAO (Aren't they subject to state and federal requirements?).

(Continued on page 12)

Letter to King County

(Continued from page 11)

Exactly what is meant by the term "the best available science"? The definition should be established by the real scientific community, not by so-called scientists or experts under direct governmental control and influenced by legislative purse strings that allow government bureaucrats to interpret it's meaning.

The CAO will grant the county even greater control and use of private property in the rural and suburban areas and the county will not have to spend a single dollar of its funds for these takings. This is an extremely important issue to the people owning and living on lands within the county's jurisdiction, and yet it is taken so lightly by the bureaucrats in power. This is clear enough judging from the provisions of the SAO, not to mention the much more threatening CAO. The proposed CAO tilts the control of our lands to the scientist and regulators. Is that really what the rural property owners desires, deserves and yes, paid for?

As a rule of law, the public has a right to know what the law demands. Yet the public knows little about the present SAO and how it seriously affects their lives and properties. The new CAO, which restricts even further our basic Constitutional rights, is being thrust upon us with even less of an opportunity to consider its full ramifications before it is too late. Common sense or lack of knowledge of the CAO's contents will do nothing to protect the innocent

GROWTH MANAGEMENT DESTROYING FARMS

By The Honorable Mary Margaret Haugen

[The following article contains excerpts from an article originally published as a Guest Comment in the March 7, 2003, issue of the Capital Press.]

I helped write Washington state's Growth Management Act in 1990 because I wanted to save the last of the Skagit Valley's rich farmland before it was erased forever by suburban sprawl. Now the law that was meant to preserve these farmlands is being used to destroy them.

In recent years, overzealous state agencies have gone beyond the GMA's original intent by trying to "restore" the land practically to its pre-farming, pre-European settlement condition. The GMA requires farmers to prevent runoff by leaving natural buffer zones between their land and rivers and streams, but they are now being forced to render large portions of their land useless by planting additional trees and shrubs where they don't naturally exist.

There's also a move afoot by the Department of Fish and Wildlife to breach the tide gates that keep salty Puget Sound water out of thousands of acres of fragile coastal farmland. If Fish and Wildlife succeeds in replacing the county's 30 existing tide gates with ones that allow saltwater and fish into the drainage system at high tide, 30,000 acres of farmland in the Skagit delta would become unusable from salt damage. Needless to say, saltwater and farmland don't mix.

But fish and farmland do mix - as they have for more than 100 years. A private farmer who's familiar with the sensitivity of the land is much more willing and able accommodate salmon habitat. But if a farmer can't make a living because the land can't be farmed, the farmer will be forced to sell to a developer who will be much less concerned about the salmon's best interests.


Fish and Wildlife's goal is an admirable one. But tampering with a century-old drainage system and ruining mile after mile of priceless farmland isn't the answer.

Mary Margaret Haugen, D-Camano Island, is a Washington state senator who represents Island County and portions of Skagit and Snohomish counties, including the cities of La Conner, Oak Harbor and Stanwood.

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A MESSAGE FROM THE PRESIDENT

JIM OSBORNE

This last month has been good for MVEC for the most part. The CAO has been sent back to be re-drafted by orders of King County Executive Ron Sims. He has obviously recognized the political problems the proposed CAO would cause him in light of the diversity of opponents coming forward to fight the ordinance. Hopefully, he also recognized the many technical faults and inequities contained in the proposal. The new proposal is supposed to be out on May 15th and the public comment period will be from May 15th to June 16th.

On March 12th we met with Deputy King County Executive Calvin

Hoggard and Water and Land Resources Director Daryl Grigsby. We took them on a tour of our valley and I think Mr. Hoggard got a pretty clear picture of how we have been wronged by the county. One statement was made that I think really hit home; "Do you think the people that settled this valley were dumb enough to build their houses on a swamp?"

And now for the not so good news. Flood waters this year seemed to rise faster than I have ever seen. Dick Colasurdo said he has never seen the water this high before.

DNRP staff have indicated in recent conversations that they are going to spend our \$250,000 on

projects of their choosing whether we like it or not. When I asked what they intended to spend the money on, I was told they would study above SR 900 and see what they could do there. So much for taking a sensible approach. After all, it's hard to grow a bureaucracy if you just do the work and don't study it to death.

In closing, I make this plea to the county. Let's get back to the table and get this ditch cleaned. It's not hard and everybody wins. We get back our pastures, the salmon come back, and the people in the canyon get relief because we will have some absorption that will keep the water from flowing down on them so fast.

*The Naked Fish, published by
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