

Residents for Preserving Quality of Life on Hood Canal
P.O. Box 205
Tahuya, WA 98588

September 13, 2003

RE: Port of Tahuya Public Access Plan

Dear Resident and/or Taxpayer,

The purpose of this letter is to inform all readers in a summarized fashion of the concerns, facts and opinions surrounding the Port of Tahuya Public Access Plan controversy. In addition, it is our intention to provide you with enough information so that you can formulate your own opinions and contribute to resolving this conflict in which our Port finds itself. We have also included our August 14th, 2003 letter which was served on the Port Commissioners at the beginning of the August 20th Port of Tahuya meeting.

The following is a brief summary of the past, present and future of the Port of Tahuya.

The Port was created in approximately 1925, designed to operate as a commercial port supporting the logging industry. Upon completion of the logging the Port had little activity. In 1984 a comprehensive plan was created and little activity occurred until the 1990's. In 1993, the Comprehensive Plan was revised to comply with the state Growth Management Act. This plan is still current and in effect today. Aside from Menards Landing at Rendsland Creek it appears the port has no other facilities or real property. With an annual budget of approximately \$25,000.00 and a bank account of about \$180,000.00, all of which we believe is Tahuya Port District taxpayer money, the Port finds itself with the question of what to do with the money. This brings us to our current situation with the Port of Tahuya spending over \$12,000.00 to create a **public** access plan. It appears that the primary purpose of the public access plan is to qualify the Port for obtaining grant money. The Residents for Preserving the Quality of Life on Hood Canal are opposed to the contents of the plan adopted by the Port Commissioners on August 20, 2003, and to the way in which the plan was formulated with little community input (please reference enclosed August 14, 2003 letter).

On August 20, 2003 at the Port of Tahuya meeting the Port Commissioners were served with a civil action suit filed in Mason County Superior Court. This lawsuit was filed because the residents who attended the Port meetings in July requested public documents to assess and comment on the plan at the scheduled August 20, 2003 Port meeting and the Port Commissioners did not provide these documents in a timely manner. In addition, the Port Commissioners adopted the Public Access Plan without consideration of those opposed (approximately 120 people).

It is the Port Commissioners expressed intention to initiate implementation of the Public Access Plan as soon as funds become available (reference page 1 question 6 DNS). Because the Port Commission has not been responsive to citizen concerns, we have had no recourse except litigation to reverse the adoption of the Public Access Plan and convince the Port Commissioners to listen and act upon the will of the residents.

RELEVANT CONCERNS: (PUBLIC ACCESS PLAN)

-OUR PORT DISTRICT IS AN ENVIRONMENTALLY SENSITIVE AREA ENCOMPASSING THE HABITAT OF SEVERAL ENDANGERED SPECIES.

-THE PUBLIC ACCESS PLAN WILL HAVE A NEGATIVE IMPACT ON THE NATURAL ENVIRONMENT. THE PORT COMMISSIONERS DENY THIS IN THEIR DNS FILING.

-ENVIRONMENTALLY SENSITIVE AREAS SHOULD BE PROTECTED RATHER THAN EXPLOITED FOR PUBLIC ACCESS.

- THE MAJORITY OF PEOPLE WHO LIVE AND VISIT OUR PORT DISTRICT DO SO BECAUSE OF THE QUIET AND TRANQUIL ENVIRONMENT AND DO NOT WANT TO PAY TO HAVE MORE PUBLIC ACCESS.

-THE PUBLIC ACCESS PLAN WILL BE PAID FOR BY THE TAXPAYERS OF THIS PORT DISTRICT.

-PORT TAXPAYERS WISH TO HAVE THEIR MONIES BENEFIT PORT RESIDENTS ONLY .

-THE PUBLIC ACCESS PLAN IS NOT A POSITIVE CASH FLOW BUSINESS PLAN.

-THE PUBLIC ACCESS PLAN IF IMPLEMENTED, WILL RAISE TAXES.

-THE PORT OF TAHUYA HAS THE POWER TO TAKE PRIVATE PROPERTY.

-STATE AND COUNTY PARKS ATTENDANCE IS DOWN APPROXIMATELY 37% THIS YEAR.

-OUR STATE AND COUNTIES ARE DEALING WITH BUDGET SHORT FALLS AND ARE CLOSING SOME PARKS AND RECREATIONAL FACILITIES EARLY. THEY ALSO ARE CONSIDERING PERMANENT CLOSURE FOR SOME PARKS.

-OUR STATE PARKS AND RECREATION HAS HAD TO START CHARGING USER FEES TO TRY AND MAKE UP OVER 40 MILLION IN BACKLOG MAINTENANCE.

-PUBLIC PARKS ON ROADS TO NOWHERE LOSE MONEY.

-THE PUBLIC ACCESS PLAN IS NOT SUITED FOR AN AREA LIKE TAHUYA.

-THE PORT OF TAHUYA HAS THE RESPONSIBILITY TO ENGAGE IN PROJECTS THAT WILL CREATE ECONOMIC VITALITY WITHIN THE PORT DISTRICT.

-THE PUBLIC ACCESS PLAN WILL NOT CREATE ECONOMIC VITALITY FOR THE PORT DISTRICT OF TAHUYA AND SERVES OUTSIDE DISTRICT INTERESTS.

-THE PUBLIC ACCESS PLAN MORE THAN LIKELY WILL RESULT IN THE FOLLOWING; INCREASED TRAFFIC AND ROAD WEAR, NOISE, TRASH, CRIME, TRESPASSING, HIGHER DEMAND ON PUBLIC SAFETY / EMERGENCY SERVICES, AND LOSS OF TRANQUILLITY AND PRIVACY.

-OUR PORT'S INFRASTRUCTURE AND RURAL 5 CLASSIFICATION ARE NOT COMPATIBLE WITH THE PUBLIC ACCESS PLAN.

-THE QUESTIONNAIRE FILED OUT DURING THE TAHUYA DAY CELEBRATION OF 2002 WAS DESIGNED IN SUCH A WAY THAT NO MATTER WHAT ORDER RECIPIENTS PRIORITIZE THE PRE-SELECTED NEEDS, THOSE NEEDS WOULD REQUIRE A PUBLIC ACCESS PLAN TO BE CREATED. THEN WHEN APPROVED AND ADOPTED, THE PORT WOULD QUALIFY FOR GRANT FUNDING.

-DO WE REALLY NEED A PUBLIC ACCESS PLAN FOR OBTAINING GRANT MONEY? NO.

-DO WE REALLY NEED GRANT FUNDING?

-COMMISSIONER GILBERT P.O. BOX 68 TAHUYA, WA. 98588 (360) 275-2615.

-COMMISSIONER OLSEN P.O. BOX 90 TAHUYA, WA. 98588 (360) 275-4573.

-COMMISSIONER HILL 1400 NE TAHUYA RIVER RD. TAHUYA, WA. 98588 (360) 275-7000.

-COMMISSIONER GILBERT WAS ABSENT (5) OUT OF (6) PORT MEETINGS DURING CRITICAL PLANNING AND APPROVAL PHASES.

-WASHINGTON VACANCY LAW, PROHIBITS ABSENCE OF MORE THAN (60) DAYS WITHOUT PRIOR VALID EXCUSE.

-COMMISSIONER GILBERT DURING THE JULY 16th PORT MEETING REPEATEDLY REFUSED TO ACCEPT AND CONSIDER PUBLIC INPUT CRITICAL OF THE PLAN. HE ADVISED ALL IN ATTENDANCE THAT THE PLAN HAD ALREADY BEEN APPROVED AND THAT IT WAS TOO LATE FOR ALL COMMENT. UPON REVIEW OF THE DNS FILING, HIS STATEMENT WAS FOUND TO BE FALSE. WHEN CONFRONTED THE NEXT MORNING HE SAID "THE PLAN APPROVAL WOULD BE VOTED ON AT THE NEXT REGULARLY SCHEDULED MEETING".

-COMMISSIONER GILBERT IS QUOTED AFTER THE JULY 16th PORT MEETING AS SAYING "I ALSO HAVE A REAL PROBLEM WITH A BUNCH OF PEOPLE COMING IN AT THE LAST MINUTE WHEN THIS WHOLE PROCESS HAS BEEN PUBLICIZED". THE QUESTION ONE WOULD RAISE, IS IF THE PORT COMMISSIONERS TRULY HAD INFORMED AND INVOLVED THE PUBLIC IN THE PLANNING PROCESS, WHY WOULD A BUNCH OF PEOPLE COME IN AT THE LAST MINUTE? FURTHERMORE, WHAT DOES THIS SAY ABOUT THE CHAIRMAN'S ATTITUDE ABOUT INVOLVEMENT ONCE HE GETS IT? HE'S BASICALLY SAYING THAT PUBLIC INVOLVEMENT WAS NOT OCCURRING DURING THE PLANNING PROCESS AND EVEN HE, THE CHAIRMAN, WHOM THE RESIDENTS RELIED ON TO LOOK AFTER THEIR INTERESTS, AND WHO IS REQUIRED BY LAW AND GETS PAID WHEN ATTENDING, WAS ABSENT.

-COMMISSIONER GILBERT REFUSED TO INVESTIGATE AND THREATENED TO CLOSE THE JULY 16th MEETING IF ANY QUESTIONS WERE RAISED CONCERNING POSSIBLE CONFLICTS OF INTEREST BETWEEN COMMISSIONER OLSEN AND CONSULTING FIRM HOUGH, BECK & BAIRD.

-COMMISSIONER OLSEN (SECRETARY) HAS A FRIEND AND CUSTOMER NAMED COLIE HOUGH-BECK.

-COLIE HOUGH-BECK COMPLETED HER COMPANY'S FEE PROPOSAL TO THE PORT, FOR CREATING A PUBLIC ACCESS PLAN, ON JANUARY 16th, 2002.

-COMMISSIONER OLSEN PLACED A PUBLIC NOTICE IN THE SHELTON JOURNAL REQUESTING PROPOSALS TO UPDATE THE PORT OF TAHUYA COMPREHENSIVE PLAN **(NOT A PUBLIC ACCESS PLAN). THIS AD WAS PLACED ON JANUARY 24th, 2002. EIGHT DAYS AFTER COLIE COMPLETED AND SUBMITTED HER PROPOSAL!!!** NO BIDS WERE EVER RECEIVED FOR THE MISIDENTIFIED PROPOSAL, HENCE NO COMPETITION.

-KNOWLEDGE OF THE PLAN WAS BROUGHT TO LIGHT DURING THE JUNE 2003 FIRE COMMISSIONERS' MEETING. REQUEST TO COMMISSIONER OLSEN FOR PLAN COPIES AND RELATED INFORMATION WERE MET WITH INTENSE RESISTANCE. THIS UNWILLINGNESS TO PROVIDE PUBLIC ACCESS PLAN COPIES TO BE DISTRIBUTED TO PORT RESIDENTS RESULTED IN SEVERAL RESIDENTS SPENDING OVER TWO THOUSAND DOLLARS TO PURCHASE AND DISTRIBUTE A PLAN TO WHICH THEY ARE VERY MUCH OPPOSED.

-NO ATTEMPT WAS MADE TO INFORM THE RESIDENTS OF THE PLAN DURING THE 2003 TAHUYA DAYS CELEBRATION.

-THE PORT COMMISSIONERS GILBERT AND OLSEN WERE REQUESTED TO DISTRIBUTE OR AT LEAST MAKE AVAILABLE PLAN COPIES TO BE HANDED OUT AT TAHUYA'S ANNUAL AUGUST SALMON BAKE. BOTH REQUEST WERE DENIED. COMMISSIONER OLSEN ACTUALLY HUNG UP THE PHONE WHILE THE REQUEST WAS BEING MADE.

-THE PORT COMMISSIONERS NEVER BROUGHT THE PUBLIC ACCESS PLAN TO ANY PORT MEETINGS FOR VIEWING OR DISTRIBUTION UPON COMPLETION IN JUNE 2003.

-THE PORT OF TAHUYA STILL DOES NOT HAVE A WEB SITE .

-THE PORT OF TAHUYA COMMISSIONERS CHOSE NOT TO PUT THE PUBLIC ACCESS PLAN ON THE INTERNET FOR VIEWING.

-THE PORT OF TAHUYA COMMISSIONERS DID NOT USE THE TELEPHONE OR MAILINGS TO INVOLVE DISTRICT RESIDENTS IN THE DEVELOPMENT OR APPROVAL OF THE PLAN. WHEN THE REQUEST WAS MADE BY THE MAJORITY IN ATTENDANCE AT THE JULY 16th, 2003 MEETING, THE COMMISSIONERS REJECTED THE REQUEST.

-NEWSPAPER ARTICLES WERE NEVER PRINTED ABOUT THIS PLAN PRIOR TO ITS DISCOVERY IN JUNE 2003.

-COMMISSIONER OLSEN OWNS APPROXIMATELY (7) NON OWNER OCCUPIED PROPERTIES OF WHICH VALUES PROBABLY WOULD BE EFFECTED BY THE PUBLIC ACCESS PLAN.

-COMMISSIONER OLSEN **SHOULD RECUSE** HERSELF FROM VOTING ON ANYTHING TO DO WITH THE PUBLIC ACCESS PLAN BECAUSE OF THE APPEARANCE OF A CONFLICT OF INTEREST.

-COMMISSIONER OLSEN MADE MOTIONS, VOTED, AND APPROVED THE PLAN. SHE ALSO MADE THE MOTION ,VOTED AND ADOPTED THE PLAN WITHOUT DISCLOSURE OF HER POTENTIAL TO HAVE HER PROPERTY ENHANCED IN VALUE.

-THE PORT COMMISSIONERS HAVE HELD MEETINGS AND ENGAGED IN PORT BUSINESS OUTSIDE PUBLICIZED MEETINGS. (AUGUST 20th, 2003 JUST PRIOR TO THE PUBLICIZED MEETING).

SOLUTIONS;

-ATTEND THE PORT MEETINGS EVERY 3rd WEDNESDAY OF THE MONTH AT 7:30 PM.
(LOCATED AT 14880 NORTHSORE ROAD TAHUYA FIRE HALL) NEXT MEETING SEPTEMBER 17th.

-KNOW YOUR CANDIDATE AND VOTE YOUR PREFERENCE.

-SUPPORT THE **RESIDENTS FOR PRESERVING QUALITY OF LIFE ON HOOD CANAL.**
OUR GOALS INCLUDE:

- REVERSE THE COMMISSIONERS RECENT APPROVAL AND ADOPTION OF THE PUBLIC ACCESS PLAN THAT DOES NOT REFLECT CITIZEN INPUT.

-COLLECT MONETARY DAMAGE FOR VIOLATIONS UNDER WASHINGTON STATE'S PUBLIC DISCLOSURE ACT.

- RECALL CURRENT PORT COMMISSIONERS BECAUSE THEY HAVE IGNORED THEIR CONSTITUENTS, FAILED TO ATTEND MEETINGS, AND FAILED TO DISCLOSE PERSONAL INTERESTS.

-TO CONVINCEN THE PORT COMMISSIONERS TO GO BACK AND INVOLVE THE PORT DISTRICT RESIDENTS IN THE DEVELOPMENT OF ANY PLANS.

-CONDUCT A VALIDLY DESIGNED SURVEY AND DEVELOP A PUBLIC ACCESS PLAN THAT TRULY REFLECTS THE NEEDS AND DESIRES OF TAHUYA RESIDENTS.

In conclusion, after going through the last twelve months of Port of Tahuya meeting minutes, it becomes obvious why the residents and property owners who know about this plan are concerned and upset. The Port Commissioners have claimed that the Public Access Plan is what the majority of the residents desire. Unfortunately for the Port Commissioners, the majority of those now involved are critical of the plan and want more time to learn about and eventually vote on or be surveyed by an independent pollster. Not only was there was no meaningful discussion during the approval and adoption process between the residents and the commissioners, as well as amongst the commissioners themselves, the commissioners denied the simple request that they set over a vote for 1 month so citizens could comment. Residents for Preserving Quality of Life on Hood Canal is a group of like minded residents who have assembled for the sole purpose of convincing the commissioners that they need to listen and act in concert with the majorities wishes as it pertains to the Public Access Plan.

We respectfully request your moral and financial support to achieve the goal of making our elected officials listen to us.

Thank you,

A handwritten signature in black ink, appearing to read "Brad Cury". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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P.O. Box 205
Tahuya, WA. 98588
(360)-275-7100

cc. George Amburn (State Auditor)

cc. All state and funding organizations in correspondence with the Port of Tahuya. (To many to list.)