

April 16, 2004

TO THE EDITOR, THE SOUNDER (or, alternatively, an unsolicited) GUEST COLUMN

The recent editorial commenting on the departure of SJC's entire long range planning staff during the past year and some of the content of a front page article on Senior Planner Rick Rutz's leaving are misplaced in my opinion. Anyone who might look into the circumstances of their leaving will find that they left in frustration at being forced to defend land use policies advocated by the BOCC which were patently inconsistent with the Growth Management Act. The deputy Prosecuting Attorney tasked with GMA compliance has left for the same reason.

With this loss of seasoned staff, the County is faced with meeting the requirements of the GMA with a significant loss of the departments' "institutional memory". Now constrained by revenue shortfalls, SJC has squandered enormous sums on (1) land use planning which has been blatantly non-GMA compliant, on (2) largely unsuccessful attempts to defend the County's positions in the face of citizen appeals, on (3) the County's by and large unsuccessful legal challenges to the rulings of the WWGMHB, and (4) upon re-planning efforts which, in many instances, continued to not address the core requirements of the GMA.

Some years ago, by popular referendum, the citizens of San Juan County voted to plan for the future in accordance with the GMA. Participants in the Citizen Advisory Boards will recall that the BOCC prohibited any discussion of changes in residential density; as a consequence, the plan ignored the primary goals of the GMA and was vulnerable to challenge. Under the GMA, county plans enjoy a "presumption of validity"; however, if citizen appeals demonstrate that such plans violate the GMA, changes must be made. Our plan could say, "The world is flat", and as far as the State is concerned, that would be the law in San Juan County UNLESS a citizen appeal could convincingly challenge such an assertion. It is in this vein that a number of citizen appeals have resulted in major changes in the SJC Comprehensive Plan to restrict suburban sprawl and preserve our beautiful environment and rural character. Work remains to be done to determine the nature of our so-called "urban" growth areas.

The Sounder claims that the solution to the County's GMA-compliance problems can be solved if new staff will "listen carefully to the wishes of the communities they serve". Unfortunately, if those wishes are uninformed with respect to the applicable portions of the GMA, scant progress can be made. To date, by failing to educate the public and citizen volunteer bodies on these requirements, the Commissioners have taken us down a series of garden paths which have not led to compliance with the law, and have wasted our tax dollars and our collective energy.

I am one of a number of citizens who have challenged the SJC Comp. Plan; it has been a rigorous process. The Western Washington Growth Management Hearings Board does not suffer fools gladly, and frivolous challenges are dismissed promptly. Meritorious citizen appeals are not the root of the County's GMA problems, notwithstanding the Commissioners' assertions to the contrary as printed in The Sounder. Rather, the County's GMA problems are rooted in the ostrich-like attitudes of the BOCC toward the Growth Management Act, attitudes which hopefully may change under the professional guidance of the new planning staff.

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