

**Jack Venrick**

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**From:** "Jack Venrick" <jacksranch@skynetbb.com>  
**To:** <jacksranch@skynetbb.com>  
**Cc:** "John Wise Enumclaw Mayor" <johnwise@ci.enumclaw.wa.us>; "Scott Woodbury EnumclawCityEngineer" <ScottWoodbury@ci.enumclaw.wa.us>; "Norm Gammell KingCounty" <Norm.Gammell@METROKC.GOV>; "Rep. Dan Roach" <roach.dan@leg.wa.gov>; "Senator Pam Roach" <roach.pam@leg.wa.gov>  
**Sent:** Sunday, August 05, 2007 11:41 PM  
**Subject:** Fish and Habitat (FAH) Concrete Culvert Whether You Need Them or Not and The Price is...\$500K Avg.

"One incroachment leads to another; precedent gives birth to precedent; what has been done may be done again; thus radical principles are generally broken in upon, and the constitution eventually destroyed."



Justice William  
Patterson

*VanHorne's Lessee v. Dorrance*  
(C.C. Pa. 1795)

WA Supreme Court Justice Sanders Presentation On Eminent Domain

cc: Norm Gammell King County, Scott Woodbury Enumclaw,  
 bcc: CAPR, NARLO, Property Owners, King County Council, Senator Pam Roach,  
 Representative Dan Roach, Media

Dear Representative Hurst:

It was a pleasure to meet you and hear your speak August 2 at the Citizens Alliance For Property Rights (CAPR) meeting. You are to be congratulated for your open door policy to everyone including giving out your home phone number and making yourself available day and night. Thank you for coming out of your way and taking the time to talk to our monthly group meeting of near 40 property owners in the King County area and beyond, lower than normal attendance due to Summer.

This is in stark contrast to how county and State government operate now-a-days, hidden in city fortresses and concrete bunkers with multiple levels of security, body guards and bullet proofed vehicles. This shows you how the tyranny of government has reduced itself to abject fear of its own people. King County DDES is a typical example of this black boot thuggery.

Per our conversation at the meeting, please find below a string of email regarding the proposed Fish and Habitat (FAH) concrete culverts going in at the intersection very near my property on SE 416th and 244th Ave SE and also near Fall City.

I have also included an extract from Ron Ewart's email below. Ron is the President of National Association of Rural Land Owners and member of CAPR. Ron had a similar problem near him in Fall City. In short these concrete fish "bunkers" cost on the average \$571, 428 each and can range in cost from \$50,000 to \$1,000,000 and that is just part of the cost. It does not included the impact on adjoining cities such as Enumclaw, cable companies, or Puget Sound Power that are forced to reroute their utilities for this federal - state - county green extreme nonsense. Nor does it include the disruption to the locals and those going through the area.

"I sent the following e-mail on this subject to the full council, the county executive and the news media on June 19th, after I learned from Grace that only the rural landowners are paying for this idiocy, out of the Unincorporated King County Road Levy Tax. From her e-mail she said and I quote:

*"The 2007 budget for the 2007-12 Roads Six-Year Capital Improvement Program includes \$1.723 million for Project No. RDCW29 Drainage and Fish passage Restoration. **The funding comes mostly from King County's Unincorporated Road Levy tax.**"*

I have had no response to either of my two requests (see below).

In a May 9, 2007 PDA request, I was sent 14 such FAH culvert projects by King County DOT. **Those 14 projects add up to well over \$8,000,000 out of that unincorporated King County road fund that we, the rural landowners get to pay for, while everyone else in the state and the city of Seattle get off scot-free.** Saving fish is a state and federal mandate, not a local mandate. The local rural landowners should not have to bear the full brunt of ESA salmon or fish recovery legislation, in the rural areas." Ron Ewart

Note my mail below dated 8-2-07 regarding another half million dollar fish bunkers installed some years ago, 244th SE & SE 424th, one country block south from where this new one is planned. That makes an estimated million dollars dropped into the

ground for environmental urban extreme "solutions" to rural road ditches that are dry half the year. I have lived here for 30 years and have not seen fish in the ditch and even if I did they are not worth that much money to be worth saving going up a man made road ditch. These green culverts are worth more than most people land and home.

Please note Mr. Ewart has discovered that the funding for these outrageous costly fish bunkers "comes mostly from King County's Unincorporated Road Levy Tax", i.e. us rural farm owners. And this is on top of ever escalating additional costs applied illegally to private property. My research along with others are finding that the Founding Fathers never intended taxes to be applied to private property including labor, wages, private land and homes. What we have here is a grand government ponzi scheme of historical precedence, i.e. a government gone mad taking our precious freedoms and liberties.

Another problem that is part of this problem is these road ditches need to be cleaned out. I believe the State F&W and the county have refused to do this supposedly because of the fish. However, there are no fish there. These are man made ditches caused by an elevated road bed.

I have also asked Senator Roach, Representative Roach and the King County Council for help. There has been no response to date.

As you are well aware of, this is similar strategy that was used by WA DOT regarding the State forced roundabout which was also going in near me on SE 416th and SR 169. The State thinks they can drop and run a forced green government plan without the locals say and steal a man's private property all at the same time. Whether its Washington DOT, DOE or DFW, their green game plan is the same. This State and many of the Puget Sound county governments believe they can orchestrate these grand green plans behind our back and then take the rural people for all they can get by using political coercion, surprise, arrogance and intimidation.

The days are coming to an end for government political taking tantrums of the rural areas. Property owners are keenly aware of how the green government game works. We are organizing, raising the necessary funds and better prepared fight. Rural people are mad as hell and someone is going to get hurt pushing this green extreme out here.

Chris, these fish "bunkers" were never authorized or voted on by the rural people, nor

was the CAO, the GMA, the so called Public Benefit Rating System, Open Space, SAO, roundabouts, FAH's, etc. These are green taking extortions foisted upon us rural people by the Seattle and Olympia green extreme via those in government whose pander to them for their own sake not for the sake of free choice and free people in the rural areas.

Thank you for hearing the screams of the rural people. Please keep me informed and I will pass on your findings to other property owners in Washington State, Northwest and Colorado. Property owners, ranchers, farmers, gun owners, home schoolers, religious folks and all constitutional stake holders are becoming more active in watching each others back side for these green government takings.

Jack Venrick  
Rural Land and Home Owner  
41250 250th Ave SE  
Enumclaw, WA 98022

----- Original Message -----

**From:** [Scott Woodbury](#)

**To:** [Jack Venrick](#)

**Sent:** Thursday, August 02, 2007 3:16 PM

**Subject:** RE: More of the Same Nonsense - King County Road & Water Closures for Fish and Habitat Culvert Replacements

I copied Norm in my prior e-mail to you so he has the e-mail. His address is [norm.gammell@metrokc.gov](mailto:norm.gammell@metrokc.gov).

Scott

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**From:** Jack Venrick [mailto:jacksranch@skynetbb.com]

**Sent:** Thursday, August 02, 2007 3:06 PM

**To:** Scott Woodbury

**Subject:** Re: More of the Same Nonsense - King County Road & Water Closures for Fish and Habitat Culvert Replacements

Thanks Scott. Do you have Norm's email?

In case you haven't figured it out, King County is about as corrupt is they come and are using any excuse to take property and water rights from the locals.

We are fed up and not taking it anymore.

Jack

----- Original Message -----

**From:** [Scott Woodbury](#)

**To:** [Jack Venrick](#)

**Cc:** [Gammell, Norm](#)

**Sent:** Thursday, August 02, 2007 2:21 PM

**Subject:** RE: More of the Same Nonsense - King County Road & Water Closures for Fish and Habitat Culvert Replacements

The City of Enumclaw water system extends outside of the City limits into unincorporated King County. King County has granted a franchise authorizing the City to install, maintain, and operate a water system in its jurisdiction subject to certain conditions. Under the franchise the City is obligated to relocate any water main that may conflict with any County project. We are being required to relocate our water line for a culvert replacement project at the 244<sup>th</sup> Avenue and SE 416<sup>th</sup> Street intersection that will be constructed beginning in mid-September. My contact with King County is Norm Gammell. He can fill you in as to the reasons for this project, but I believe it is for flood control, fish passage, and improved vehicle maneuvering. He can be reached at 206-296-8199.

**Scott Woodbury, P.E.**  
**Assistant City Engineer**  
**City of Enumclaw Public Works**  
**1309 Myrtle Ave**  
**Enumclaw, WA 98022**  
**360-615-5728**  
**360-825-7232 fax**  
**253-261-1937 cell**

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**From:** Jack Venrick [mailto:[jacksranch@skynetbb.com](mailto:jacksranch@skynetbb.com)]

**Sent:** Thursday, August 02, 2007 12:37 PM

**To:** Scott Woodbury

**Cc:** [director@dfw.wa.gov](mailto:director@dfw.wa.gov); Bob Ferguson KingCountyCouncil; Dow Constantine KingCountyCouncil; Jane Hague KingCountyCouncil; Kathy Lambert KingCountyCouncil; Larry Gossett KingCountyCouncil; Larry Phillips KingCountyCouncil; Pete von Reichbauer KingCountyCouncil; Reagan Dunn KingCountyCouncil; Ron Sims KingCountyExecutive; Senator Pam Roach; Rep. Dan Roach; Rep. Jan Shabro

**Subject:** More of the Same Nonsense - King County Road & Water Closures for Fish and Habitat Culvert Replacements

**Importance:** High

ATTENTION Senator Roach, Representative Dan Roach, & Staff

bcc: CAPR & NARLO & other Property Owners, Media, WA State House and Senate, AWC

Dear Scott:

Warren just stopped by the "ranch" to check if I was on city water. Fortunately, I am still on my original well which still serves me over the last 30 some years.

Warren told me Enumclaw City water is being shut down in this area for a few days because of a "fish" bunker going in on 244<sup>th</sup> and 416<sup>th</sup> near where I live. I was hoping you could give me some more details on why this is being done by King County. This is a leading question. I have lived out here for 30 years and these road ditches have no fish and dry up for at least half the year. They were put in for flood control of the local farm lands and roads long ago.

I have included Ron Ewart's email below which is more than descriptive of this nonsense government spending. Washington State and King County and the federal government are becoming bullies to all of us. Rural property owners are fed up with this green government extortion. We already have a hundred thousand dollar concrete "fish" bunker on 244th and 424th, one country block south of where they are planning another one. When this was installed years ago I was told that the WA State Fish and Wildlife (Mr. Fisher no less) was behind this. There was no problem with the prior culvert. I was also told they were putting in more big rocks in these concrete culverts for the convenience of the fish. There are no fish and there is no water half the year in these old roadside ditches.

Warren is saying that this ditch fish bunker is a problem and expense for the City of Enumclaw. One of City's water mains runs through the intersection and has to be lowered to accommodate this King County environmental extreme nonsense. This will cost thousands of dollars, not only for the City of Enumclaw taxpayers, but also for us rural farmers. Rural property owners are understanding this rural ditch bunker costs are going to be spread on the local property owners. I do not need anymore property tax expenses or any other illegitimate taxes on my private property. I am on a fixed pension, unlike all those working for the government. My Mother lives in the City of Enumclaw and is 96+ years old. She does not need anymore cost increases on her rent due to this government nonsense. Please read Ron Ewart's email below.

The Citizens Alliance for Property Rights, [www.proprights.org](http://www.proprights.org) and the National Association for Rural Landowners, [www.narlo.org](http://www.narlo.org) are very familiar with these government strong arm tactics. This is also the same type of problem that us rural and urban Enumclaw people fought with the million dollar "roundabout" intersection at 416th and SR169. The WA State DOT tried to push this over kill "solution" through without local approval. They come to the people last after they have made up their mind and have secured the budget. This DOT idea came from a State engineer who spent some time in England and/or Europe and brought the social engineering idea home. They are planning 90 some of these in WA State rural areas. Of course they will try to push these through against the local citizenry objection.

The State Fish and Wildlife, State Department of Transportation and King County government are extorting rural AND urban people with these heavy handed European and green extreme expensive nonsense. As Ron Ewart mentioned below, 14 of these fish bunkers are budgeted totaling 8 million dollars and that does not include local city and power costs when there is other utility interferences. This is on top of traffic congestion and general inconveniences to the locals. These are concrete vaults built more like bomb shelters than culverts. This makes the word over kill inadequate to describe this green insanity.

It is time we confront King County and WA State Fish and Wildlife. The City of Enumclaw and Senator Roach can stop this nonsense. The Senator was successful stopping the WA State DOT when the DOT tried to push through the "roundabout" near Enumclaw in a rural area no less. This is not the way to open up some of our intersections or ditches in the rural areas. This is a classic lesson in how tyrannical government tries to force itself on others who just want to be left alone.

Thank you for any details and support you can offer.

Sincerely,

Jack Venrick  
 Rural Land and Home Owner  
 "The Buck Stops Here"  
 Enumclaw, WA

----- Original Message -----

**From:** [ron ewart](#)

**To:** [r.ewart](#)

**Sent:** Tuesday, June 26, 2007 3:56 PM

**Subject:** King County Road Closures for Fish and Habitat Culvert Replacements

## To the local print and electronic news media:

### **HEADLINE**

**"Rural Landowners Getting Ripped Off by County Government "**

**LEAD IN:** *"Rural landowners are having to pay millions for very expensive fish and habitat culverts from their local road levy taxes, that are mandated by federal and state government and should be born by all taxpayers, not just rural landowners....."*

### **Gentlemen and Ladies, as the case may be:**

Now we in the rural areas of Western Washington, but especially King County, are acutely aware that the local media could care not one wit about our problems and that draconian environmental ordinances are being shoved down our collective rural throats by King County-Seattle Government, **but maybe you weren't aware that rural property owners, unilaterally, are being forced to pay for very expensive fish and habitat culverts under King County roads, while the rest of the city (Seattle), the county (King) and the state get off scot-free.** That's fair, isn't it? Hardly! Upgrading fish habitat is purely a federal and a state mandate under the ESA as well as state laws and is for a purely public benefit. It should be born by the entire public, not just rural King County taxpayers. Maybe, just maybe, if you would read the following exchanges we have had with King County Council Member Kathy Lambert and her assistant, Grace Reamer, along with the full council and county executive, you might "smell" a story. But I won't be holding my breath. Perhaps, when the rural landowners finally revolt and start breaking things, then you might get interested. After all, if it bleeds, it leads! Isn't that your journalist ethic now-a-days?

Come on! Someone surprise me and let me know you give a damn. I've got the scoop.

Ron Ewart  
 Fall City, WA  
 425 222-9482

Dear Kathy Lambert and Grace Reamer  
 King County Council

Again, we thank you for helping us with the details of the fish culvert project on the Issaquah-Fall City Road. Although we were aware of most of what you provided, we were not aware that the closure would run through mid to late August for the 2nd phase of the culvert replacement East of 308th Ave. S. E., because both of the KC-DOT road-closure signs, at either end of the Issaquah-Fall City road, say that the closure will run from June 25th through August 3rd. August 3rd is certainly not mid to late August by any stretch.

If this information that you provided came from Road Services Division, then their signs are false and should be replaced with the correct dates. The rural landowners in the area will be expecting the project to be finished by August 3rd, as the signs say, having already endured one and a half months of inconvenient detours. They and I will be most unhappy if this project extends well into the month of August.

Unfortunately Kathy and Grace, many of us in the rural areas have come to the conclusion that just about any level of King County government cannot be trusted to shoot square with us, so the less-than-accurate signage does not come as much of a surprise. With the constant unconstitutional abuse and the waste of our tax dollars for nefarious do-gooder and radical environmental protection projects by the County Executive, the Council (*i.e.* SAO's, CAO's, draconian buffers, Comp. Plans, Surface Water Management-\$200+ Million, Flood Control-\$325+ Million, Farm Plans, Fish culverts, the May creek debacle, trails, tent cities, WRIA's, ESA's, CWA's, along with regulation, after regulation, after regulation.) and the out-of-control bureaucracies like DDES, DNRP, and WLRD, we've come to expect less-than fair treatment. I hope you understand that having to unilaterally pay for Fish and Habitat Culverts, while city of Seattle folk and state taxpayers get off virtually scot-free, just adds to our distrust. I'm just putting into words what so many of us are thinking.

Finally, we would like to have a response to our e-mail request of June 19th regarding NO-BICYCLE signs being installed on the Issaquah Fall City Road during the road closure for safety and to requesting re-imbursement from state and federal budgets for the cost of the fish and habitat culverts now being paid by rural landowners under the county unincorporated road levy tax. Rural landowners should not have to bear this abundantly clear public benefit all by themselves.

Hopefully, our two rural council members will be the exception to what we've come to expect from the rest of County government.

Ron Ewart  
4451 308th Ave. S. E.  
Fall City, WA  
425 222-9482

----- Original Message -----

**From:** [Reamer, Grace](#)  
**To:** [ron ewart](#)  
**Cc:** [Lambert, Kathy](#)

**Sent:** Monday, June 25, 2007 11:44 AM

**Subject:** RE: Washington State Road Closures for Fish and Habitat Culvert Replacements

Hello Mr. Ewart,

I have more information for you from the Road Services Division:

The road closures are longer than normal due to a 12-inch gas line that must be lowered to accommodate new drainage structures being installed. The first project on Issaquah-Fall City Road will occur to the west of 308th Ave. SE. This project will begin June 25 and is expected to be completed sometime in mid-July. The second project will occur to the east of 308th Ave. SE. This project is expected to begin around July 25 and be completed in mid to late August.

The emergency services (Fire Department, Fire Marshall, WA State Patrol, and King County Sheriff's Office) and the school district were notified of the road closure by King County Road Maintenance on June 8, 2007. We do not notify the USPS or garbage collection services of road closures. The signage is installed with enough advance notice that plans for alternative routes can be made. Therefore, there should be no interruption in services to the residents of 308th Ave. SE. It is possible that response times may be increased by several minutes to accommodate the detour route.

If you do have any problems with access by services, please do contact our office and we'll follow up with the Road Services Division. Thanks very much for informing us about this issue.

Sincerely,

Grace Reamer  
Legislative Aide  
King County Councilmember Kathy Lambert  
District 3  
(206) 296-0331

-----Original Message-----

**From:** ron ewart [mailto:r.ewart@comcast.net]

**Sent:** Monday, June 25, 2007 11:21 AM

**To:** Reamer, Grace; Lambert, Kathy

**Subject:** Re: Washington State Road Closures for Fish and Habitat Culvert Replacements

Dear Grace:

First, I want to thank you personally for your assistance in answering some of my questions about the Fish and Habitat Culvert program. You have been very helpful. You correctly understood my question and no apology was necessary.

And my goal here is not a personal attack on either you, Kathy or any member of her staff. My goal is to alert other landowners and the general public, who may not be aware that rural landowners are subsidizing, with their tax dollars, the Endangered Species Act, salmon and fish recovery, which of course is patently unfair. I also question the reasonableness of replacing standard culverts with very expensive fish and habitat culverts on any stream, rivulet or seasonal creek, when the entire habitat itself is not being fixed, or the habitat is questionable at best. What government does should have a clear government purpose. I question whether the FAH culvert program is a clear government purpose and worth the expenditure of millions of our tax dollars. That is it.

Thanks again,

Take care,

Ron Ewart  
Fall City, WA

----- Original Message -----

**From:** [Reamer, Grace](#)

**To:** [ron ewart](#) ; [Lambert, Kathy](#)

**Cc:** [tips@komonews.com](#) ; [TIPS](#) ; [ghowell@komotv.com](#) ; [carleenj@fisherradio.com](#) ; [johnc@fisherradio.com](#) ; [Kirby Wilbur KVI](#) ; [kberry@entercom.com](#) ; [PVANDERVORT](#) ; [dross@entercom.com](#) ; [Keith Ervin](#) ; [LDICKIE](#) ; [BRAMSEY](#) ; [Ashley Bach](#) ; [JOELCONNELLY](#) ; [DEAN.RADFORD](#) ; [khanson@courierherald.com](#) ; [news@theolympian.com](#) ; [letters@seattleweekly.com](#) ; [Steve Dunkelberger](#) ; [dispatchnews@yahoo.com](#) ; [publisher Suburban Times](#) ; [jlanson@tacomaweekly.com](#) ; [sean.cockerham@thenewstribune.com](#)

**Sent:** Monday, June 25, 2007 11:08 AM

**Subject:** RE: Washington State Road Closures for Fish and Habitat Culvert Replacements

Dear Mr. Ewart,

Thank you for forwarding your initial request to me, which I had not received previously. I'm afraid there has been a misunderstanding about your question. As I understood it, your call this morning was to ask why the road closure barricades on Issaquah-Fall City Road were placed WEST of 308<sup>th</sup> instead of EAST of 308<sup>th</sup>. Because you had not yet contacted the Road Services Division regarding this question, I have requested a response to this from the Road Services Division, and will share it with you when I receive it. If that was not your question, however, then I'm afraid I misunderstood. My apologies.

Sincerely,

Grace Reamer  
Legislative Aide  
King County Councilmember Kathy Lambert  
District 3  
(206) 296-0331

-----Original Message-----

**From:** ron ewart [mailto:r.ewart@comcast.net]

**Sent:** Monday, June 25, 2007 10:52 AM

**To:** Reamer, Grace; Lambert, Kathy

**Cc:** [tips@komonews.com](#); [TIPS](#); [ghowell@komotv.com](#); [carleenj@fisherradio.com](#); [johnc@fisherradio.com](#); Kirby Wilbur KVI; [kberry@entercom.com](#); [PVANDERVORT](#); [dross@entercom.com](#); Keith Ervin; LDICKIE; BRAMSEY; Ashley Bach; [JOELCONNELLY](#); [DEAN.RADFORD](#); [khanson@courierherald.com](#); [news@theolympian.com](#); [letters@seattleweekly.com](#); Steve Dunkelberger; [dispatchnews@yahoo.com](#); publisher Suburban Times; [jlanson@tacomaweekly.com](#); [sean.cockerham@thenewstribune.com](#)

**Subject:** Washington State Road Closures for Fish and Habitat Culvert Replacements

**Council Member Kathy Lambert**  
**King County Council**

**Dear Kathy Lambert and Grace Reamer, assistant to Council Member Lambert:**

I called Kathy Lambert's office this morning and talked to Rob to alert Kathy to the fact that King County DOT had placed their road barricades on the Issaquah Fall City Road at 308th Ave. S. E. for the installation of two Fish and Habitat (FAH) Culverts on either

side of 308th Ave. S E, in the wrong place. Grace Reamer called me back and said why don't I call King County DOT? Good question. The reason is because this whole idea of digging up roads to install fish and habitat culverts is again, more government and bureaucratic insanity, authorized, sanctioned and allowed to proceed by the King County council. I sent the following e-mail on this subject to the full council, the county executive and the news media on June 19th, after I learned from Grace that only the rural landowners are paying for this idiocy, out of the Unincorporated King County Road Levy Tax. From her e-mail she said and I quote:

*"The 2007 budget for the 2007-12 Roads Six-Year Capital Improvement Program includes \$1.723 million for Project No. RDCW29 Drainage and Fish passage Restoration. **The funding comes mostly from King County's Unincorporated Road Levy tax.**"*

I have had no response to either of my two requests (see below).

In a May 9, 2007 PDA request, I was sent 14 such FAH culvert projects by King County DOT. **Those 14 projects add up to well over \$8,000,000 out of that unincorporated King County road fund that we, the rural landowners get to pay for, while everyone else in the state and the city of Seattle get off scot-free.** Saving fish is a state and federal mandate, not a local mandate. The local rural landowners should not have to bear the full brunt of ESA salmon or fish recovery legislation, in the rural areas.

Bear in mind that the last road closure of the Issaquah Fall City Road at 322nd Ave. S. E. (2005) was for a rivulet that dries up in the summer and early fall and there is no fish habitat to preserve. That culvert cost the county tax payers \$65,000. It also cost Puget Sound Energy a "bunch" for having to bury the gas main 25 feet under ground, which was then passed on to the rate payers.

Consequently, I will be monitoring the progress, as this double FAH Culvert project on the Issaquah-Fall City Road moves along from June 25th to August 3rd (*supposedly*) that has required the road closure and the considerable inconvenience to the local landowners and residences. I will be video taping the work that is being done and the number of workers that are standing around and the number of trucks that are blocking our private road.

I intend to keep up the pressure and let local rural landowners and the news media know what is being done in the name of fish habitat (*a purely public benefit*) being paid for by only rural landowners. I will be asking the Council and my local county representative what they are doing to inhibit or stop this travesty of equal justice under the law. Further, I have discussed this issue with a land use attorney for possible legal action.

This e-mail was also sent to over 50 rural landowners in King County who have a stake in this folly.

Respectfully,

Ron Ewart  
 4451 308th Ave. S. E.  
 Fall City, WA 98024  
 425 222-9482

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**To: The the King County Executive, County Council, rural landowners and the News media:**

**From: Ron Ewart, Fall City, WA**

**Subject: The closure of the Issaquah-Fall City Road for Fish and Habitat Culvert Replacement**

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For the second time in two years, King County Department of Transportation (KC-DOT) is going to close the Issaquah-Fall City road on June 25th thru August 3rd, 2007, to replace two culverts on either side of 308th Ave. S. E., with expensive Fish and Habitat Culverts. Once again rural property owners will be forced to make significant detours to do business in Fall City, or have to take the circuitous, winding, back road into Issaquah in the middle of the summer months for what, for fish!

We have two specific requests regarding this road closure and the expense of the culvert replacements.

1. The city of Seattle bicycle clubs seem to find great joy in coming out to the rural areas en masse to clog up our winding rural roads with 10, 20, 50 or even 100 bicycles at a time. It slows down traffic, makes passing exceedingly difficult and dangerous and puts the lives of the bicycle riders, if not the car occupants, at extreme risk. On the last closure, we were heading East bound on the Issaquah-Fall City road when upon rounding a curve we encountered 20 or 30 bicycle riders filling up the one and only West bound lane (*no shoulders*) and a car in the East bound lane trying to pass them on a blind curve. We almost hit that car head on and had to take to the ditch to avoid it, all because of bicylces being on a road with no shoulders, that they have no business being on in the first place. It's too dangerous.

**REQUEST 1:** We respectfully request that NO-BICYCLE signs be place on the Issaquah Fall City Road, prohibiting bicycle riding during the time of the road closure. Your action could very easily save one or more lives and a lot of hair-raising car-bicycle, or car-car encounters. Further, that notices be sent to all the region's bicycle clubs of such closure.

2. It's bad enough that rural landowners have to endure these road closures, but it is even worse to know that the rural landowner alone has to pay for replacing these culverts with very expensive Fish and Habitat (FAH) Culverts (*\$50,000 to several million*)

under the King County unincorporated road levy tax. These FAH culverts are mandated by both state and federal Salmon or other fish recovery legislation (ESA, etc.). Any and all costs for Salmon or fish recovery (*including these FAH culverts*) should be born by all citizens of Washington State (*including Seattle*) and should not fall disproportionately on rural landowners. This violates the equal protection clause of the U. S. Constitution.

These FAH culverts are not only expensive, but they take a significant period of time to install. Sometimes several months. They are even being installed on seasonal streams that dry up in the Summer and early Fall months where no fish habitat could exist. They require that underground utility companies come in and bury their utilities even deeper, at great cost to the utility, thus the consumer. The culverts require careful positioning and then lining with natural gravel, etc. to duplicate a fish habitat. A properly sized, standard, corrugated metal culvert, which would do the job that they have been doing for fish passage for the last eight (8) or more decades, are much less expensive and take a much shorter period of time to install without the requirement for utility re-locations, for those culverts in need of replacement.

**REQUEST 2:** We respectfully request that King County demand re-payment from state and federal budgets to cover the cost of the FAH culverts and remove their cost from the unincorporated road levy tax. The road levy tax should only be used for road maintenance, including the cost of standard culvert replacement, where needed. It is patently unfair that the rural landowner not only having to bear the entire brunt of unconstitutional environmental land use regulations, but gets to pay for all this environmental fish protection with our tax dollars, while the city-folk get off virtually scot-free.

We would very much appreciate that the County Executive or the Council address our requests, at their earliest convenience. June 25th is rapidly approaching.

Ron Ewart  
4451 308th Ave. S. E.  
P. O. Box 813  
Fall City, WA  
425 222-9482