

**Jack Venrick**

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**From:** "Jack Venrick" <jacksranch@skynetbb.com>  
**To:** <jacksranch@skynetbb.com>  
**Cc:** "Ron Sims KingCountyExecutive" <exec.sims@metrokc.gov>; "Reagan Dunn KingCountyCouncil" <reagan.dunn@metrokc.gov>; "Pete von Reichbauer KingCountyCouncil" <pete.vonreichbauer@metrokc.gov>; "Larry Phillips KingCountyCouncil" <larry.phillips@metrokc.gov>; "Larry Gossett KingCountyCouncil" <larry.gossett@metrokc.gov>; "Kathy Lambert KingCountyCouncil" <kathy.lambert@metrokc.gov>; "Jane Hague KingCountyCouncil" <jane.hague@metrokc.gov>; "Dow Constantine KingCountyCouncil" <dow.constantine@metrokc.gov>; "Bob Ferguson KingCountyCouncil" <bob.ferguson@metrokc.gov>; "Steve Hammond" <advocate@proprights.org>; "Courier Herald Enumclaw" <khanson@courierherald.com>; "Norm Gammell KingCounty" <Norm.Gammell@METROKC.GOV>  
**Sent:** Thursday, September 13, 2007 11:37 AM  
**Attach:** More of the Same Nonsense - King County Road & Water Closures for Fish and Habitat Culvert Replacements.eml  
**Subject:** How Rural Takings Connect To The Body of Takings of Private Property



Digital Photo J. Venrick 9-10-07

**To:**  
**Senator Roach**  
**King County Council**  
**King County DOT**  
**King County Ag**  
**Property Owners**  
**WA Attorney General Rob McKenna**  
**WA Supreme Court**  
**WA House & Senate**  
**Association of WA Cities**

## Media

### **I. Green Extreme Fish Culverts - (Skip this local issue and go to part III if you prefer)**

**Senator Roach thank you for your reply, i.e. "Why is this not being addressed with County Councilman Reagan Dunn?"**

- 1. King County has not replied to my email, see above. I have included King County Council and Norm Gammel who is the contact for King County on this project. I have not not heard back from any of them. This is a common stone wall tactic of King County. They refuse to comply with basic customer service and use land use laws they impose illegitimately upon others. The green extreme and government tyranny is behind all of this, this, including city government.**
- 2. King County Councilwomen Lambert's office told Ron Ewart to check with King County DOT on the same problem.**
- 3. I was told that the State F&W was behind the concrete fish bunker movement and saving fish is a state and federal issue not county or city. I am understanding the federal government via the ESA is also forcing it onto the State who is forcing this upon the counties? Also I am hearing rumors that The Muckleshoot Tribe is pushing this. Can you you confirm any of this?**
- 4. King County is notorious for walking all over private property owners rights including including trespassing and brutalizing property owners.**
  - o All of this private AND public property taking emanates from the hierarchy of big big government.**
  - o All of these takings in Washington State and the United States reduce the Founding Fathers intent to create sovereign land owners...**
  - o to conditional servants to the state.**
  - o Local rural property owners do not want any of this green nonsense, including the the GMA, CAO, roundabouts for fish or humans.**
  - o these takings originate from green groups in the Puget Sound and back east.**
- 5. Said another way, all levels of government in the State of Washington, including the**

**federal government have become so over lapping, over reaching, over taxing and over the edge of constitutionality, that they have circled their wagons to protect themselves. Our sacred natural and inalienable rights including our own Constitution continues to be breached. Government tyranny grows to protect itself.**

- **Government at all levels is responsible for all these local takings on a grand scale.**
- **Rural takings connect to a body of takings of private AND public property.**

**The Enumclaw property owners and the rural property owners pay the bill for these outrageous green extreme projects pushed on us by pandering urban green groups and green plundering planning departments and courts.**

- **Our taxes are insane and totally unconstitutional, i.e. private property taxes and wages wages are not apportioned equally.**
- **Government including public schools need to go back to the era of 1776 - 1913 and live off of limited government and indirect taxes only.**
- **Even indirect taxes on imports are paid for by " We The People".**
- **Business is not really taxed, they only transfer taxes to the people.**
- **This is why the Framers limited government and taxes.**
- **All government and special interest takings need to be extremely limited.**

**Please note Ron Ewart's comments attached with extracts below. He is having similar problems.**

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."

## II. The Belfry Tower Rings Again



Photo J. Venrick Lexington, MA

**All government employees should stand up in alarm at this news coming out of the ranks of American loving property owners. Government in America is tyrannical and is despised despised by a growing movement of Americans who are having their basic freedoms and liberties stolen. Government is unaware of their own brutality.**

The virtual Belfry Tower call to arms ring again, across America through the internet and growing network of;

- property owners, gun owners, home school parents, freedom lovers,
- and all the grass root groups growing to take back our freedoms, e.g.
  - anti tax movement on wages and private property,
  - anti globalist and multi nationals movement and their politicians who want open open borders,
  - anti central banking movement who have fraudulently taken our wealth and transferred free printed money onto the backs of wage earners
  - anti government movement against a growing oppressive city, county, state & federal government
  - and all those dark forces who have led to the grand extortion and taking of every every American freedom and liberty given to us by our Founding Fathers.

### III. Washington State Attorney General Statement

WA State Attorney General Rob McKenna makes a good attempt cautioning over reaching reaching government with a green agenda in their "Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property". See <http://www.atg.wa.gov/takingsmemo.aspx>. The GMA and the CAO fail this test right off the bat.

#### "Part Three: Warning Signals

1. Does the regulation or action result in a permanent or temporary physical occupation of of private property?
2. Does the regulation or action deprive the owner of all economically viable uses of the property?
3. Does the regulation or action deny or substantially diminish a fundamental attribute of of property ownership?
4. Does the regulation or action require a property owner to dedicate a portion of property property or to grant an easement?
5. Does the regulatory action have a sever impact on the landowner's economic interest?

This is an ominous warning by one of the few watch dogs in government of all the taking of private property rights.

## **IV. The Confiscation of Private and Public Property From Rural People**

Local land use of private and public property has been confiscated by non local government and non government groups. All of these local takings are tied together by many slippery slip knots attempting to tie up the intentional ends of free choice of the locals in control their own issues. Environmental extreme groups like Futurewise (a.k.a. 1000 Friends of Washington), Center of Environmental Law & Policy, The Autobahn Society, Washington Environmental Council, the Muckleshoot Indian Tribe, etc. are behind behind much of these takings. They have successfully eviscerated the law of the land. Individual private property owners and their corresponding rural community have lost control their own private and public land and their infrastructure due to these unconstitutional green laws and regulations.

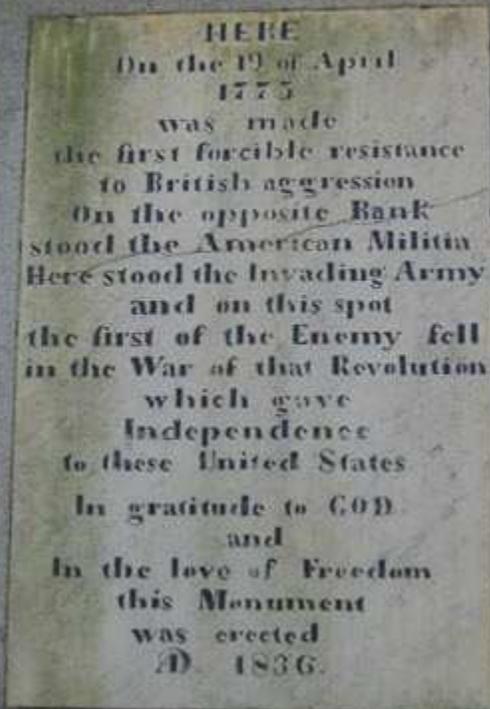
Rural property owners have been taken by the egregious Growth Management Act of the legislature are somewhere between totally unaware and enraged. Many of us are ready to go to war. The CAO which is one of the illegitimate sons of the GMA is unconstitutional and has reached onto private property of rural property owners. The counties, especially King and Pierce are enforcing Gestapo like codes, kangaroo courts at all levels and rat patrols.

There are thousands of property owners victimized by all of this trumpet up green nonsense nonsense of over reaching takings. Many property owners don't say a word and even more more don't have a clue they have been taken of their basic freedoms and liberties.

Rural property that is taken by over reaching roundabouts for vehicles or concrete culvert culvert "roundabouts for fish are illegitimate takings against all private property natural and constitutional law. These State and County DOT takings are unconstitutional because; because;

- These green project are not authorized by the local property owners and voters for whom they are imposed upon.
- These green projects are a silent tax taking not only our private land but our wages, which is also private property,
  - i.e. extortion and taxation without representation.
- These green projects come totally out of the city areas outside of the rural community, community,
  - i.e. few locals want these tax taking green dinosaurs

- These green projects come from elite out of local area government and non government groups who are imposing their illegitimate green agenda
- These green projects are done without, cost impact on rural property owners and communities and due process to debate the merits.
- These green projects are a great inconvenience to local traffic often disturbing work commutes for months without so much as a explanation



HERE  
 On the 19 of April  
 1775  
 was made  
 the first forcible resistance  
 to British aggression  
 On the opposite Bank  
 stood the American Militia  
 Here stood the Invading Army  
 and on this spot  
 the first of the Enemy fell  
 in the War of that Revolution  
 which gave  
 Independence  
 to these United States  
 In gratitude to GOD  
 and  
 In the love of Freedom  
 this Monument  
 was erected  
 A. D. 1836.

Photo, J. Venrick Concord, MA

## V. Unconstitutional Government Taking of Private Property On A Grand Scale

**CRITICAL POINT 1: The growing criminal behavior at all levels of government and non non government is .**

**Illegal taxation without representation by the green government has become criminal in its its behavior against all property owners. Green government from the urban/rural planners**

planners to the high courts have circled their wagons to ignore all natural and constitutional laws including existing case law that does not meet their agenda.

The court system is not only corrupted in America it has become criminal. I and many others in the property rights movement are continually witnessing a selective blindness and application of the basic laws of the land. This includes gross intentional ignoring of due process. Courts, councils and non government bodies are escalating their takings by giving property owners two minutes of public input and cutting them off and calling that that public feedback. This is a gross abomination of due process. Even one of the anti private property WA State Supreme Court Justices used this 2 minute public feedback as approval to take.

The other issue property rights groups are witnessing is a gross misuse of court contempt charges by judges at all levels. This charge should be legislate out of the tool bag of tricks for the court. Liberal use of contempt charges in our court system eliminates due process and gives too much power to the judges who are only government employee servants to We The People.

All levels of government are violating their oath of office and committing perjury and fraud. The judges themselves are constantly perjuring themselves. There is no checks and and balance in the government anymore. Elections alone are not the answer, even they are are fraudulent.

### **CRITICAL POINT 2: When we have no due process, and no justice in the land.**

All takings by government via regulation created by the legislature and enforced by the courts are repugnant to the constitution and not valid. The entire Washington State legislative and regulatory body of law is illegitimate. The courts are fixed as well as the enforcement arm of government, the legislature and the executive office. This has evolved evolved from 231 years of increasingly abusive violations of every constitutional and natural law in the land.

Government force, manipulation of the truth, hidden agenda takings and other low life tactics are increasing exponentially to strangle free people into submission. All of this green nonsense coming from 1000 Friends of Washington (Futurewise) and Center for Environmental Law and Policy and Washington Environmental Council and all the other other green extreme groups is unconstitutional and invalid. The word is out that Washington State, especially Puget Sound counties are corrupted so thoroughly they are

mob like in their behavior. We have no government, only brutal political parties and mob control. This is the worst nightmare come true of our Founding Fathers.

Current taxation outside the strict definition of the constitution is illegal including taxes on our wages and land for fish bunkers. Current takings of private property for roundabouts for fish and vehicles including the CAO and GMA are not valid, they are repugnant to the U.S. Constitution. The U.S. Constitution is not and has never been progressive, it is locked into the Founding Father's intent. All State constitutions are subordinate to the United States Constitution. All State laws are subordinate to their respective state constitutions. All regulations are subordinate to their respective state law. If the string of law is broken anywhere along its path, it is illegitimate, unconstitutional and fraudulent.

No political pandering courts, legislatures and executive and non government mobs can change the truth that guarantee our natural and God given inalienable rights to every man, man, women and child.

**CRITICAL POINT 3: Our "string" of laws has been turned into a string of takings over 231 years.**

Government employees and those who use the government for their own narrow gain are digging their own grave in their treatment of rural and urban property owners. We are gearing up to take back all of our God given rights including the ones we never had.

We are learning fast, what is going on in the courts, the legislature and the executive branches and the political parties. I just witnessed corruption in Pierce County Court System at the District and Superior Court level, i.e. two corrupt judges and an Assistant Prosecuting Attorney ignoring basic laws of the land to circle their wagons of green takings from their own green extreme planning departments.

King County and Pierce County government are corrupt to the core. This is mob rule of law of green special interests who believe politics is above basic God given natural and constitutional law and due process. Elite government and non government groups are currently very successful at confiscating the law of the land. The level of government abuse is so strangling, property owners know there is an end game by government and non non government green elitists. Revolt is becoming the word of the day. It cannot come to soon to turn the tyrannical tide. Political parties have turned our most sacred and inalienable rights into fodder.

## **CRITICAL POINT 4: Representative government does not exist, i.e. our representatives no longer represent the Constitution nor the people.**

**If We The People had representation, we would not have the following;**

- Private property taxes are unconstitutional, i.e. they are not apportioned evenly nor can they be.
- Taxes on our wages are unconstitutional because this too is private property and not apportioned evenly
- The 16th Amendment was taxes on "income" which meant PROFIT AND GAIN, NOT WAGES
- Furthermore, the 16th Amendment was never legitimately ratified by 36 of the then 48 states.
- Corrupt courts like Pierce County and King County who ignore basic laws and frame up innocent rural property owners.
- Illegitimate and unconstitutional legislation like GMA.
- GMA in turn cascades into more unconstitutional takings like the CAO.
- Illegitimate Governors like Gregoire who was never legitimately elected, i.e. the voting system was fraudulent.
- Fraudulent voting in the State of Washington allowing illegals to vote when the registration form requires the following;
  - A citizen of the USA
  - A legal resident of the State of WA
  - At least 18 years old by election day
  - Read more on illegal voting in WA at [www.effwa.com](http://www.effwa.com)
- We have become a tyrannical mob controlled "democracy" not a constitutional republic, i.e. "two foxes and a chicken voting on what's for dinner."

## **VI. Summary**

- The body of legislators, clearly do not represent the people, they are clubs of mobsters.
- The courts and the planning departments at all levels collude to a green and social engineering agenda called Agenda 21 & Sustaining Development
- The executive offices pander to Agenda 21 without approval, vote and even knowledge of the people.
- Government at all levels have become an illegitimate partner to big business and big social engineering interests.

- Freedom and liberty are squeezed out, the extreme left and right have enjoined to take take all.
- Individual sovereignty has been replaced by government and non government tyranny. tyranny.
- King George III has not only returned but he never left America.
- One man, George Washington and a couple thousand frozen, bloody, starving men won the battle, i.e. The American Revolution.
- The rest of the people, i.e. 99.9% lost the war, by taking every scrap of individual freedom and liberty, over the following 231 years.

**"MY LIFE NOT AVIALETH ME IN COMPARISON TO THE LIBERTY OF THE TRUTH"**

**Mary Dyer, Quaker**

**Witness For Religious Freedom**

**Hanged on Boston Common**

**1660**



Photo J. Venrick Boston Freedom Trail

## VII. Returning To Freedom and Liberty - a short list

1. **Courts must be strictly limited, disciplined and monitored to basic constitutional law law especially regarding private property.**
2. **All laws, policies and regulations, must be ruled invalid unless they are clearly defined defined in the U.S. Constitution**
3. **Historical higher court rulings on basic private property including wages must be reenacted throughout the land**
  - **Historical higher court rulings cannot be ignored especially dealing with private property**

4. Prior case law that is repugnant to the U.S. Constitution must be ruled invalid.
5. Due process of law must be reestablished as originally intended by the Framers of the the Constitution.
  - "The phrase appears twice in the U.S. Constitution - in the 5th A mendment in the the Bill of Rights, which prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law," and in the 14th 14th A mendment, adopted almost 100 years later in the aftermath of the Civil War... No State shall deprive any person of life, liberty or property without due process of law." Due Process Of Law, John V. Orth
6. We must return to the Framers intent that American's have certain inalienable rights where no government or non government can go.
7. No private property can be taxed including private land, homes and wages.
  - There is no clear taxing authority in the Constitution of private property including including land and wages
  - Direct taxation has always lead to the annihilation of the nation
  - Prior to the illegitimate "income" tax system, most monies collected came from tariffs on imported goods.
  - Tax on property was declared unconstitutional by the Supreme Court in the Pollock Case in 1895.
  - All business tax is a transfer tax to the people on top of their unconstitutional wage tax, estate taxes and all other taxes on personal and private property.
  - Americans are illegitimately and unconstitutionally taxed many times over.
  - Filing the Tax Form 1040 is voluntary not mandatory.
8. America must return to ONLY indirect taxation as it was in 1776 - 1913.
9. The dark forces of tax taking is an expanding balloon soon to burst as civil disobedience grows.
10. Counties and states must be set free from the shackles of tyranny from the hierarchy of of taking and control by big government and non government meddling.
11. New free cities, counties and states must be encouraged to redefine themselves to become completely independent and free from the long chain of taking.
12. All use of force, coercion or distortion by government and non government groups must be severely punished and discouraged.
13. Absolute free choice must become the guiding light in government.
14. Individual sovereignty including all the inalienable rights to own and control ones private property must be restored.
15. American's must wake up and throw back all these takings, defy and challenge all authority that takes your freedom and liberty.

If you got this far, and still need more proof of taking in America, please check this out.  
<http://www.americanpolicy.org/more/part1.htm>.  
This is a master piece by Tom DeWeese.

**Jack Venrick**  
**Witness To The Escalation**  
**Of Government and Non Government Taking**  
**Of Our Basic Rights, Freedoms & Liberties**  
**Enumclaw, WA**

**"We the People are the rightful masters, both of Congress and  
the Courts, not to overthrow the Constitution, but to  
overthrow the men who pervert the Constitution."  
Abraham Lincoln**

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

**From:** [pamroach@aol.com](mailto:pamroach@aol.com)  
**To:** [jacksranch@skynetbb.com](mailto:jacksranch@skynetbb.com) ; [Giuntoli.Josh@leg.wa.gov](mailto:Giuntoli.Josh@leg.wa.gov)  
**Sent:** Monday, September 10, 2007 10:56 AM  
**Subject:** Re: King County Road & Water Closures Today - for Unnecessary Fish and Habitat Culvert Replacements - URGENT

Jack,  
Why is this not being addressed with County Councilman Reagan Dunn?

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

From: Jack Venrick <[jacksranch@skynetbb.com](mailto:jacksranch@skynetbb.com)>  
To: Representative Chris Hurst <[hurst.christopher@leg.wa.gov](mailto:hurst.christopher@leg.wa.gov)>; Senator Pam Roach (Home) <[pamroach@aol.com](mailto:pamroach@aol.com)>; Giuntoli, Josh <[Giuntoli.Josh@leg.wa.gov](mailto:Giuntoli.Josh@leg.wa.gov)>; Rep. Dan Roach <[roach.dan@leg.wa.gov](mailto:roach.dan@leg.wa.gov)>; Senator Pam Roach <[roach.pam@leg.wa.gov](mailto:roach.pam@leg.wa.gov)>  
Cc: John Wise Enumclaw Mayor <[johnwise@ci.enumclaw.wa.us](mailto:johnwise@ci.enumclaw.wa.us)>; Norm Gammell KingCounty <[Norm.Gammell@METROKC.GOV](mailto:Norm.Gammell@METROKC.GOV)>; [ScottWoodbury@ci.enumclaw.wa.us](mailto:ScottWoodbury@ci.enumclaw.wa.us)  
Sent: Mon, 10 Sep 2007 7:50 am  
Subject: King County Road & Water ClosuresToday - for Unecessary Fish and Habitat Culvert Replacements - URGENT

## URGENT

**Dear Senator Roach, Representative Hurst & Representative Roach and Legislative Assistant Josh Giuntoli :**

**It appears the first step of this ridiculous concrete fish bunker is proceeding. Signs are up up at the intersection of SE 416th and 244 Ave SE that traffic will be blocked starting 8AM today, Monday, 9-2007, I believe.**

**As my long trail of email stated earlier, no rural property owners asked for or voted on this. This is another State and King County Fish and Wildlife environmental extremism extremism project foist on us to pay. "Roundabouts" for fish are like roundabouts for human out here, its all about big government sustaining bullying the locals to pander to to their green and causes.**

**This project needs to be put on hold for the locals to discuss. Their are no fish in this ditch, it is dry over half the year. There are no traffic problems. This used to be a non stop intersection east and west bound, but a 4 way signal was installed because of a few accidents over the years, i.e. people running the stop signs. The flooding issue can be solved by cleaning out the ditches and the existing culvert and/or dropping another culvert culvert across 416th running north south.**

**We do not need to be assessed with anymore illegitimate and unconstitutional taxing of our private property. This is the same game plan that was used on the roundabout for humans also near me on SE 416th and SR169 that you helped stopped.**

**This fish bunker is creating unnecessary work for the City of Enumclaw also. King County has not informed or asked any rural property owners about this half million dollar dollar fish bomb shelter. King County and the State are not authorized to do this work or or assess us. King County has a long history of taking private property rights and**

**brutalizing property owners to push their green extreme ways in Seattle.**

**Citizen Alliance for Property Rights and National Association for Rural Land Owners and American Policy Center are fighting these takings continually. No King County personnel or State personnel are welcome on the Enumclaw Plateau anymore. They are state sponsored criminals out here, extorting of property owners of their basic constitutional and natural rights.**

**I have cc'd the Mayor of Enumclaw, John Wise and the Assistant City Engineer Scott Woodbury as well as the King County contact on this fish bunker, Norm Gammell.**

**I would appreciate if Senator Roach office would call the City of Enumclaw and King County, ASAP and stop this unnecessary waste of tax payer money. The local people have better ways to solve this problem that will not cost an "arm and a leg" for the rest of our lives extorted from our rural property taxes.**

**These Fish bunkers are totally unnecessary and an over kill. They are extremely expensive and are a result of green extreme gone mad. The only way they can push these these roundabouts for fish and humans on the rural property owners is doing this nonsense nonsense below the radar of public opinion and then hitting us up via property taxes after after the fact. This is fraudulent and those involved in King County and the State of Washington DOT and F&W need to be disciplined.**

**Thank you for helping. I would appreciated any feedback and I will keep you all up to date.**

**Sincerely,**

**Jack Venrick  
Enumclaw, WA**

----- 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

**From:** Jack Venrick [<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, Representative Shabro & 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 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 244th and 416th near where I live. I was hoping you could give me some more details details on why this is being done by King County. This is a leading question. I have lived out here for 30 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 a hundred thousand dollar concrete "fish" bunker on 244th and 424th, one country block south of where where they are planning another one. When this was installed years ago I was told that the WA State Fish Fish and Wildlife (Mr. Fisher no less) was behind this. There was no problem with the prior culvert. I was 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" "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 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 dollars and that does not include local city and power costs when there is other utility interferences. This is 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 Senat and Senator Roach can stop this nonsense. The Senator was successful stopping the WA State DOT when when the DOT tried to push through the "roundabout" near Enumclaw in a rural area no less. This is not 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](mailto:ron.ewart)

To: [r.ewart](mailto: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! Up-grading 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-imburement 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

**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:**

**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

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

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

**Cc:**

**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 bicycles 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 placed 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 borne 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