

Jack Venrick

From: "ron ewart" <r.ewart@comcast.net>
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Sent: Tuesday, May 30, 2006 7:14 AM
Subject: Rural Ombudsman Whitewash Article

To Dean A. Radford, (King County Journal Reporter) Owners and Editors of the King County Journal, Ron Sims and the King County Council, Rural Landowners, Interested Parties and the News Media:

Dear Dean:



The light dawns. I finally got it. Ron Sims, King County Executive, writes and edits your columns on land use issues. Your front page article this morning in the King County Journal:

**"Land-use complaint?
Talk to the ombudsman"**

2006-05-30

by [Dean A. Radford](#), Journal Reporter

<http://www.kingcountyjournal.com/sited/story/html/258877>

was the worst case of government whitewash I have ever seen. Oh, you had all the players in the article alright, like David Spohr, Bob Ferguson, Reagan Dunn, Steve Hammond and even Rod McFarland, except for one very important voice. What you didn't have was the anger of the rural landowner. For the last two plus years I have been the defacto voice of the angry rural landowner in King County and for awhile there, you and the paper you work for, acknowledged that fact. But for the last 6 months you and the Journal have purposely ignored anything I have to say about land use issues in King County. So I can only conclude that it is the Journal's overt attempt to muzzle me, or you are receiving marching orders from County Dictator, Ron Sims. ***"Good Lord! I might just get rural landowners even more angrier than they are now. By all means, let's keep a lid on that anger. Who knows, they might just disobey all the laws we have written and we can't have that now, can we?"***

I can tell you for a fact that King County rural landowners are already disobeying land use laws, wholesale. But that is exactly what happens when government writes too many laws. The unintended consequence is compliance with law goes down, significantly.

But I now represent rural landowners far and wide because government, that the King County Journal aides and abets, passes land use law, after law, restriction after restriction and ordinance after ordinance that only affects rural landowners. In other words government has required the rural landowner to bear the entire burden of environmental protection, in violation of constitutional protections, while your city folk get off virtually scot-free. In spite of the fact that cities are the worst polluters of all. And Democrat legislators, voted in by city folk, constantly give us this unconstitutional land use garbage. How's that for equal protection under the law.

In our article, written and edited by Ron Sims, Bob Ferguson states:

"This hire boils down to the need to build trust and ensure a sense of fairness for all county citizens," Ferguson said after the council's 8-1 vote. "Too many rural residents have lost their trust of county government and feel that the county does not pay close enough attention to their needs," said Ferguson, whose district includes part of northeast King County."

"Fairness for all county citizens and trust in government?" Ferguson has got to be kidding, or living in La La land. It was government (*King County Democrats*) that gave us the Critical Areas Ordinance (CAO) in the first place. Why should we trust them? ***Adding a rural ombudsman to the CAO mix is like taking an aspirin for a headache, that is caused by a brain tumor. The Brain Tumor is the CAO and it has to go.*** If the Supreme Court rules in favor of overturning *Brisbane vs. Whatcom County*, and there is a high likelihood they will, the rural citizens of King County will "KILL" the CAO, and good riddance. Then, what will the county's rural ombudsman do?

Following this message are the two messages we wrote, when we learned that a rural ombudsman had been hired. Those messages stand as written.

Ron Ewart
Fall City, WA
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To Rural Landowners of King County, the King County Council, County Executive, Interested Parties and the News Media:

So now the rural residents of King County have their own rural ombudsman. Hooray! Or do they? Much hoopla was given to selecting the new King County rural landowner ombudsman, the one Mr. David Spohr, a lawyer for the justice department. But he wasn't just a lawyer for the justice department. He was a lawyer defending the U. S. Government against a beleaguered, nationally-known property owner and cattle rancher, Mr. Wayne Hage. Read about Mr. Hage at: <http://nj.npri.org/nj98/04/hage.htm>. And read about the status of his case at: http://www.stewards.us/hage_v_us/hage_v_us.htm.

The federal government, under either the Forest Service, or the Bureau of Land Management or some other government out-of-control bureaucracy, egged on by environmentalists, sent armed horsemen onto Mr. Hage's grazing allotment property, rounded up his cattle and then sold them at auction. Mr. Hage has been fighting the government for over 10 years, defending his allotment and property rights, at a huge personal cost to him, I might add.

However, in an article about Mr. Hage's fight with the U. S. Government over his 100 plus year old grazing and water allotment rights on government land, Mr. Spohr, your new rural ombudsman, said the following:

"There is no sinister plot here, no conspiracy," said David Spohr, a Justice Department lawyer representing the two federal agencies. "If anything, the federal agencies were too soft. They allowed too many violations to go on for too long," Spohr said. "He (Hage) believes this entire 752,000 acres has been set aside entirely for his use."

Read the whole article at:

<http://lists.envirolink.org/pipermail/ar-news/Week-of-Mon-20040503/024730.html>.

So who did we get for a rural ombudsman? Not Steve Hammond who was a local rural property owner, a previous county councilman and one who was in tune with the rural landowner. No!!! We got an attorney for the justice department (*government*) who fought rural landowners on the side of the government. It's just "big government" hiring more "big government" stooges (*with a big-government mindset*), to rule over the "people". ***Now all you little sheep. You line up like good little boys and girls, or the government sheep dog will bite you, or have lamb chops for dinner.***

First, we had all-lower-case joan burlinghame, as a temporary rural liaison to

placate the rural landowner over the Critical Areas Ordinance (CAO). She got over \$50,000 for a 10-month contract to liaison with rural landowners. Was the \$50,000 well spent? You've got to be kidding!!! Mr. Spohr is going to get over \$70,000 per year and for what? Will he be able to reverse the CAO? Of course not. Only the Council can do that, or the voters. Will he be able to sooth the frayed feathers of rural property owners who come up against DDES who enforces the CAO with a Gestapo hand and charges exorbitant fees for the privilege? Not likely. And if you don't think King County's DDES is acting Gestapo-like, ask rural landowner Ron Rowe. Ask Charles Strouss. Ask Karl and Diana Lechner. Ask Stan Powers and ask the 1,500 rural landowners who fall afoul of DDES code enforcement every year, turned in by their neighbors, anonymously of course.

So folks.

"Here come d' govnmn't man."

Should we give him a chance? A chance to do what? Spend \$70,000 plus of our hard-earned tax money, that's what! Now if the NO-CAO Referenda is upheld by the State Supreme Court and the unincorporated voters of King County repeal the CAO, will the Council then fire the "**govnmn't man**". Probably not.

Rural landowners. It's the Growth Management Act (GMA) that has to go. It is the Critical Areas Ordinance (CAO) that has to go. The repeal of both would bring freedom to the rural landowner, who is being required to bear the entire burden of environmental protection without due process and without compensation (*5th Amendment violations*), so that city-folk can have their own private "park", at the rural landowners expense. Of course the city folk don't have to follow the same rules as the rural landowner. They have already fouled the environment and continue to foul it, big time, every day.

And finally, it is the King County Rural Ombudsman (KCRO) that has to go, saving the taxpayers over \$70,000 per year, plus benefits, along with a whole lot of do-nothing work and rural landowners who get their hopes up for nothing.

People. We get from government, rural ombudsmans that will do nothing. We get handed a "bone" for border control. We get amnesty of law breakers. We get ordinance, after ordinance, after ordinance to control every aspect of our lives. We get endangered species acts (ESA) that force people out of work and off their properties. We get constant attempts to take our guns away. Our Constitutions are

trashed. Our freedoms and liberties trampled upon by big government, socialists and wild-eyed, radical environmentalists. We get eminent domain for other than a clear government purpose. We get bureaucracies that have become the fourth branch of government, with accountability only to themselves and exponentially-rising budgets. We get mounting tax burdens and more and constantly increasing government employment. And we get thousands of laws passed every day, where the "**consent of the governed**" is never asked for permission.

Good God! When does anyone get it?

"There are those that recognize danger and act. There are those who "see" it, but do nothing. But unfortunately, there are way too many of those who don't "see" anything at all." Ron Ewart

And that is not all. Mr. David Spohr (*your newly appointed King County rural ombudsman*) was the justice department attorney (Seattle) that prosecuted the case against: WARREN BERES and VICKI BERES, Husband and Wife, Plaintiffs, in the East Lake Sammamish Trail case (No. 03-785L) described below.

Fifth Amendment Taking; Railroad Easement; Reversionary Interest; General Railroad Right of Way Act of 1875, 43 U.S.C. § 934 et seq.; Abandoned Railroad Right of Way Act of 1922, 43 U.S.C. § 912; National Trails System Act Amendments of 1983, 16 U.S.C. § 1247(d); National Trails System Improvements Act of 1988, 16 U.S.C. § 1248(c).

JOHN M. GROEN, Groen, Stephens & Klinge, LLP, Bellevue, WA, for the plaintiffs.

DAVID W. SPOHR, Trial Attorney, General Litigation Section, **Environment and Natural Resources Division**, United States Department of Justice, Seattle, WA, for the Defendant. (my highlight for emphasis)

ANDREA FERSTER, General Counsel, **CHARLES H. MONTAGNE**, Attorney, Rails to Trails Conservancy, Seattle, WA, amicus curiae.

And look who filed the Amicus Brief in support of the government. The government has many well-heeled friends. Mostly wealthy socialists and radical environmentalists.

To learn more see:

http://www.propertyrightsresearch.org/2005/articles09/beres_v.htm.

and my understanding is, the government lost the case.

My strong suggestion is for all rural landowners to call for Mr. Spohr's immediate

resignation, or to load him up so badly with complaints, that he will go back to the U. S. Justice Department.

His appointment is a slap in the face to all King County rural landowners and nothing more than WINDOW DRESSING from an out-of-control government. It has all the earmarks of what Ron Sims did right after the CAO was passed. He hired a rural liaison officer (*one all-lower-case joan burlingame*) to placate the rural landowner. When does this garbage stop? Or better yet, when do King County rural landowners rise up and say "**enough is enough**" from the bowels of the Ho Chi Min City of Seattle? What is it about dictatorial rule, you all don't get?