



**PORT ANGELES BUSINESS ASSOCIATION**  
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**PORT ANGELES, WA. 98362**

2/7/12

Clallam County Board of Commissioners  
223 E 4<sup>th</sup> St  
Port Angeles, WA 98362

Commissioners,

In the name of protecting the fish, the Department of Ecology (DOE) is proposing a number of significant – even draconian – limitations on water usage in our area.

These limitations will ultimately stifle development, decrease land values, adversely impact the business-generated and real estate-related tax bases, and, likely, result in lawsuits over what could be construed as a government “taking” of land. Lastly, and perhaps more important, they will deprive citizens of the right to use their land in keeping with traditions established over many years.

In the opinion of many, however, DOE has proposed a solution in desperate search of a problem... that there is no problem and, moreover, if there was, DOE’s proposal would have little impact upon it.

In essence, DOE’s scientists assert that there is a hydrological connectivity between aquifers and the waters flowing in streams and rivers and, furthermore, that an increase in the number of wells drawing from these aquifers will cause a corresponding decrease in the flow levels in the rivers.

Many other equally knowledgeable scientists contend that this supposed hydrological connectivity has not been proven and is merely a hypothesis. Moreover, if such a connectivity does exist, the effects of the wells on the flow levels is minimal and, therefore, the hardships inflicted on the general populace will far outweigh any potential benefits.

Accordingly, we propose that you use your influence to cause DOE to delay the implementation of the Instream Flow Rules until impartial studies have:

- Presented sound, peer reviewed evidence that said hydrological connectivity exists

- Confirmed that limiting water usage by well-users will have more than a passing affect on in stream flow levels
- Established that the In stream Flow levels mandated by DOE are actually achievable and are not impossible goals that have only rarely been achieved in past decades.
- Determined that DOE has the statutory authority to impose these limitations
- Reviewed the “unintended consequences” on property owners, tax bases, area development, etc
- More fully examined “creative” innovations to actually increase availability of water rather than merely concentrating on restricting usage. Such innovations could be water storage or banking whereby spring surpluses could be captured for use during times of lessened flow. (Maybe a reservoir or, even, a dam...)

Many view the DOE as an unelected and unaccountable bureaucracy that inflicts arbitrary rules upon the general public with impunity. They have repeatedly stated that they, DOE, have authority to implement their decisions regardless of the opinions and objections of the affected population. And, more galling, they, themselves, usually live far from the areas that they impact and enjoy lifestyles unaffected by their decisions.

We therefore request you, our elected legislators, to use the power that the electorate has ceded to you to cause DOE to convince you that their proposals are necessary, justified, legal, and morally right before they are allowed to enact them.

Sincerely yours,

RA Pilling  
President  
Port Angeles Business Association