

WRIA 18 public comment June 28, 2012 Sequim, WA

We are here tonight to comment on a rule born on an agenda, built on flawed assumptions, and jammed through by biased committees. Removing the economist writing the economic impact report because they didn't like his assessment is symptomatic of the whole water rule process. The committee was stacked with agency personnel and environmentalists. People actually impacted by the rule need not apply.

The first assumption is that low river flows are the cause of endangered salmon populations. Never mind that salmon population crashes have been reported as far back as the nineteenth century in local papers and prior to that in Native legend. Never mind that most oceanographers attribute large fluctuations in salmon populations to oceanic conditions. Never mind that large population swings can be a natural phenomenon augmented by bad management decisions.

DOE has put a ton of money and effort into ratcheting down on domestic users for what their sacked economist calls "2/10 of 1% of the river over a 100 year build out". In other words, all this concern and excitement is over a negligible immeasurable amount of water.

With all the work in water conservation in the basin over the past several decades and the downward trajectory of water use this rule would seem unnecessary. Country living will certainly take on a new normal for newcomers to the valley: No outside watering and rationed indoor use. Move to Sequim but don't plan to water the animals, grow a garden, or wash the car. Except for those tax payers living where they can take advantage of a vague mitigation scheme; more of their funds extorted. "We have to pass it to see what's in it" process does not create good policy. Nor does it engender confidence in our public servants. Did DOE ever say how many salmon we're saving?

The impact these wells have on the river is conjecture based on models, not empirical science. Were DOE's computer models crafted with the same lack of scruples demonstrated by their Economic Impact Statement? Are flow thresholds that are rarely if ever met appropriate in the real world?

Department of Ecology (DOE) contends that the river is over allocated and they throw around big numbers. They then turn around and tell us the water rights which have not been used for five years, a significant portion of their bandied about big number, are gone. Which is it DOE? You can't have it both ways! You have to subtract out the rights extinguished through non-use to arrive at the real allocation number.

Similarly, in the phony Economic Impact Statement they attribute large arbitrarily derived numbers to lawsuits that have never been threatened as justification for this rule. Why no large arbitrarily derived counter-balancing number for the law suits bound to occur should this rule be adopted?

With science conducted like their economic impact statement and assumptions that don't hold water, what we're witnessing is a naked power grab by an out of control agency. Their real ambition appears to have nothing to do with fish populations. Honest discussion of these issues cannot occur with a deceptive, disingenuous, and devious agency like the Department of Ecology.

My recommendation is that this rule is flawed beyond redemption and should not be adopted. Any new rule process should require Ecology to perform a full SEPA analysis, just as they as they would require of anyone else proposing changes as sweeping as this rule. Clearly this agency has demonstrated crying need for close oversight.

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