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Cc: [DL - Council](#); [Comp Plan Update](#)
Subject: Thoughts on our organizational scheme / take 2
Date: Tuesday, April 04, 2017 11:55:41 AM
Attachments: [4 legged stool.docx](#)
[ATT00001.htm](#)

You all have received my word document “4 legged stool” (attached again for reference)

In the organizational scheme I proposed in an email to you all on 3/15/17, I made a pitch for organizing ourselves around the 14 GMA principles, and offered a matrix for examining each principle. Those documents are located in Google Drive.

I’m now reconsidering this approach. The reason is that I don’t think GMA is going to help us. It represents a floor below which any county’s CP should not descend. However, the floor is made of jello due to the lack of state review, the presumption of validity and the very high burden of proof that plaintiffs must overcome.

GMA does not craft or incentivize much less require a ceiling.

We need to be focussed on the ceiling, not the floor. We don’t want a CP that “just makes it” but is otherwise useless and toothless.

The Vision Statement(s) point toward a ceiling, but right now they are toothless (E/S and County). They should be, and must be, constrained by carrying capacity (itself a jello floor) and it’s also jello like companion: sustainability.

The excellent material that Sandi has unearthed, from Nantucket to Silt to the APA CP guide, (note: I have not read these or studied these to the level I should) are more in the dream than the reality department. They show great promise, yet unless they craft a CP that is truly enforceable they are going to misguide our limited energy.

I’m struggling here so consider this a draft that desperately needs your serious participation.

I’m coming around to Fred’s idea of “reasonable use”. Normally this applies to the takings clause (5th Amendment) "nor shall private property be taken for public use, without just compensation." There is a flip side of this that is not in the constitution (that I know of) and yet at the center of our challenge: this might be loosely described as "nor shall public property be taken for private use, without just compensation."

What is on the table here is the commons, specifically the tragedy of the commons (Hardin, 1968) which I’ve referenced earlier.

The CP now, all 3+” of it’s printed thickness, does not guide any development here. By guide I mean meet three standards:

1. The rate of growth (this is broad and meant to include “people” here not just residents, so it would include visitors)
2. The location of growth (here the assumption/reference is to single family residents, but again it should be broadened to include location of growth of facilities to support visitors); basic choices are activity

centers or rural areas.

3. The maximum “reasonable use” population (of humans, whether residents or visitors or suppliers or whomever), otherwise described as “we are full. There is no more room here now. Come back some time when we have room”. This sentence clearly refers to various public facilities: quick examples include fire marshall codes for maximum building occupancy, state and national park camp sites, parking almost anywhere. It also obviously applies to various private activities, like space on airplanes, ferries, concerts, restaurants, etc. Some of this is self-enforcing: if you can't find a parking spot, you go elsewhere. If the beach (or activity anywhere) seems too crowded to you, you go somewhere else.

It seems that our task is to create a process to achieve answers to all 3 questions, beginning with the 3rd one and working backwards. GMA is not going to save us. A “feel good” but toothless vision statement is fluff and unworthy of spending any more time on word smithing.

A dilemma here is revealed in the McHarg reference I sent earlier:

Excerpts from a commentary on Ian McHarg (Design With Nature)

From 1897, when John Muir and Gifford Pinchot split bitterly over grazing rights in Yosemite, a persistent schism in American environmentalism has divided those who advocate preserving natural landscapes and protecting them from the disturbing influence of humans (Sierra Club, Wilderness Society, Earth First) and those who promote the "wise use" of natural resources (Resources for the Future, U.S. Forest Service). The conflicting views of Muir and Pinchot are also embodied in McHarg's words and deeds: when he calls humans "a planetary disease," he speaks as Muir; when he proposes that natural resources be used wisely for human benefit, he sounds like Pinchot. In 1969, McHarg saw that "clearly there is a desperate need for professionals who are conservationists by instinct, but who care not only to preserve but to create and manage." The conflict between preservation and change is McHarg's most persistent inconsistency

from:

<http://www.annwhistonspirn.com/pdf/enviromentalism.pdf>

So, are we a “planetary disease” (implying I suppose we should shoot ourselves, which, in some very real ways we are already doing), or can we craft “wise use for human benefit”?

Presuming we wouldn't be working on this if we were pure Muirists, we are choosing the “wise use” direction. Thus “reasonable use” means defining what a private taking is and limiting it (such as taking too much water, or parking space, or trail space, or suburbanizing the rural areas, or not having affordable housing, and the list goes on)

I welcome your thoughts on this. If this seems like the correct flagpole around which our work should center (as Ann has suggested, a look at the whole and not just the GMA or other “parts”), we need to proceed to construct a pathway to defining and concretizing reasonable (public and private) use. You recall that the #1 topic in our paper poll (thanks to Steph) in our meeting with Rick was “density” which is a placeholder for “people” and echoes the Muir concern that we are collectively a disease and therefore we have to manage our parasitic impact on our host. We are not symbiotic. More means less.

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