

# Merrill, Hannah

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**From:** earnest spees [REDACTED]  
**Sent:** Friday, November 25, 2011 8:38 PM  
**To:** Karl Spees  
**Cc:** Merrill, Hannah; zSMP  
**Subject:** \*Public Testimony on the SMA/SMP Update 'ridiculous eco-extremist regulations'

This is a submission of Public Testimony on the Clallam County SMA/SMP Update.

The DoE's current cram-down of NNL and increased set-backs based on precautionary principle and 'new understandings of science' (non-science/non-sense/pseudo-science) should be rejected. The pretext that this is about degradation of the environment does not stand up to objective scrutiny. The tremendous economic impact has been ignored. Because of its obvious nature being contrary to the State Constitution, it is sure to cause needless citizen angst and expenses and be doubly hurtful because the citizens will also be paying later for the County's defense of this terrible policy.

This incremental taking of our private property rights is consistent with 'UN Sustainable Development Agenda 21'. It is as much as they (the ruling party) think they can get by with. It is part of a Blitz by the 'ruling party advocates of top down rule/globalism' which includes the WRIA process (water regulation by central government), the removal of roads, the establishment of roadless areas, the Wild and Scenic Rivers push, the Wild Olympics Campaign, the plan to reintroduce wolves, etc. The brakes need to be put on these processes until sanity returns to public policy.

Rene Holaday has said "when regulations start being imposed upon a person's private property, then you start looking at fascism. Fascism allows the land owner to live on the land, and work the land, but the government heavily regulates its use. It more or less turns the land owner into an indentured servant"

Rene's letter summarizes these problem perfectly with the term: ECO-EXTREMIST REGULATIONS. Please educate yourselves and share with your neighbors. It is unlikely that our local main stream media will air these opinions.

Karl Spees - Pres. CAPR 13

--- On **Fri, 11/25/11, Appy Holaday's Sport Horses** wrote:

Dear Editor,

We can now understand that "The UN's Sustainable Development Agenda 21", (which is the full technical term) and all its tentacles add up to equal the destruction of private property rights in America.

In a "Fifth Amendment" treatise by State Supreme Court Justice Richard B. Sanders (12/10/97), he writes: "Property "is defined by (Washington) state law. Board of Regents v. Roth, 408 U.S. 564, 92 S. Ct. 2701, 2709, 33 L. Ed. 2d 548 (1972). Our state, and most other states, define property in an extremely broad sense."

"Property in a thing consists not merely in its ownership and possession, but in the unrestricted right of use, enjoyment, and disposal. Anything which destroys any of the elements of property, to that extent, destroys the property itself. The substantial value of property lies in its use. If the right of use be denied,

the value of the property is annihilated and ownership is rendered a barren right."

Ackerman v. Port of Seattle, 55 Wn.2d 400, 409, 348 P.2d 664 (1960) (quoting from Spann v. City of Dallas, 111 Tex. 350, 355, 235 S.W. 513, 19 A.L.R. 1387 (1921)).

And further, Justice Sanders states:

"While it is up to each state to define property for itself, the right to use one's property has been universally understood to be a fundamental attribute of real property ownership. Compare Eaton v. Boston, C. and M.R.R., 51 N.H. 504, 511-512 (1872) ("the framers of the Constitution intended to protect property rights which are worth protecting; not mere empty titles . . . among those elements is, fundamentally, the right of use . . .") and Lord Coke: "to deprive one of the use of his land is depriving him of his land. What is the land but the profits thereof?" See also John M. Groen and Richard M. Stephens, Takings Law, Lucas, and the Growth Management Act, 16 U. Puget Sound L. Rev. 1259, at 1266, 1295 (Spring 1993)."

I want each of you to really think about what is written there. The law does NOT allow any Growth Management Act or Critical Areas Ordinances to trump what the State law has defined, no matter how desperate, devious, and power hungry any group of people want to be.

According to "Commanding Heights: The Battle for the World Economy" by Pulitzer Prize winner Daniel Yergin & Joseph Stanislaw, the very backbone of Capitalism that actually allows Capitalism to work properly, is the fact that Americans not only have private property rights, but they hold the actual document which is the title to the land, and they can buy and sell that land, exercise their right to utilize that land, and their labor associated with that land can support and sustain them (and others) through its produce.

However, when regulations start being imposed upon a person's private property, then you start looking at fascism. Fascism allows the land owner to live on the land, and work the land, but the government heavily regulates its use. It more or less turns the land owner into an indentured servant that has to jump when they say jump, and then fill out endless paperwork that describes how they jumped, where they jumped to, at what time they jumped, and which permits they have that are associated with the required jump.

The law here in WA is on our side, so its time we start citing these laws to repeal a lot of these ridiculous eco-extremist regulations, Growth Management, Comprehensive Planning, Critical Areas Ordinances, etc., and return to the American values we hold dear.

Rene' Holaday  
UN Researcher