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[REDACTED]  
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Ann Wessel  
Washington State Department of Ecology  
[REDACTED]

Dear Ms. Wessel,

I am writing to present the following written comments and questions on WRIA 18.

I am a full time resident of Sequim. I am a Real Estate Broker and business owner in downtown Sequim. I believe respecting our environment and protecting our natural resources is imperative. I have endeavored to better understand how this proposed water rule and new mitigation process will benefit my family, my clients and the community which I serve.

As a result of attending the June 28<sup>th</sup> meeting I have concerns with the numerous issues brought to the table regarding the legitimacy of the CBA, the lack of the rule's constitutional integrity, and the overall benefit this plan will actually provide for the residents of our communities after its implementation. DOE could not make any guarantees this new water rule, once implemented, would enhance, protect, improve or add an ounce of water to our existing water situation. It appears that this rule, which is designed to serve the environment and the people, may not have been thoroughly researched, accurately prepared or ethically processed. Also, I have to ask, Is this rule being pushed through without a true voice from those it is clearly intended to serve? Time appears to be the factor here. I believe DOE needs more time to ethically reevaluate more verified data obtained by experienced area-knowledgeable experts. It is my experience that a small modification or correction in just one area of an evaluation can vastly change the final outcome. Governing a natural resource for the people is a huge responsibility, and one definitely worthy of whatever amount of time is needed to get it right. Moving forward ignoring many legitimate concerns voiced by experts in the field just seems reckless when dealing with such an important resource as our water. The internal behaviors by DOE recently brought to light in regards to the removal and replacement of key player Hoff was altogether disappointing. It is a sobering slap in the face to the people and a perfect example of cronyism. Any attempt at this point by DOE to try to exonerate their exposed action would only appear as a governmental whitewash at best. I believe if DOE and our elected officials choose to look away while WRIA 18 moves forward without heeding the cry of constituencies, the advice of local area experts, and the written comments made by DOE's own former analyst Tryg Hoff, then the people by default have embraced a government control driven regime. If no action is taken to make this right by those sworn to defend the people against internal governmental corruption, and WRIA 18 is adopted *in this manner*, our Commissioners and Elected Officials will also be painted with the strokes of DOE's unscrupulously dipped brush here in Clallam County. As area property owners personally experience the ramifications of this rule and realize for themselves the lack of due process and the history of its manipulated inception, it will bleed further distrust into our local government leaving disgruntled property owners with no choice than to seek legal remedies which will open up the entire rule process & protocol to future litigation. Which we understand will target non-constitutional issues as well. So DOE, now is the right time for you to correct this, not later.

I would ask that you take time to complete the work on this before re-approaching us with a governmentally controlled sunny forecast, only a chance of a brighter future, and costly water mitigation fees moving over the horizon. Beyond the issues of mitigation fees on the homeowner, isn't the protection of this natural resource far too valuable to allow a flawed system to move forward without bona fide proof of success. After all, this is our water we're talking about. Can DOE provide better odds to the people than the present uncertainty this will/can even help our

water flows? Some still may want this to go through quickly believing it will genuinely protect our natural resources; others do not, because like me, they now recognize serious problems and have become concerned there may be more hidden snakes in the boot. However, NONE would choose to create a fiasco that will have to be legally mopped-up later with our taxpayer dollars.

The over simplistic responses by DOE on June 28<sup>th</sup> to questions on loss of property values only solidified my concerns of inaccurate analysis for our area.

My comments and questions on this subject are stated below.

**1. When evaluating the loss of property values here in Clallam County, were local real estate experts (professional real estate brokers, lenders and appraisers) contacted for evaluation / opinion / information on this matter?**

**2. If not, Why?** *It would seem prudent that a panel of local experts in those specialized fields would prove beneficial to your genuine analysis of the impact to local property value.*

**Scenario/question:** I have two one acre land listings, BOTH in the same neighborhood, BOTH equal size and view. BOTH are in your area of purchase interest, both offering you a little bit of land to grow your own veggies and some flowers when you retire here. #1 offers exterior irrigation share, but #2 does not. Both are currently assessed by the county at the same value and both are offered to you at the same price...

**3. Which one would you choose to purchase?**

Respectfully Ms. Wessel, any competent buyer will choose property #1. *Leaving our Seller#2 who has no share for their property to try and compete with those properties who do. Seller#2, when they eventually do obtain an offer will most likely receive a low one to compensate for the loss of exterior watering.*

This is a very simplified demonstration of how loss of property value can develop. WRIA 18 is a catalyst that will change the dynamic of property value here in our area. DOE has casually deemed there will be little or no loss of property value. Dealing with property value firsthand I 100% disagree. It will affect property owners and property value. Several recent experiences prove we are already discussing loss of perceived value with informed buyers on sales of properties in the WRIA 18 affected areas. Unlike DOE, as a Realtor®, I cannot excuse myself from taking the time to appropriately disclose to buyers who may be affected by this rule, because that would be illegal. Furthermore doing so while in a position of public service would be morally perverse and grossly self-serving.

The above scenario only utilized an exterior irrigation water share as an example of decreased property value. However...

**4. Do you believe that a domestic water share would be less important to the average real estate buyer than an exterior share? ...and thus a mitigation fee for domestic use would present less of an impact to property value?**

Using normal methods of evaluation it is clear that having mitigation fees to secure domestic water use does not remove the negative effect WRIA 18 will have on property values.

**5. How do you calculate this in order to openly attest to the people that WRIA 18 will NOT affect their property values because they can mitigate domestic water use?** *This seems casually and dangerously presumptuous—that every affected owner here in our community will have a handful of money to reconcile their domestic water use with the DOE at the time it is needed. This will certainly be a problem for many and inadvertently impose an unjust disadvantage on lower income residents.*

**6. What financial restitution will be implemented by the DOE (or other government agency) to provide for those owners who cannot afford to pay for this new water mitigation fee?**

**7. What about recompense for owners of existing wells, which in good faith, have already been paid for? Many sellers paid all the required fees and costs to have a well drilled and to be lawfully permitted per current county regulation in order to secure their future potable water use – what about them? Will they be given fair restitution, or will they be required to stand in line with the rest who have never invested in drilling, improving or permitting a currently approved well?**

**8. If there will be fair restitution for those owners mentioned in questions 7 & 8, will the taxpayers be funding it?**

Lastly in regard to values, I would like to propose that you explore the decrease of value, sales and build-outs we've seen on vacant Sequim City Lots from the time the City Impact Fees were imposed on those properties. Current local property statistics like these render area specific data which would better assist in the overall representation of property value for this area. Sequim being a high senior retirement area presents a very different dynamic of value than Port Angeles, Port Townsend and surrounding areas.

So, there is a lot of work still to be done before a plan like WRIA 18 should be approved.

#1. DOE needs to immediately address and correct obvious internal integrity issues and processes.

#2. The CBA must be thoroughly re-evaluated and include pertinent local data by reputable, knowledgeable, local experts in field.

#3. Doe must re-present to the people an analytically cohesive plan which more accurately addresses the direct effects of WRIA 18 for our area dynamic AND includes a reasonable allotment of time for those in the affected area to review, make comments and vote.

On such a critical issue as this, I am challenging the DOE to respond to the legitimate concerns of the people in order to demonstrate and establish a genuine partnership with our community.