

Commentary [Volume 1](#)

archive

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Valley News

[Volume 1](#)

[Volume 2](#)

[Volume 3](#)

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1994-2001



Incomprehensible...inconceivable

Sept. 12, 2001

To date we've lived with the bitter belief that nothing in a single day of our country's history could equal the tragedy of the Oklahoma City federal center bombing or Pearl Harbor.

But we now have a horrific new reality of just how vulnerable we are.

As this is written in the morning of Sept. 11, the longest morning in the 21st century--the world's most powerful country is grinding to a halt. No commercial planes are leaving major airports. The financial markets are closed. And our borders are essentially shut down. All of lower Manhattan appears engulfed in smoke. The president cannot return to the capital for security reasons.

The immediate effects are numbing. The long term psychological damage is, at this time, incalculable. For many Americans to merely visit an airport will now be a test of will.

"We're at war, this is 21st century war," said a Pennsylvania congressman.

"We're going to go after the bastards. It's that simple," said Sen. Orrin Hatch. But Sen. John McCain, a war hero, cautioned that we fully understand all that has happened and the source.

With attempts to fix blame for Tuesday's incomprehensible and inconceivable attacks, the likely targets will be Islamic militants and Osama bin Laden. And some television footage of street celebrations in the Arab world can only inflame most Americans.

But the reaction of novelist Tom Clancy to a television interviewer is sobering. The hawkish Clancy, whose books often feature terrorists, perhaps surprisingly urged that America remember its commitment to religious freedom and not blame all of Islam for the attacks.

"We need to hold onto that principle very tightly now," he said, and recognize Tuesday's horror is, "an act done by a small number of madmen."

There is little doubt this is an act of war on the United States--a magnified event of a series of escalating attacks that has now irrevocably shaken our complacency. It requires a swift, decisive and forceful response and a thorough review of our intelligence activities.

But we need to be clear on the causes and react in the way that establishes again for the world the nation's leadership as a free society.

In the name of God and Allah

Sept. 19, 2001

"To kill Americans and their allies -- civilians and military -- is an individual duty for every Muslim who can do it in any country in which it is possible to do it."

Osama bin Laden,
as reported by the Washington Post
from a 1998 statement

"These people who did this bear the same relationship to Islam (as that) of Torquemada

and the people who ran the Spanish inquisition did to Christianity."

James Woolsey, former CIA director

CNN

Sunday, 9/16/01

This is a time of unimaginable anguish for the nation and much of the world. These are hours of introspection, sadness and anger.

Psychologists warn that terrorism is the ultimate hostage situation. Rather than a few captives in the Munich Olympics, we are today all hostages of uncertainty. Any lingering self-assurance from the implosion of communism seems a distant--even nostalgic--memory of a time when our "enemies" were known.

As one astute analyst noted, this was an act in which the time, place and method were controlled by the attacker. And we must be aware it is not a single, apocalyptic event but only the most tragic of a chain whose links continue to be replaced or added. Even more disturbing is that our strength as a free society which welcomes the oppressed has essentially been used against us.

There are those who naively will argue that the United States is instead the world oppressor, that somehow the World Trade Center was the symbol of all that is wrong in the world.

In trying to explain something so awful, nothing may be more challenging than to make sense of how such evil can result when man perverts religion for selfish goals.

The magnitude of what happened in New York, the nation's capital and a field in Pennsylvania is a terrible testament to what can be done in the name of Allah. But on a smaller scale, we should look within ourselves to recognize that the bombing of abortion clinics is another distortion for those who believe in a just and loving Christian God.

With all the despair that began on September 11, 2001 has come another more uplifting realization that most of the world is a community of man. We've seen it in the Star Spangled Banner played at the changing of the guard at Buckingham Palace and at the Elysee Palace.

An estimated 200,000 people massed at the Brandenburg Gate. There is a connection to the Methow Valley. Tengelmann Group of Germany--owned by the Haub family who also own Sun Mountain Lodge--took out ads in all major German papers supporting the United States.

As translated in part, the ad reads:

These incomprehensible acts of terror are an attack on all human beings on earth, who want to live in peace and liberty. In these bitter hours we assure the victims, their relatives, our colleagues in the United States and the American people of our deeply felt compassion and feelings of solidarity.

We have not forgotten that it was the American people who, 56 years ago, contributed in no small degree to the liberation of Germany from dread and terror. Ever since, they have been engaged in guaranteeing freedom and security throughout Europe.

Words of John Donne's poetic essay, written some 400 years ago, seem both appropriate and in conflict with events of last week.

Donne's concern was the European community of man in his time. In the age of instant communications and easy air travel the words now must stretch across oceans and continents.

It's difficult to relate the central concept and the deaths of so many on the east coast to any thought of mourning the possible loss of Osama bin Laden--or James Earl Ray, Lee Harvey Oswald or Sirhan Sirhan. But maybe there is another interpretation. Are we all diminished by the "death" of respect by any human for the life of another---whether Muslim, Jew, Christian, Buddhist, Hindu, agnostic or atheist?

No Man is an Island

*...no man is an island, entire of itself;
every man is a piece of the continent, a part of the main.
If a clod be washed away by the sea, Europe is (we are) the less,
as well as if a promontory were, as well as if a manor of thy friend's
or of thine own were: any man's death diminishes me,
for I am involved in mankind,
and therefore never send to know for whom the bell tolls;
it tolls for thee.*

John Donne (1572-1631)

In another view, we might say that the bell is now tolling for the United States to answer the tyranny of terrorism with the same resolve we had as Japan attacked Pearl Harbor and Hitler marched through Europe.

There is little question that our response to terrorism will require military action in some way. But this is a different war that has already breached our borders and will be fought by us all. We must merge our strength of spirit on the home front with vigilance against those who would persecute anyone solely for their race or religion. We must learn to ignore the disruption that we will face in everyday life while embracing our core beliefs.

In our diplomacy we must attempt to hold our friends firmly while wining over others. We must seek out those who have no respect for the community of man, and use our technological and military power in a way that is precise, not arbitrary.

Our ability to use force to achieve freedom is what has made the United States a free society, albeit imperfect, that nevertheless is the envy of history.

A month later

October 11, 2001

Could it be only a month ago this week since "it" happened? The transformational power of Sept. 11 oddly makes the day seem so immediate but long ago.

For some people getting a grip again on life as they understood it is a constant challenge. Especially in urban areas, the resolve to plug away as usual can be punctuated a second glance or sudden suspicion in what were once apparently routine situations.

Walter Cronkite--once crowned by polls as "America's most trusted man," a World War II correspondent and the man who defined integrity in television News, put it bluntly in a recent interview:

"This is the biggest story of our time."

Much of my post-WWII generation have lived through the Cold War with Kruschev

beating the table at the United Nations, bellowing, "We will bury you;" the Cuban missile crisis when the Russian bear blinked and the swamp of Vietnam as defining moments.

This is much different in a way we're still trying to grasp. As one friend confided, "I'm still the same but fundamentally changed."

Two years ago we were agitated about the impending Y2K threat. Some people took elaborate precautions. Others were more casual, asking as the clock ticked: "what if they're right and I'm wrong?" for not being overly concerned.

With Y2K we were waiting for something potentially catastrophic that never happened.

On September 11, we had deluded ourselves that something so inhuman wouldn't happen in the post Cold War era. From government to the public, we became complacent. Now we live with a new reality that it happened and could again at another unexpected time or place.

A month later, polls show that the overwhelming majority of the American public, as many as 95 percent, realize that military action is necessary. The remaining are about split between opposition and indecision.

I'm with the 95 percent. But I respect alternative views of the 5 percent, even if I consider arguments of parallels to Vietnam and belief that the United States is to blame for Sept. 11 to be absurdly out of touch.

Dissent and unity are necessary parts of a pluralistic democracy.

Al Qaeda Inc., CEO Osama

November 6, 2001

Maybe it's the ultimate irony of Sept. 11.

The world's most wanted terrorist hides in a country lost in the past, with starving children, oppressed women, and essentially no future, all the time running a worldwide financial network that mimics the free western capitalist world that he so despises.

Al Qaeda, Inc. has by many accounts become the Middle East equivalent of an entrepreneurial holding company fueled by assets of an Arabic trust fund baby and allowed to exist by a Saudi oligarchy that has officially expatriated him.

In Yemen, where his father was born, and other Islamic countries, Osama bin Laden has funneled his considerable capital into distribution and retail sales of honey disguising traffic in weapons, a thriving "protection" racket and a lock on Afghanistan's 75 percent share of the world heroin trade. Now, by several reports, Al Qaeda is sheltering assets in diamonds mined under the control of Sierra Leone rebels who hack off the arms of children as a message to opponents.

From the early 1980s until settling into his present cave somewhere, CEO Osama skipped back and forth from Sudan to Afghanistan. He was apparently received much like the rich kid in America who arrives at the wheel of a fast new convertible and picks up the hamburger tab at the local drive-in.

In the country where he remains a "guest," Osama has propped up the regressive Taliban dictators with as much as \$100 million, by some reports.

Rather than being a "micro manager," CEO Osama is believed to defer to his management

team, those like a former Egyptian surgeon, to bring him deals to finance.

One of the "entrepreneurs," according to a New York Times report, could have been Mohammed Atta, who left a will imbued with nihilism-- a vision of no future but martyrdom that is in turn passed down to enslave Muslim children in hate.

By the Times report, the Egyptian-born and German-educated Atta appears to have been the terrorist equivalent of a dot-com wannabe. Atta got his "business plan" vetted by some intermediaries and signed off by Osama.

Much like a venture capital deal, Atta might have been the beneficiary of Al Qaeda's World Trade Center Fund.

A Dallas Morning News special report lends credence to Al Qaeda's capitalist leanings in the name of their bastardized Islamic perspective. In one interview an aspiring Al Qaeda trainee says some of his friends have gone to Afghanistan to fight the U. S.

"God willing, so will I," Hussain (a pseudonym) is quoted.

But the Dallas paper reports: "... he also said he would like to become a rich software tycoon and "support the jihad financially," as bin Laden has done."

The power of Mohammed? Or Bill Gates?

Cantwell makes a good suggestion

Oct. 3, 2001

The state's freshman senator in D. C. is on the right track in calling for hearings on the Thirtymile Fire.

Last week, as the investigation report of the tragedy was released, Sen. Maria Cantwell immediately called on Oregon Democrat Sen. Ron Wyden's subcommittee Forests and Public Land Management to review the report's findings in an attempt to understand what went so awry in the tragedy.

As Cantwell noted, some lessons of the 1994 Storm Canyon fire in Colorado, in which 14 firefighters died, have been overlooked. The Forest Service investigation itself acknowledges this, pointing to the need for a changes in the firefighting culture.

Whether directly, or by implication, the report reveals deficiencies in leadership and training and inadequate attention to safety at the field level.

Cantwell has a strong environmental support base. It would be unfortunate if the hearings are used as a platform to argue whether wildland fires are fought at all. The focus should be on correcting existing management and safety problems rather than ignoring them for a broader discussion of the role of fire in the national forests.

That is already the subject of a legitimate and continuing debate best carried out in another venue.

Cantwell might also reconsider an incomplete statement in her announcement. The Senator notes that the Thirtymile deaths were "not caused by conflicts between national fire suppression policies and the Endangered Species Act..."

It's true the ESA was only one issue, cited as an "influencing factor" in the fire. But the report also cited a delay in authorizing a helicopter to dip water as indicating "The lack of a

clear process and determination of responsibilities to deal with the Endangered Species Act..." Among recommendations, the investigating team said there is a need to "clarify" the relationship of firefighting and the ESA to establish a "coherent process." This is not to say the ESA is the problem, but the way it is understood within the Forest Service may be.

The hearings are important, and all issues that emerged in the investigation should be probed to assure that history does not repeat itself yet again in another canyon some day.

Freedom and civil disobedience

July 12, 2001

The week of celebrating democracy and independence spawned a number of events illustrating the privileges and limits of freedom.

In northern Idaho, a pathetic group of Aryan Nations demonstrators marched peacefully with their tired message of racism and hate.

Elsewhere in the Northwest, a Seattle protester allegedly whacked Mayor Paul Schell with a megaphone, breaking his cheekbone. The protester's defenders, or maybe "rationalizers," claimed the action was born of frustration over the city's attitude toward the black community.

Down in the Klamath Falls, Oregon area, irrigators cut through a weld on a Bureau of Reclamation headgate to express anger at losing crops, livelihoods and a lifestyle to endangered species related water restrictions.

Although the irrigators' actions were illegal and could lead to prosecution, various protests related to the issues in past months have been well-organized and peaceful. Organizers said they have rejected some stronger actions of civil disobedience suggested by more militant factions. And the county commissioners, who support the irrigators, have refused to call for confronting the federal agencies.

The result of the Klamath protests have gained national attention for issues that affect the Methow as well. The manner in which the irrigators have framed their message is a contrast to the seemingly mindless violence that marked world trade protests in Seattle and elsewhere in world.

Many of the WTO protesters seemed barely informed of what they were against, and their actions detracted from the debate of what could have been legitimate grievances.

Thus far the Klamath area protesters mostly deserve praise for their peaceful restraint. They've made their point--much better than did the WTO outlaws.

A path between let burn and no burn

August 20, 2001

Now expected in September, the report of the Thirtymile Fire investigation will be one of the most closely scrutinized documents ever issued by the Forest Service.

Whatever the findings, the Thirtymile tragedy may already have affected the way wildfires are fought.

Managers of the Icicle Creek complex of fires in narrow canyons and rugged terrain near Leavenworth cautiously pulled crews back to establish defensible containment perimeters. They have noted the impact of the Thirtymile incident on the way the Icicle fire has been

managed.

The Thirtymile fire has also brought renewed attention to the debate on how, and even whether, some wildfires should be fought--and the need to improve health of western forests to prevent blazes from reaching catastrophic proportions.

There are some who argue that the only solution to decades of aggressive fire suppression is to let the forests burn. That's not an easy decision, even with fires such as Thirtymile in remote areas.

National incident managers who took over Thirtymile after the four fatalities noted the blaze could have burned unchecked for months. To have walked away would have closed out later options to suppress it when resources were stretched thin in other places. That scenario now seems reasonable with the eruption of fires across the West.

Somewhere between an inflexible let burn strategy and aggressive suppression of all fires, is the opportunity to manage public forest land by removing the unnatural build-up of fuel that leads to disastrous fires.

Continued controlled burns, whether manmade or naturally occurring, and other measures to remove fuel may be the best way to begin improving forest health. Western governors meeting recently in Idaho have focused on those issues.

It will be expensive--but likely less costly in the long term than the tens of millions of dollars spent annually to suppress out-of-control blazes. And, although firefighting will always be dangerous, improving forest health may also mitigate the risks that severe fires pose to those who walk the fire lines.

Another look at Thirtymile Fire

October 17, 2001

This Thursday (Oct. 18) a subcommittee chaired by Sen. Ron Wyden, D-Oregon, is set to begin a hearing on findings of the Thirtymile Fire investigation.

The hearing results from a request from fellow Northwest Democrat, Sen. Maria Cantwell.

The Forest Service also announced it would re-examine parts of its own report, after objections to some of the conclusions by families of the four who died and several survivors.

As Cantwell noted, there are enough questions about management of the Thirtymile Fire to warrant a second look.

Cantwell and others have been concerned that lessons of the 1994 Storm Canyon Fire in Colorado, which claimed 14 lives, were not put into practice at Thirtymile. The failure to follow such basic guidelines as establishing escape routes and selecting safety zones was compounded by poor communications and apparent lack of management control throughout the chain of command.

There have been questions about the investigation itself. Some skeptics have said the Forest Service should be required to turn the probe over to another agency--rather than pick its own panel, as has been the protocol.

It may be satisfying to families of the four firefighters that the agency will review accounts of what happened immediately before the tragedy. However, the decision in effect could

raise doubts about other parts of the report, among these:

Why weren't initial observations from the night before that the fire would grow quickly relayed or understood by fire managers? Why was water delayed and at what point would it have made a difference? Why weren't crews pulled off the fire, or another strategy pursued, when early afternoon temperature and fire behavior became so troublesome?

The Senate hearing should focus on the range of issues that played a part in this tragedy--not merely those that the Forest Service has agreed to re-examine under public pressure.

Pushing on the lid...

October 30, 2001

Since Endangered Species Act issues first blanketed the Methow basin several years ago, various agency participants in the process have said we need to "find a way out of the box."

While some progress has been made, it's apparent that we're not there yet.

One present case in point is the stalemate between National Marine Fisheries Service and the state Department of Fish and Wildlife over how to handle an abundance of hatchery steelhead trout returning to the Methow basin and other tributaries of the upper Columbia River system.

The state wants to allow a hatchery sport fishery, with the support of local fishing clubs, businesses and legislators.

State fish and wildlife director Jeff Koenigs proposed that fishing be allowed for an estimated 16,000 hatchery bred fish with clipped adipose fins that were expected to make it past Priest Rapids Dam.

The Methow Valley Fly Fishers club say the potential spawning activity of nearly 13,000 fish--hatchery and wild--expected to return to the Methow basin will stress stream capacity as late arriving spawners disturb already established redds.

NMFS says the hearing and permit revision process needed to allow a direct "take" of steelhead--since both wild and hatchery fish are listed in the Methow basin--would take at least several months. The state's permit only allows trapping and relocating about 600 hatchery fish at Wells Dam.

The state is surprised at NMFS' reluctance, and one of the federal agency's fisheries officials concedes that a sports fishery might be a good solution.

But remember that box?

A federal judge in Oregon has essentially put in jeopardy all of NMFS' fish listings on the west coast in a ruling that says hatchery and wild fish cannot be treated differently if they're in the same population segment, or "evolutionary significant unit."

NMFS says the court case is not a direct reason for blocking a steelhead fishery. Yet it is most likely a factor looming in the litigation background. Allowing fishing for hatchery steelhead would appear to fly in the face of the Oregon decision.

NMFS and the state both agree that a best case solution would be a long-term agreement allowing fishing for steelhead when numbers reach and exceed sustainability goals for listed fish in a given year.

But the present situation points out the intrinsically impregnable box that the ESA provisions and spin off litigation can build around what seem to be common sense solutions.

It's encouraging, though, that the state, legislators and local fishermen are still pushing on the lid.

Hogan decision shakes up salmon dialogue

November 20, 2001

A decision by federal district judge Michael Hogan that National Marine Fisheries Service erred in the unequal treatment of its "threatened" listings of hatchery and wild coho in western Oregon has become a new nexus of the Northwest salmon debate.

Fisheries biologists and agency managers acknowledge that Judge Hogan has raised an important issue in recovery strategies that rely on hatchery fish to supplement wild ones.

For now, NMFS has taken the path of least resistance--judicially and politically--by opting not to challenge Hogan's ruling. The fisheries agency says it had rather work with state and local watershed interests to develop better recovery plans for fish listed under the Endangered Species Act.

NMFS perhaps hoped to limit continuing litigation over the hatchery-wild fish issue and salvage some of the two dozen listings that now are in question. The decision not to appeal could also have roots in the shift of administrations, and the resulting change in NMFS' national and regional leadership.

But Portland attorney James Buchal, author of "The Great Salmon Hoax," has embraced the Hogan decision as rationale for filing petitions to "de-list" upper Columbia River steelhead and spring chinook salmon, among other west coast listings.

Environmental groups say that Buchal's de-listing arguments are flawed, that more new scientific data is needed before a fish can be taken off the ESA roster. Buchal counters that NMFS is welcome to admit errors in its interpretation of data used as a basis for the listings.

Whatever the perspective, Hogan's decision--along with a leadership shift at NMFS--have served to raise the intensity of debate over salmon recovery throughout the Northwest.

It's too early to say if there's a true shakeup that could streamline and provide new direction for a salmon recovery process that has seemed to move in circles--if at all.

But it bears watching.

Arrowleaf proposal needs further review

April 25, 2001

Next week the Northwest Power Planning Council will decide whether to fund a \$3.75 million proposal to purchase conservation easements on the former Arrowleaf resort property.

There are enough questions regarding the proposal from the Trust for Public Lands and Washington Department of Fish and Wildlife to suggest the power council delay its decision.

To raise questions about the Arrowleaf funding is not to detract from efforts of the lands trust to acquire the site. TPL navigated a precarious path for nearly a year among environmental groups, private buyers and various agency and elected officials. TPL insured that recreational trails access would remain on property.

Most people had assumed the purchase concluded the 30-year battle over Arrowleaf and its preceding resort proposals. These included some agency and elected officials associated with the original application for federal funding that was initiated before TPL bought the site.

Now the proposal for the power council to provide funds from the Bonneville Power Administration's fish and wildlife "mitigation bank" is continuing to make its way through the review maze.

The final recommendation, dated just a few weeks ago, continues to state the property might be subdivided into 70 sites. This is not the case. There are also statements regarding the value as habitat for fish, grizzlies, gray wolves and other wildlife that should be scrutinized more closely.

Of particular concern is the precedent that could be set if funding were based on assumptions for fish habitat relative to other perhaps more worthy public acquisitions or other projects in the basin.

There's also the issue how the TPL transaction was closed, apparently with the premature belief that the BPA funds would be available to purchase conservation easements.

And the county commissioners have a good argument that state and federal agencies should keep the county informed of such projects as they relate to overall watershed planning efforts in the basin.

It took decades for resort proposals to be put to rest. Whether or not the project is deserving, it's only prudent to wait a little longer to assure a complete review before committing public funds.

Boeing, Boeing gone.....Time for political vision

March 28, 2001

Should we listen to Chicken Little, Franklin Roosevelt or Alfred E. Neuman?

Is the sky falling? Do we have nothing to fear but fear itself? Or should we just say, "What me worry?"

The announcement last week that Boeing will move its headquarters out-of-state after 85 years is less an immediate economic threat than a warning to the state's political leaders.

Boeing's official reasons--to build shareholder value and to be closer to customers--left much unsaid.

A week later, politicians and pundits are still trying to divine the company's "real" reasons for pulling up its corporate roots. What's right and wrong with the state's business climate has been one of the most debated topics.

Although Boeing didn't directly address the issue, business associations and Republicans in Olympia immediately claimed the state is a bad place to do business. The Governor responded with a "statement on positive business climate in Washington state."

"This is no time to inject partisan fantasy into a business decision," the Governor said.

In many ways the initial loss of only 500 Boeing headquarters employees may have a long-term effect much more dramatic than 8,000 or so dot-com jobs that evaporated in the last year.

Unlike most dot-coms, Boeing is a company that actually builds things, that makes a profit. Its planes created the airline industry and helped protect the world from tyranny in WWII. Long before Microsoft, Boeing was the incubator for technology company spinoffs in the Northwest.

It's true that about 78,000 jobs will remain. How long that will last is subject of rampant speculation. There is significant potential for ripple effects throughout the Puget Sound housing and commercial office markets. However, the fallout could affect the Methow Valley and the entire state.

There was a time when if the Northwest needed help, Scoop and Maggie, often teaming with Tom Foley over on the east side, would take care of it in a style that earned support from Republicans and Democrats.

Now, the weakness of the state's Congressional delegation is one of our biggest liabilities. There is one theory that Boeing will pick Dallas as its new home because of Texas' political clout. And the "bid D" is also topping those lists of best places to do business while Seattle has dropped out of the running.

We're faced with continued loss of timber jobs in the region, a drought year forcing energy costs higher, the apparent vulnerability of once-mighty Microsoft and the continuing attrition of agricultural land in eastern Washington. It would appear that we have a problem that begs for political leadership and vision from the local to congressional levels.

The willingness to address real tax reform, transportation issues, power generation, and more streamlined and reasonable state regulations--including changes in water law to aid fish, agriculture and commerce--are all matters that beg for attention.

But there are some who appear to prefer business as usual. Asked about the Boeing decision, a young dot-com employee told the Seattle Times with "new economy" assuredness.

"I don't really care," (said the 28-year-old man) who works at imdb.com, a movie information site. "We're dot-commers, so we don't care about the brick-and-mortar companies. We're the wave of the future."

Now, Alfred E. Neuman would love that.

An idea whose time has come, or too late??

April 1, 2001

A new proposal for funding by the Northwest Power Planning Council could have great potential to aid endangered fish and the Methow Valley's tourist economy.

The council recently gave the nod to provide \$2.5 million

to the Trust for Public Lands and state Department of Fish and Wildlife to buy conservation easements on the former Arrowleaf resort site.

TPL and state F&W persuaded NWPPC that Arrowleaf could be a laboratory of sorts to

study a habitat the applicants say brings together anadromous fish and grizzly bears.

It's hoped that tourists could soon see grizzlies swiping fat chinook from the Methow near Mazama, or grabbing the silvery prey in mid air with their powerful jaws?

A joint committee of Twisp and Winthrop officials have taken a cue from the Arrowleaf funding. They're proposing that the power council spend \$50 million to buy a 300 foot wide swath of riparian habitat from just west of Winthrop to the southern edge of Twisp.

In effect, all of downtown Winthrop, and residential portions of Twisp would become a conservation easement managed by state Fish and Wildlife. The state would then construct more than a dozen observation platforms for tourists to watch grizzlies feed on salmon returning to the Methow.

"We envision an attraction much like that on Alaska's McNeill River which draws tourists from around the world to watch feeding Kodiaks," the applications note

The Methow Valley Sport Trails Association would manage the viewing platforms and provide armed sharpshooters as security for tourists. Businesses and homeowners within the conservation zone would be exempt from any state taxes, which would be offset by tourism income.

"This seems too good to be true," according to a statement released by the county commissioners who joined in the application.

And so it is:

April Fools from the Methow Valley News.

ESA begs for practical solutions

April 17, 2001

Like so much legislation--federal, state or local--the intent of the Endangered Species Act is much more noble than the inequities and imprecision of its implementation.

One of the act's greatest successes is the recovery of the American bald eagle.

In the early to mid 1960s there were barely 400 nesting pairs of the country's national symbol in all the lower 48 states. And the population curve was heading south. Today there are more than 5,000 nesting pairs in the lower United States.

Unfortunately when it comes to saving salmon, the ESA does not provide so straightforward a path as with the eagle. Eagles have not been bred in hatcheries, or subject to continuing sport and commercial harvests. Their habitat and habits are less complicated. With salmon, scientists are continuing to study and debate complex problems and causes, while casting for solutions. A good example is the use of "do no harm" short-term strategies such as the widespread designation of critical habitat for salmon species throughout the Columbia basin and other areas of the West Coast. This approach may fail to help fish by its lack of precise solutions and do little to gain public support for recovery efforts.

The Bush administration has now opened the door to reconsidering the way species are listed. Environmentalists are crying foul, and the national debate over the ESA may be rekindled once again.

In a recent radio interview, William Ruckelshaus, chairman of the Governor's Salmon

Recovery Funding Board and twice director of the federal Environmental Protection Agency, pointed to some of the difficulties in translating the ESA to complex problems.

As Ruckelshaus put it:

"In the case of trying to tell people how to manage their land, which is a lot of what is involved in habitat recovery, we have found it doesn't work that the more you try to tell them what to do the more they resist...you've got to get people feeling that they have an interest themselves."

Elsewhere during the interview, Ruckelshaus opined that the burden on landowners must be distributed more equably.

Ruckelshaus was also a signatory to the "consensus" report of a May, 1966 conference sponsored by the Institute for Environmental and Natural Resources of the University of Wyoming which brought together environmental and business leaders to consider the ESA as it was up for re-authorization by Congress.

Joining Ruckelshaus in signing the report were Erivan and Helga Haub, whose family trust owns more than 3,000 acres in the Methow Valley as well as the Valley's largest employer, Sun Mountain Lodge.

The conference summary report concluded:

Involvement of all stockholders, provision for goal-based flexibility and certainty for landowners, and alignment of environmental goals with economic incentives could form the basis of innovative approaches to achieving the ESA's management objectives. Reduction of multiple agency oversight, recognition of the different scales of property ownership, and voluntary management to prevent the need to list species would also help diminish conflicts with landowners. All decisions should be grounded in sound science that is communicated as clearly as possible. We must all look at new, creative, bold ways to build bridges with the nation's property owners and provide incentives to them for protection of our natural resources.

Well said. But the implementation of the ESA still begs for such "innovative approaches."

Water bill avoids being a hostage through process

April 24, 2001

Predictably not everybody is happy over passage of a water bill backed by Governor Locke with enough of his fellow Democrats joining their Republican legislative counterparts.

But after years of wrangling over some way to break an administrative tangle in Olympia, some relief may be on the way.

Sen. Linda Parlette, R-12th, who is closer to Methow basin water issues than perhaps any legislator, is among the bill's supporters who acknowledged it is not "perfect." Perhaps the most notable shortcoming is how to address funding that would be needed to make sure certain provisions are implemented.

Process-addicted legislators, many of them from western Washington districts, were upset that Republicans with Democrat support were able to withstand amendments that might have gutted the measure--or sent it to a slow-death by committee.

Tribal fishing interests and some environmental groups are irate. But the key numbers to consider are that the bill passed 33-16 in a Senate controlled 25-24 by Democrats. Similar bi-partisan support was evident earlier in an 85-14 House vote even though that chamber is evenly divided between Democrats and Republicans.

The vote indicates that even with many issues suffering from unnecessary party divisiveness, there is occasional hope for breaking through partisan process gridlock.

It remains to be seen if the legislature can find cooperation on funding and other details needed to effectively implement the water legislation.

The state Department of Ecology has long-protested that a backlog in water rights decisions is due to state water law defects that the bill could help fix. The agency now has the opportunity to see that the spirit of the bill is honored through its administration.

Fishing: triploids, beaver and deer

May 2, 2001

I'm a little suspicious of any fish with a name that sounds like it was engineered by Dr. Frankenstein.

In an effort to offset restrictions from endangered species listings, the state Department of Fish and Wildlife is stocking many western Washington lakes and Spectacle Lake in Okanogan county with something called a "triploid."

The triploid is a rainbow trout with three sets of chromosomes rather than the normal two. As a result the fish is sterile and uses its energy in bulking up instead wasting all that effort in the demands of procreation.

Somehow hooking one of these lunkers in a lake would be faint consolation for losing one of my favorite stretches of the Chewuch.

Until ESA closures hit last summer, I would wade and flycast the Chewuch several miles above Boulder Creek. These trips were more casting practice than a serious attempt to catch fish, although it was a productive area for small rainbows.

Near dark one late July day, I had waded across a waist deep pool and was casting to the opposite bank when I was jolted by a monstrous splash. I noticed a beaver moving toward me and back to the roots of a partially submerged tree.

In a few more outings on the same stretch that summer two beaver would move upstream from their lodge to challenge me. One would slap the water, another would circle behind then both would retreat while I fished. Live and let live.

Another afternoon while casting in calf deep water I sensed I was being watched. I turned slowly to look over my shoulder at two fawns barely 10 feet away on the rocky shore. They had apparently come down to investigate this brown rubber clad thing swinging a stick and line above its head.

Maybe I'll get the fly rod, leave the flies at home and go up there and stand in the water. Just for the memories.

Time for county to step up

May 9, 2001

Representatives of three of the four "initiating governments" in watershed planning have taken a necessary step in urging that the fourth entity, Okanogan County, help clear up confusion over the county's role in the process.

Whatever the reasons--some understandable and more clear and others less so--the county has stepped away from the table since last fall.

The pivotal event was the resignation of the former water resources director for a regional management post with state Fish and Wildlife. At that time, the functions of the water resources department were merged into the county planning department.

Since then, the county has not sent an "equal" representative to work with the other initiating governments, which include the Town of Twisp, the Colville Tribes and the Methow Valley Irrigation District, which has the largest number of water users in the Methow basin.

During this time, a state audit of the water resources operation has turned up poor accounting procedures that in some cases have led to lengthy delays in payments for completed irrigation ditch work and restless contractors.

Somewhere along the way, it appears the county confused its role as the "lead agency" under state watershed law by acting less in its oversight capacity and more to direct and control the process. That, coupled with stepping away the responsibility to participate as one of the government members, has made for a complicated situation.

Along the way, the county's notice of intent to sue federal agencies over endangered species issues--no matter how valid the reasoning--has clouded the watershed planning stream.

Unfortunately, all this has served to diminish the fact that much positive work has been completed or in progress, including to improvement of fish passage and installation of diversion screens, placement of stream gauges and completion of hydrology studies. In the aggregate, when integrated with existing studies of the past two decades, these efforts might lead to some realistic solutions to helping fish other than the simplistic one of just "shutting off the water."

In the county's favor, it has hired former sheriff Jim Weed, a respected administrator, to help sort out the financial and accounting issues.

The county is also set to meet this week with the planning unit to air the problems and set new directions. That's a necessary step, because without full county support it's doubtful watershed planning will work in the Methow or anywhere else in the county.

Something about a river...

May 23, 2001

A recent television clip noted that night vision goggles are making evening trips a popular pastime on the Colorado River.

The report brought memories of moonlit trips on the Snake River through Grand Teton National Park (Jackson Hole). Each summer, guides for various rafting services would assemble for a trip on a full moon.

One evening with temperatures in the 30s, four of us set out in a 12-foot raft. We enjoyed virtually complete isolation from any mechanical sounds or other human voices. Our

background noise was the rippling of the river and then a growing roar that would signal approaches to faster water.

We navigated intuitively from the repetitive experience of hundreds of daylight trips on the same stream reach. Silhouettes of familiar fallen trees, boulders and gravel bars were recognizable in the silvery blue light. Always with us was the visually rotating perspective of the Tetons, presided over by the majestic 13,766 foot "Grand."

At one point we drifted by two adult moose munching on willows barely 20 yards away. Fortunately they were not standing in the river.

Pulling into a deep backwater off the main current, we sat nearly motionless as beaver circled the boat and munched on cottonwoods. Not once did they slap the water in warning.

This stretch of the Snake is less than a couple hundred miles from its beginning in Wyoming's Absaroka Range, but more than 1,000 meandering miles from its confluence with the Columbia at Pasco.

Somewhere on the Okanogan-Skagit county line, less than a mile from the Pacific Crest trail in township 35 north, range 17 east, section 33, the Methow River begins a much shorter journey to the Columbia.

But in less than 200 miles the Methow now plays a part as prominent in the continuing discourse of nature, settlement and land use in the West as do many larger rivers.

Dominguez and Escalante, John Wesley Powell and Lewis and Clark were all captivated by the mystique of the great rivers west of the continental divide.

There's something about the ability of flowing water--whether by its historic natural course or over dams and through manmade channels--to define, connect and divide the American West.

It's a journey as old as time.

Time to fix the process

December 27, 2000

It's been nearly two years since negotiations began in an attempt to reach a multi-agency agreement on endangered fish and water issues in the Methow basin.

In 1999 the talks were marked by uncertainty over agendas and venues and there appeared to be little attempt by agencies to keep the public informed. Meetings and conference calls were conducted on short notice—often at the direction of federal and state officials—with county representatives having little influence over location.

This year, most meetings have been in the Methow Valley and public access has been much better as the basin watershed planning unit assumed local negotiating responsibilities.

Even so, any face-to-face negotiations are at the mercy of scheduling constraints involving a dozen or more state and federal officials from outside the area. The process has stalled as agency participants and the local watershed unit pause to confer with colleagues for days or weeks.

Each session costs thousands of dollars in salaries and per diem expenses for government officials, as well as lost productive time by local representatives who serve without pay.

At this rate, the costs of negotiating the agreement could eclipse those for implementing many of the obvious solutions.

Granted, much progress has already been made to improve irrigation ditch operations with better screens, fish by-passes, ditch piping and other measures. But the critical issue related to conserving water and preserving water rights continues to bog down negotiations.

Maybe it's time to reconsider the mechanics of the negotiating process.

One possibility might be to schedule an extended multi-day session involving all the negotiating agencies represented by key managers and their attorneys. An agenda would be clearly defined in writing. The session would begin by agreement on which narrow issues remain to be resolved.

A professional meeting facilitator with no ties to any participant could direct the sessions. Agencies would have top people and attorneys there to "caucus" and consult privately on key points, bringing back their best efforts to a common table.

The objective would be agreement on a draft document—not one to be e-mailed or faxed back and forth as is now the case—but one that could be initialed by negotiators and prepared for presentation to the public.

If no agreement on a draft results from the session, then it might be time to declare an impasse. That seems a poor outcome given the amount of time and money invested for two years. But a new negotiating approach could provide direction or closure to a process that appears stuck.

It's the vision thing

January 26, 2000

About 30 years ago the late Kay Wagner had a vision and she put her money behind it.

Others saw her wisdom and soon Winthrop was on its way to becoming a reincarnated old West town--partly authentic, partly contrived.

Visitor or local alike, whether you consider the idea corny or cool many people identify Winthrop for its western theme--its marketing identity.

A few days ago a half dozen or so Methow Valley business people met informally to consider--among other things--the Valley's economic challenges and need for new vision and leadership.

For the most part, these are people with long-established ties to the area including a born and bred native. Most have visible and successful businesses, or a track record of quiet accomplishments. All have served on various citizens boards and are frequent contributors to community causes. Some have businesses firmly stepping into internet based e-commerce, while others run traditional brick and mortar or service firms.

To a person, this ad hoc group all seemed concerned with the our need to create businesses and jobs that provide for environmentally-sensitive growth that can nurture a young work force with new ideas and energy.

Most took issue with the perception that business and agriculture in the Methow Valley is anti-environment.

We talked about the lack of political capital in the state capital; the need to engage

newcomers and part-time residents in community issues; the need to create new core businesses not entirely dependent on tourism.

We didn't solve any of these problems. But just getting together to discuss these formidable challenges was a hopeful start.

As one participant put it, maybe it's time for MEPAC, the Methow Economic Political Action Committee.

Maybe he's got something there.

Closing the political gap?

February 2, 2000

Anyone who sat in on last week's session of the House Agriculture and Ecology Committee witnessed an impressive performance by members of the Methow Valley delegation.

The cast of speakers included Dave Schulz, Steve Devin, Dick Ewing, Ray Campbell, Craig Boesel, Pete LaRock, Carl Miller, Rusty Bonser, Tom Bartholomew, Mike Poulson, and Ken Sletten.

Maybe the most important feature of the collective presentations was a consistently focused message--that the Methow is ready to do the right thing for fish if the process works from the bottom up.

The presentations may have been all the more effective because of the reason and restraint in which the message was packaged.

Unlike the bitterness that sometimes characterized a Nov. 17 meeting in Twisp on fish and water issues, the speakers carefully outlined their willingness to help build flexibility in a process thus far plagued by rigid, albeit inexact and untested, guidelines.

Although National Marine Fisheries Service has often been the butt of criticism, last week the speakers asked legislators to look at the state Department of Ecology's management of water issues and its impact on agriculture, economic growth and fish.

Beyond DOE, the speakers asked for attention to outdated concepts of state water law that are disincentives for saving water and helping fish.

Later in the week, key lawmakers brought county officials together with federal and state agency managers to look for new locally-based solutions. It also appeared the message had gotten to the Governor after his chief of staff sat in on the ag-ecology meeting.

Maybe the long 12-hour "field trip" helped close some of the political distance from the Methow to Olympia.

We need an agreement, and money...quickly

March 8, 2000

It's a axiom of marketing that you need to get someone's attention before you can them.persuade

In the spring of 1999, National Marine Fisheries Service got the attention of irrigators and the entire Methow basin by shutting down many ditches.

It seems now that irrigators and other water users have teamed up with the state legislators to get the attention of lawmakers, the Governor's office and the salmon recovery funding board ("surf board").

The tricky part is to follow through with a persuasive message that will assure adequate funding to address endangered fish and water issues.

A legislative maneuver last week to get funds for the basin directly from the salmon recovery coffers met with opposition from William Ruckelshaus, an influential Seattle businessman and political leader. A Republican, Ruckelshaus was the first director of the Environmental Protection Agency in the Nixon administration and has considerable bi-partisan clout.

Ruckelshaus appears to have been protecting what he views as the integrity of the salmon recovery fund and the board's charter mission.

Legislators seemed to respect his intent. But the problem for the Methow is that salmon board funding runs follows a review cycle. The county also needs commitments from the state in order to get matching funds from other state and federal sources.

Time is running out with winter winding down and spring runoff on the horizon.

Both the basin watershed agreement--and evidence of funding to back it up--need to be in place if the Valley is to get NMFS cooperation and protection from enforcement action.

The basin has been working through this process long enough now. It's time for the state's leaders to recognize the local effort and step up to do their part

We're not there yet

April 5, 2000

"Where are we on all this?"

After a year of what can only be called "intensive process," there is much left to do in fish and water issues as the 2000 irrigation season is imminent.

It's been well over two years since National Marine Fisheries Service presented the Methow basin with its first listing of an endangered fish species. We now have two endangered listings, one threatened and another a good probability in the near future.

In the background this year is the prospect of litigation that could influence decisions and undermine countless meetings and hours of work involving citizens and local, state and federal officials.

After all the effort, the parties can agree on one thing--fish need water. But even that consensus provides a point of divergence rather than convergence in the debate.

"How much water and when?", is the next question. "And how do we arrive at the answers?"

NMFS as well as US Fish and Wildlife Service have begun their biological analysis with broad assumptions that more water is needed for fish. But the agencies acknowledge they set high stream flow targets to create extra margins of safety.

The "aim high" strategy may not be necessary and might not work, some biologists and hydrologists say. Studies and additional work are needed to factor in basin hydrology,

characteristics of fish in the watershed and other habitat needs.

On April 18, the the Methow basin watershed planning unit is set restart negotiations with federal and state agencies in hopes of providing some assurances for water users while protecting fish.

The best part of the planning unit proposal is premise that we need to learn as we go before locking in to untested assumptions that threaten irrigation and the Vall

Is that a big 'H' or a small 'h?'

August 3, 2000

No surprises here. It's an election year.

Anyone expecting the federal caucus of nine resource-related agencies to recommend breaching four Snake River dams might have forgotten it's an election year.

This is not to argue that breaching the dams makes economic or biological sense, although some scientists think it's a faster way to recover salmon runs in the Snake.

As the new Basin-wide Salmon Recovery Strategy (formerly 4H, then All H plans) suggests, breaching the Snake dams might do little to save runs heading into the upper Columbia.

But it may not be just the "hydro" part of the Hs that is getting downplayed in the basin recovery strategy. Regarding harvest management, the plan overview states that harvest rates, "are now so low that further reductions will not yield major benefits."

So that's two "Hs"—or "hs"—that appear to have dropped in priority since the first draft of options trickled out from the federal caucus late last year.

As for hatcheries, the plan seems to favor continued supplementation of "wild" fish with hatchery stock. But it points the way to "reform" hatcheries to minimize harm to endangered runs. Perhaps to take the pressure off the agencies, the plan suggests the possibility of letting tribes operate or manage hatcheries to promote non-listed fisheries.

Last, there is the habitat component—which brings all the ramifications of the Endangered Species Act and recovery strategies home to the Methow basin.

The federal caucus appears to be opting for near-term habitat measures to bear most of the burden of fish recovery. More water in streams, more stream buffers, fish screens, improved passage and land acquisition are all in the strategy.

Stocks and the Methow

April 18, 2000

Not everybody is unhappy with the recent dot-com debacle in the stock market.

Some seasoned Seattle-area businesspeople were quietly chuckling at last weeks plunge, even if their own portfolios took a significant haircut.

Their reasoning: arrogance and inexperience seem to be driving technology whizzes who may have over-reached already in their quest to be instant multi-millionaires.

Some of the aspiring techno-brats had the rug pulled from under their planned initial stock

offerings. Others whose stock options had impending conversion deadlines were faced with losing 25 percent or more of their expected windfall in barely a week.

A good quote came from an economist who noted the market shakeout shows that "three men and a business plan" don't warrant astronomical stock valuations.

A real estate specialist said he was weary of the smugness, lack of loyalty and general lack of business knowledge characteristic of most wannabe Bill Gateses. A long-time marketing advisor to technology companies said prospective clients seem to be techno-savvy and business-stupid, with an attitude that, "We deserve to be an overnight millionaires" as long as we've got a dot-com company.

Although the national and Puget Sound economies are changing, they still appear strong. Microsoft has taken a big market hit, but underestimating the company and lumping it in with the typical dot-com would be foolish, even with the government's antitrust suit. Selling short the future of the internet for commerce would also be absurd.

But, rural eastern Washington remains largely out of the prosperity loop, except for a mini real estate boom in places like the Methow Valley.

One local issue is whether the stock and home equity-rich west-siders will continue to bid up local real estate--or decide that maybe the situation is too dicey for a second home move at this time. There are reports some Seattle-area home sales have fallen through or been delayed and that prices may soften.

Patience, reason and the stock market will probably get reacquainted. Meanwhile, the hills are certainly beautiful with all the balsam root in bloom. Maybe it's time to take a hike and forget about it.

The law and logic?

July 4, 2001

Last week's U. S. Supreme Court decision that land-use regulations must balance rights of individuals and government opens up a new dimension to a continuing debate.

In the extreme, some government and conservation interests fear the decision could mean rampant "speculation" by landowners and developers. Developers could maximize value on their land by going to court for compensation from the public coffers, even when market conditions might be less favorable.

Following this argument, a developer might intentionally buy land with restrictions on a portion of the property, sell off the portion without restriction then go to court to recover on the other parcel.

In the extreme example, speculators might even target wetlands or similarly restricted property.

This seems an exaggerated and alarmist scenario. The Supreme Court has sent the case that was the basis for the decision back to a lower court. And the resulting compromises may be quite different from the apparently dramatic impact of the high court decision.

There don't appear to be any substantial implications for this decision in relation to current endangered species and water litigation involving the Methow basin. If anything the logic to argue a "taking" of a water right would seem much stronger in the basin than with the issues in the recent Supreme Court decision.

Recent federal actions in the Methow basin came long after establishment of the water rights in question. But in last week's Supreme Court decision the plaintiff knowingly purchased property with land-use restrictions.

Another decision last week, this time by the Washington state Supreme Court, would appear to have more logic on its side. In this case the quasi-federal agency Columbia Gorge Commission essentially overturned a Clark County land-use decision allowing a home to be built in the Gorge, a national scenic area.

The court appears to have rationally determined the commission should have gone through the county appeal process rather than peremptorily overturning the local decision.

In the realm of the law, logic is at times an unpredictable companion.

Regional fish board has merits

June 6, 2001

Last week the Upper Columbia Salmon Recovery Board (UCSRB) held a forum in Wenatchee that brought together major players in endangered fish programs and their funding.

The board was established in part by efforts of the late Chelan County commissioner Esther Stefaniw. From most accounts of those who knew her, Stefaniw was someone who had a way of getting things done.

In that spirit, the UCSRB—with incoming chairman Joe Peone of the Colville Tribes replacing Stefaniw—told the governor's top resource advisor and various key agency heads that something needs to be done to streamline a tangled process.

Peone used an exaggerated (or maybe it wasn't) organizational chart to illustrate the uncertainty, fragmentation and duplication that plagues salmon recovery. Arrows on the chart shot off in all directions, some of them heading off the page into two-dimensional outer space.

To summarize Peone's presentation—it's time to straighten out the process to provide some certainty for salmon, for those in charge of helping them and for the people of North Central Washington who bear the economic burden.

Apart from the overlapping process, however, there was a sense that those directing recovery efforts don't have a clear idea of what will be enough to insure long-term fish survival.

Attending the meeting was the chairman of the Northwest Power Planning Council, which determines how considerable federal funds are spent to help fish who must navigate dams.

Just a few days before the Wenatchee meeting, a top manager with the Power Council's fish and wildlife program freely acknowledged the difficulty facing his agency. It's reasonably clear, he said, what part of dam operations leads to "debits" under National Marine Fisheries Service's 2000 biological opinion for federal dams on the Snake and Columbia.

But, as to what qualifies for "credits," the Power Council manager observed:

"The heart of it is that NMFS simply isn't telling us what is enough...how much is enough. It's still unanswered."

That's enough to make anyone in the process nervous.

One concern expressed at the Wenatchee forum is the danger that more power—for programs and funding decisions—by a new regional salmon board could create yet another layer of bureaucracy.

But with broad "stakeholder" representation, and a commitment to state watershed planning, it might also give the region more power in dealing with federal agencies. And this could be especially so if state agency directors and the governor's office back the effort, as they say they will.

It's worth taking another step in that direction

Something about a river

May 23, 2001

A recent television clip noted that night vision goggles are making evening trips a popular pastime on the Colorado River.

The report brought memories of moonlit floats on the Snake River through Grand Teton National Park.

Each summer, rafting guides would assemble for a trip on a full moon. One clear, chilly evening, four of us set out in a 12-foot inflatable to gain another perspective on our daily ritual. We were more in tune with background sounds alternating from a gentle slap of the river to a steadily increasing roar that warned of faster water.

We navigated intuitively with the experience of hundreds of daylight trips. Silhouettes of familiar fallen trees, boulders and gravel bars were recognizable in the silver-blue light. Always with us was the visually rotating perspective of the majestic Teton range.

At one point we drifted by two adult moose munching on willows barely 20 yards away. Pulling into a deep backwater off the main current, we sat nearly motionless as beaver circled the boat and munched on cottonwoods. Not once did they slap the water in warning.

This stretch of the Snake is less than a couple hundred miles from its beginning in Wyoming's Absaroka Range. From there it's another 1,000-plus meandering miles before it meets the Columbia at Pasco.

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But in its less than 200 miles the Methow now plays a role similar to many larger rivers in the continuing discourse of nature, settlement and land use in the West.

Dominguez and Escalante, John Wesley Powell and Lewis and Clark were all captivated by mysteries of the great rivers flowing to the Pacific beyond the Continental Divide.

There's something about the ability of flowing water—whether by its historic natural course or over dams and through manmade channels—to define, connect and divide the American West.

It's a journey as old as time.

County needs to stay at table

May 16, 2001

Representatives of three of the four "initiating governments" in watershed planning took a necessary step in urging that the fourth entity, Okanogan County, help clear up confusion over the county's role in the process.

Whatever the reasons—some understandable and more clear and others less so—the county had stepped away from the table since last fall.

The county has now agreed to send a voting representative to sit with the other initiating governments, which include the Town of Twisp, the Colville Tribes and the Methow Valley Irrigation District, which has the largest number of water users in the Methow basin.

Somewhere along the way, it appears the county confused its role as the "lead agency" under state watershed law by acting less in its oversight capacity and more to direct and control the process. That, coupled with county reticence to act as one of the government members, made for a complicated situation.

Along the way, the county's notice of intent to sue federal agencies over endangered species issues—no matter how valid the reasoning—may have served to cloud the watershed planning stream. Litigation and the watershed process are not mutually exclusive, albeit on separate tracks.

Unfortunately, all this had served to diminish the fact that much positive work has been completed or in progress, including improvement of fish passage and installation of ditch screens, placement of stream gauges and completion of hydrology studies. In the aggregate, when integrated with existing studies of the past two decades, these efforts might lead to some realistic solutions to helping fish other than the simplistic one of just turning off the water tap.

Let's hope the county stays at the table and in the process that has consumed so much citizen and agency time over the past two years.

Fishing: triploids, beaver and deer

May 2, 2001

I'm a little suspicious of any fish with a name that sounds like it was engineered by Dr. Frankenstein.

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Maybe I'll get the fly rod, leave the flies at home and go up there and stand in the water. Just for the memories.

Time for powerful leadership

February 21, 2001

With the regional snowpack at decades-low levels, the thirsty reservoirs and rivers that fuel power-producing dams are becoming lower by the day. The governor is talking about declaring a water emergency.

Electric bills are rising for consumers and businesses.

On top of all this, there is the potential impact on salmon recovery from lower streamflows—and federal and state action to protect them. The Methow has already felt the squeeze in the past two summers, but the screws could be turned even tighter.

At the very least the Northwest and the entire country need a better-focused, coordinated and integrated power policy that addresses conservation, generation, transmission, pricing and marketing. Otherwise, California could become the model for "rolling" electrical and economic blackouts elsewhere.

Alternative, supplemental power sources such as the wind farm underway on the Washington-Oregon border are important to a long-term policy, as are solar and biomass systems. Some of these technologies flourished in the 1970s and '80s as tax-advantaged investments, often with little economic rationale and only nominal power production. Now some of these deserve better consideration for supplemental roles in regional and national energy policy.

In the short-term, voluntary conservation is the simplest first step to address immediate power shortages and set the stage for more innovative long-term policy. It begins in the home with easy measures such as turning off some lights and adjusting the thermostat downward—then progresses to better insulation and more energy-efficient new building methods.

Recent statistics from power companies throughout the Northwest indicate that business and consumer electrical users conserved electricity by as much as 6 percent in parts of December and January as news of the crunch was widespread. Much of this came from reduced consumption in peak load periods.

But consumers are jaded by power industry habits of switching conservation programs on and off to meet temporary crises. They must be convinced that conservation is part of a larger public and private vision. The recent public response shows awareness of the

problem. The task now is to keep consumers engaged in the issues and to provide incentives for power producers as well as marketers.

In the end, changing behavior in the private sector won't get too far without better government leadership to prevent replication of disastrous experiments such as that in California.

Litigate or negotiate?

January 21, 2001

Last fall, a Bellevue attorney won about \$9,300 in a Spokane federal district court settlement with the Forest Service for delays in biological opinions for Skyline ditch.

The aggregate legal cost of this litigation was, of course, magnified by additional public expenses for government attorneys—as well as private counsel representing defendants.

Okanogan County is now weighing whether to file a "notice to sue" regarding water rights threatened under the Endangered Species Act, while the County also supports the basin watershed planning unit in negotiations with federal and state agencies. A fish-related suit including the Tice Ranch as a plaintiff and challenging federal habitat decisions is already on the docket in a District of Columbia federal court.

These are early developments that raise concern the basin could be littered with additional endangered species litigation initiated by environmental groups, property owners and even various branches of government.

The simplistic view is to blame the lawyers, for all sides, for priming a lucrative market to line their pockets. But attorney-bashing is more a diversion from the real issue of government policy evolving in the complex interplay of executive, legislative and judicial branches.

There are new cabinet chiefs at Interior, Agriculture and Commerce, which as parent agency of National Marine Fisheries Service is of particular interest to the Northwest and the Methow. NMFS' regional office is now operating with an interim director and the Bush administration is considering a candidate from eastern Washington.

With a new Justice Department, there is a close watch by all sides on the relationship of administration policy and enforcement priorities for environmental and other laws, such as antitrust.

In the case of the potential county suit, the serious question is how to keep alive the ability to negotiate with a threat to litigate. It's been suggested that the 60-day "notice of intent" to sue required by the Endangered Species Act can actually serve as a "cooling off" period for all parties to work harder to reach an out-of-court solution.

That would be a good thing after all the effort that has been expended in two years of negotiations.

Public funds for the public interest?

January 10, 2001

However viewed, there is quite a bit of cash being put on the table to close out the Arrowleaf transaction.

First the Trust for Public Lands paid R. D. Merrill Co. more than \$15 million to lessen the

erstwhile developer's pain from ending its resort plans.

Then three individual buyers paid TPL about \$6.4 million for more than 350 acres of the 1,100 acre site. Now TPL is apparently seeking a way to make up the difference of nearly \$9 million that is apparently carried in some form by the lands trust through its own treasury, loans, grants or other sources.

One potential source of funding is public wildlife mitigation money from the Northwest Power Planning Council. Another could be federal Interior Department appropriations to the Forest Service.

This is where the Arrowleaf site may continue to be a piece of property involving issues of considerable public interest.

The lands trust and the state Department of Fish and Wildlife have joined in seeking power council support in the form of public funds generated by the Bonneville Power Administration to mitigate impacts on wildlife from dams and other power industry activities.

TPL and state F&W call the stretch of Arrowleaf along the Methow River "pristine" and cite its value for fish habitat.

But there is a need for "due diligence" as to whether nearly \$4 million sought from the power council would be the best public expenditure with so many other fish priorities in the Methow basin.

Water will also not be used for the resort golf course, homes and other amenities—only for a few single-family dwellings. It seems that the Methow basin should get credit for conserving water in this case, especially in view of federal and state demands related to streamflows and endangered fish.

Raising these questions is not to argue that TPL should not have the right to buy the property. The lands trust does some good things on behalf of preserving sensitive lands. And TPL kept its promise to guarantee recreation trails access to the site.

But, to borrow a phrase voiced by a TPL representative during the hectic days as the sale closed, there are still a lot of "t's" to be crossed and "i's" to be dotted with public funds at stake.

Footnote

The preceding commentary was dictated and written before Vicky Welch's guest column was submitted. As a long-time leading opponent of a resort at the Arrowleaf site, she speaks with experience from her point of view. The same is true of Doug Devin, an original member of the Early Winters ski resort team, who commented on the TPL purchase in last week's paper.

Also: soon after the *News* broke the story of the Arrowleaf sale last week, we received a call from an online reader who objected to our publishing the names of individual buyers. The caller (who is not a buyer) accused me personally, as the reporter on the story, of attempting to "intimidate" potential buyers at the property. My reaction was swift and unequivocal—"bull#&%"—an expletive I attempt to reserve for special situations.

I explained in a subsequent e-mail to the caller that we would publish all names of the buyers as available, given the extended and very high profile of the Arrowleaf debate.

I also called one of the buyers to explain our policy and to note that we usually do not publish addresses, even though all the information is public record. In putting together a complicated story from several computer files, the addresses were cut and pasted into a final version along with the names. Working under a last-minute deadline, the addresses stayed in the story.

Two of the buyers' names were readily available in the Seattle phone book.

I had a cordial conversation with the buyer that ranged into my opinions on the prospects that a resort could have been built given water and fish issues. Although concerned over the addresses being published, the buyer concluded that (he/she) trusts they "will be considered good neighbors in the community."

And we can all hope for the same. Welcome to the Methow!

Time to fix the process

December 27, 2000

It's been nearly two years since negotiations began in an attempt to reach a multi-agency agreement on endangered fish and water issues in the Methow basin.

In 1999 the talks were marked by uncertainty over agendas and venues and there appeared to be little attempt by agencies to keep the public informed. Meetings and conference calls were conducted on short notice—often at the direction of federal and state officials—with county representatives having little influence over location.

This year, most meetings have been in the Methow Valley and public access has been much better as the basin watershed planning unit assumed local negotiating responsibilities.

Even so, any face-to-face negotiations are at the mercy of scheduling constraints involving a dozen or more state and federal officials from outside the area. The process has stalled as agency participants and the local watershed unit pause to confer with colleagues for days or weeks.

Each session costs thousands of dollars in salaries and per diem expenses for government officials, as well as lost productive time by local representatives who serve without pay.

At this rate, the costs of negotiating the agreement could eclipse those for implementing many of the obvious solutions.

Granted, much progress has already been made to improve irrigation ditch operations with better screens, fish by-passes, ditch piping and other measures. But the critical issue related to conserving water and preserving water rights continues to bog down negotiations.

Maybe it's time to reconsider the mechanics of the negotiating process.

One possibility might be to schedule an extended multi-day session involving all the negotiating agencies represented by key managers and their attorneys. An agenda would be clearly defined in writing. The session would begin by agreement on which narrow issues remain to be resolved.

A professional meeting facilitator with no ties to any participant could direct the sessions. Agencies would have top people and attorneys there to "caucus" and consult privately on key points, bringing back their best efforts to a common table.

The objective would be agreement on a draft document—not one to be e-mailed or faxed

back and forth as is now the case—but one that could be initialed by negotiators and prepared for presentation to the public.

If no agreement on a draft results from the session, then it might be time to declare an impasse. That seems a poor outcome given the amount of time and money invested for two years. But a new negotiating approach could provide direction or closure to a process that appears stuck.

[Home](#)