

BEACHFRONT

BLUES

BY DR. JOHN CAMPICHE

Like the nearby communities on Oregon's northwest coast, Seaview, Washington, is an old community by northwest standards, considering that no towns or anything of European culture were here 150 years ago.

In the last century and the early part of this, Seaview could be reached only by packet steamer down the Columbia River to Knappton where a vintage narrow-gauge railroad of variable schedule carried summer folk to the village and on up to similar summer towns northward on the Long Beach Peninsula. Mothers and children were deposited to fine old homes in Seaview (and to more utility shelters on up northward) while their working husbands limited visits to weekends using the "Daddy Train".

In time, boat and train fell prey to the automobile as mainland corduroy logging roads were paved. The year-round economy was the late Paleozoic archetype of hunter/gatherer extraction of resource timber and fish; pigeons and buffalo had already been shot into extinction. The 35,000 year sustainable culture of the native Indians had been successfully banished to poverty reservations on unusable land, leaving to the area Caucasians an unfettered economy for which they were so culturally dedicated; plunder if not by war then by polity.

Washington territory became a state and required a constitution, and like the other states, needed laws to fill the empty shelves in the elegant State Capitol building. These were crafted to provide the least interference with plunder by allowing counties to rewrite their own versions of weak environmental laws and create enforcement agencies crippled with language that allowed profitable options to all whose main interest was cash. The system worked wonderfully well, so well in fact that in the 1860s around southwest Washington the ex-buffalo hunters of Pacific County were astonished to find that trees and fish, like the buffalo, were vanishing. They were rescued from futile blaming of everyone else by the rise of the automobile coinciding with an emerging Eastern geriatric retirement population, well heeled with retirement funds from the good years and the profitable sale of the family farm to developers.

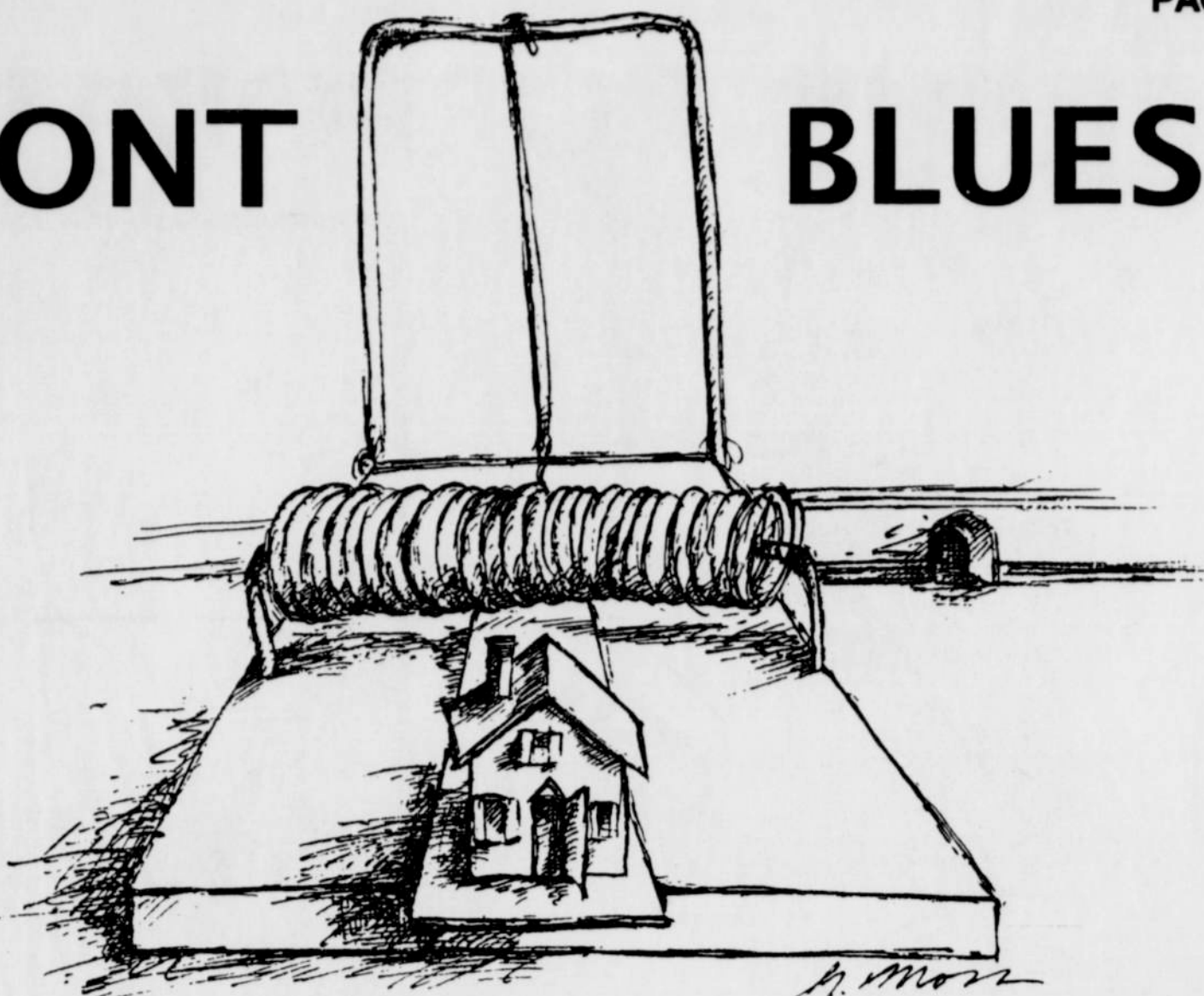
These mobile middle westerners wanted ocean front real estate to fulfill new dreams. But the old habits of hard times persisted so that, newly rich or not, they wanted cheap lots, low cost homes and small taxes to insure they wouldn't run out of money now that human longevity had lengthened. Real estate became the last target of the hunter/gatherers. The Long Beach Peninsula was loaded with cheap, low lying land and beautiful if wild beaches. Surrounded on three sides by the Pacific Ocean, Willapa Bay and the Columbia River estuary, averaging only 12 feet elevation, it was bit soggy in winter — but the new arrivals viewing it in summer didn't have to know it was afloat in winter.

The County Commissioners, the only real power in Pacific County, have always seen themselves as the facilitators of commerce. The County had always been poor by state standards so that the garnering of money took strong precedence over prudence and conservation (whatever that might mean). They believed firmly that the Bible clearly gave the bounty of the Earth to 'People of the Book' to use at their pleasure. Ecology and conservation weren't included in the bright lexicon of these disciples of *Genesis*. So the boys in the Courthouse basement facilitated, the realtors sold, the developers filled swamps with sand and developed. There was a wonderful spurt of building from 1988 to 1994 when a six year drought falsely made the Peninsula appear as dry as California. This was especially persuasive in the Seaview accretion dune system that was usually flooded all winter. Also, in a bright moment, Seaview had bought sewer and water systems that meant to realtors small building lots were possible.

Back in 1918 the U.S. Army Corps of Engineers completed the two mile long jetties at the Columbia River mouth. River borne sand drifted oceanward north around the North Jetty and began to build up in the peninsula shore, especially in Seaview nearest the jetty. By 1988 it had reached a half mile farther westward. This would have all belonged by constitutional law to Washington State except for a Supreme Court decision in 1960 that said the original deeds were codified before Washington became a state so that all this accretion land belonged to the upland owners. For good reason no one had built out in these accretion dunes: flooded in the awesome winter rains and wind driven storms, these dunes were considered adequate for water fowl and summer walking but not, God forbid, for building sites. Realtors were not so fussy. Buildable land was defined as that which could be sold.

A trio of conservationist County Commissioners were elected for a brief period but quit in the face of anti-conservation antagonism. During their short tenure they created a Dunes Management Committee of mixed citizens, landuse devotees and conservationists that unanimously decided, after three turbulent years of public hearings, that the Seaview dunes should be a conservation zone. After more public hearings the Commissioners created an ordinance in 1992 making the dunes, wetlands and foredune a conservation district. A lovely wide open shoreline beach and grassy dunal space was dedicated to esthetics and recreation. The good folk in Seaview were delighted and there was much talk about democracy in action.

Shortly afterward, in November 1992, a political disaster occurred. Two Commissioners were elected to support an existing third, all dedicated to the cash flow of real estate and resultant political harmony. None of the three had a chip in their heads for beauty or nature. For them there was no value in beaches, dunes, headlands, open spaces, aquifer, wildlife, wetlands or foodchains unless such could be converted quickly to money. The most avaricious of the three, representing the Peninsula, abolished the Seaview Community Council, and with his two



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cronies fired all county planners and replaced them with a 'puppet' planner with no credentials and a lawyer to confer an air of legitimacy to their actions.

The Commissioners held a rump meeting of selected realtors and developers in the Courthouse basement and issued an ordinance changing Seaview's conservation zone to residential, R-1. Outraged residents reorganized as the Seaview Coastal Conservation Coalition. We raised money and beat back an opportunistic attempt by the Long Beach City Council to annex Seaview's beachfront, took the Commissioners to Superior Court and won a decision that the R-1 ordinance was illegal. The bandit trio however reinstituted the ordinance before we were out of court. We even tried to compromise with the most honest looking of the three but he rattled on the agreement. We were advised by our attorney to put this before the Growth Management Hearings Board.

Back in 1990, in a rash moment when the business dominated Washington State Legislature wasn't thinking quite straight, they passed the *Growth Management Act* which put population-driven growth under laws and regulations to preserve as much as possible the state's nonrenewable resources. Hearings Boards were created to enforce *GMA*'s provisions. Each county that had signed on to the *GMA* was obligated to create a trio of ordinances to match the State version so that local rule would be guided by law. One of these ordinances was to be the *Critical Areas Ordinance* to deal with wetlands, beaches, aquifers, bays and estuaries, wildlife habitat, no-point pollution, and the growing problem of urban sprawl in critical areas.

Our trio of Commissioners were openly antagonistic to the *GMA* and responded by doing nothing. They knew that the State Department of Ecology, U.S. Army Corps of Engineers and enforcement agencies of the *GMA* and federal *Clean Water Act* had never seen a development they couldn't approve. So the Commissioners, who now had their own planning department and law (to avoid problems with the elected County Attorney), went on cheerfully giving away the store to the realtors — most favored was the mother of one of the Commissioners. Six years passed with Pacific County having no effective landuse law, all land decisions were made *ad hoc* in the Courthouse basement.

They were all about to lay waste to the Seaview dune system in 1994 when the rains came back — *Big time!* There was water up to our backsides everywhere. Septic systems all over the Peninsula failed, especially on the swamp lots that had been filled with sand to facilitate sales. This created a health hazard that the Commissioners and their henchmen denied, their opportunism seldom bothered by such problems. The hazard wasn't denied by the State Board of Health, however, nor by an angry throng of new land owners. In a raucous public meeting the Planning Commission was forced to realize that landuse planning consisted of more than granting variances to existing weak ordinances. In Seaview we are protected for awhile by a moratorium on new sewer hookups because the treatment plant in Ilwaco was overloaded and the DOE shut down more connections.

The Seaview Coastal Conservation Coalition petitioned the Growth Management Hearings Board on two occasions mainly to challenge the County with failing to provide any ordinance protection to wetlands and aquifer recharge areas

and secondly for failing to comply with state law regarding the *Growth Management Act*. The Hearings Board agreed with us and declared an 'order of invalidity', first for any building in the dunes and secondly, as Pacific County had not yet created the required ordinances, for any building permits in the county. This raised a firestorm of protest among the builders, sand dredgers, realtors and developers. By this time the appeal of easy permits and landrush sales had attracted a huge number of contractors, about 135 by last count. Naturally all of this competition from the *nouveau* land grabbers cut into the easy profits of the older ones who howled loudly that the Seaview Coastal Conservation Coalition had destroyed their business. Their County henchmen scurried madly and produced a *Critical Areas Ordinance*, the first of three required, and appealed to the Hearings Board to have the invalidation moratorium lifted. The ordinance created wasn't really up to snuff, being worded in a way that said that rules about protecting wetlands, habitat, aquifer and all that strange stuff could be avoided by "mitigation" — meaning build your own swamp somewhere cheap and trade it for real wetland in the way of a proposed development. But the Hearings Board lifted the moratorium anyway, stating that by law the reason for imposing it in the first place was the absence of any *Growth Management Act* ordinances and since the County had now fabricated one, however flawed, they had no choice. The Seaview Coastal Conservation Coalition had another appeal before the Hearings Board last June but decided to put it off in favor of an agreement by the County to declare a building moratorium in Seaview until they got around to writing a required Comprehensive Plan.

The issue here concerns whether a community has the right to decide for itself what kind of community it wants to be. Secondly, does a community have the right to expect its elected representatives respect that decision by adhering to greater laws, state and federal, that were enacted to protect our health and environment? A third issue may be the age old argument as to whether elected representatives have been given the license to act out their personal biases and ambitions or whether they must present to any minorities, however powerful, the will of the majority.

When the Legislature, led by our own Representatives and State Senator, tried to scuttle the *Growth Management Act* in 1996 the initiative was voted down by the population of Washington by 60%. The Legislature tried it again in 1997 and was frustrated only by the veto pen of Governor Gary Locke. The Legislature and our County Commissioners lobbied Governor Locke hard to nullify the *GMA* in spite of the voters.

Adding to the sense of isolation we in Seaview feel is the persistent experience that the state agency organized to protect the environment, the Department of Ecology, consistently grants permission to destroy it piecemeal. The federal agency selected by a cynical Congress to protect wetlands, the Army Corps of Engineers, has ignored the *Clean Water Act* and consistently grants permission to fill the wetlands. Only the *GMA* Hearings Board has protected us in Seaview, and by association the oyster and cranberry producers who must have clean water protection to exist.

To say we in Seaview are confused by this misuse of county and legislative power is understatement. Why must these authorities destroy something that can never be rebuilt to cater to a prurient opportunistic desire on the part of a small minority? Is the flow of cash the only value left in a society whose greater population is well aware of the old maxim: *Don't shit where you eat?* As a country doctor of long experience, my axiom is that the most serious mistakes are those that can never be corrected.

Dr. John Campiche lives in Seaview and is a member of the Seaview Coastal Conservation Coalition. He wrote this article about "chicanery behind checkered flannel shirts" as a counterweight to the usual *NCTE* "essays dedicated to the exposure of evils lying behind starched white shirt fronts."

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