

The Sentry

Kitsap Alliance of Property Owners

www.kapo.org

www.insidekapo.wordpress.com

September 2009

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President Tim Matthes addresses the KAPO Legal Fund and the demise (?) of SEED
Executive Director Vivian Henderson takes a look at the really good, the bad, and the ugly of the past month and encourages attendance at the monthly "KAPO NITE OUT"
Don Flora takes on shorelines again and gets down right "catty"
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Jack Hamilton lends an update on the development of a state wide organization
Jack Hamilton provides a short reminder on property rights
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How to become a KAPO member is discussed at the end of this newsletter

KAPO President's comments

Tim Matthes

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President's Report,

By the time you read this Sentry, KAPO will have manned our booth at the Kitsap County Fair and hosted Washington State Representative Jan Angel at our regular monthly meeting at the AA China Buffet. I hope to have a complete report on these and other activities in the next issue.

Several months ago Mr. Buck Pearsol suggested that we start a dedicated legal fund separate from our daily operating fund. He said that he could donate a little each month if we had such a fund. Well Buck, as of our August KAPO directors meeting, our directors have authorized a dedicated legal fund for KAPO. Any and all donations made to this fund will be kept in reserve for any legal expenses that might arise in the future. Any donations that you wish to dedicate to this fund should be marked KAPO legal fund. This will allow our Treasurer to deposit your donations in the correct account.

Port of Bremerton Report

So the vote is in, and two out of three commissioners (Larry Stokes and Cheryl Kincer) voted YES to accept the Port CEO's recommendation to suspend all work on the SEED project. It comes to no ones surprise that Commissioner Bill Mahan was against stopping the SEED program.

Now, before we all jump to the conclusion that all is well in Port of Bremerton Land, and before we decide that the poor investment decisions made in the past are behind us, consider this. Is Mr. Bozeman, Port CEO, really planning to re-issue the bond that is scheduled to be paid off later this year to help fund the purchase of land and the construction a parking garage in Bremerton? Isn't this the same funding that Commissioner Bill Mahan planned to use for the SEED buildings?

I am not sure that we should buy into this idea just because Mr. Bozeman has suggested it. After all, didn't he assure us that the Harborside Condos would be an easy sell, a great investment, and not cost the taxpayers? Didn't he say that the Bremerton Tunnel could be built for 25 Million Dollars? Didn't he promise that fast foot ferries would pay for themselves once they got started in Bremerton?

I am not trying to blame all the problems of the Bremerton Port expansion on Mr. Bozeman. The Bremerton Port expansion project has been faulty from the beginning. The pontoons were not designed to carry additional weight if roofs were added later. (Covered moorage. Now that's an idea! Don't worry, it will never catch on). The marina has access problems for boats larger than 25ft. Several boaters I talked to said that they would not go into the Bremerton Marina, ever. (Tidal actions are too unpredictable). Some of the floats were not properly designed to carry the loads required. Some of them needed to be repaired/modified before the marina opened. No provisions were made to provide a fueling station, restrooms, or any sewer pump stations ; facilities that are included at many smaller marinas in the area. Only a few parking spaces were ever planned for the marina. The ones that were provided were for employees of the port. No spaces were planned for marina moorage tenants or their visitors. So far, the parking has not been too big a problem as the marina has never been any closer to capacity than 30% full! Now the answer to all the marina's problems appears to be more parking. Isn't it possible that we are trading one bad idea for another bad idea? Will the port property taxpayers be paying the price again? Only time will tell.

Executive Director's Report - Moving Right Along

Vivian Henderson, Executive Director

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The "Casualty List"

August has been a busy month for KAPO, culminating as we speak, with the Kitsap County Fair. I don't know how we've done it! "Sick bay" has been full this month with KAPO leadership. Several of our leaders have been laid up for various reasons ~ two surgeries, one awaiting surgery (maybe), bum knees and backs, two with serious broken legs. And, Karl Duff, our illustrious past president was hand carried 6.5 miles out of the Cascades by a Seattle mountain

rescue squad. That's our Karl, he always adds the drama. His little afternoon mountain hike ended up with a cardiac Ablation. Everybody seems to be on the mend now and in good spirits. But in spite of all the trouble - KAPO didn't miss a beat in August. We've got some remarkable people.

The County Fair

The fair is the big event for us in August. It takes a lot of planning and a lot of people to cover 3 hour shifts 12 hours a day for 4 ½ days. I'd like to thank the following members for volunteering to "man" our booth during the fair: George & Marsha Warrington, John & Bernice Holmberg, Phyllis & John Olson, Dan and Kathy Defenbaugh, Michael Gustavson, Ron & Nadean Ross, Joan & Dennis Gornier, Dave & Faye Henden, Rob Daugherty, Chuck Shank, Bill Palmer, Donna & Tim Matthes, Roberta & Herb Messinger, Jack Hamilton, Fran Nelson, John & Bonnie Taylor, Diana Buckner, Karl Duff, Bill Henderson and Jackie Rossworn. I hope I didn't miss anybody.

A special "Thank you" to Jackie Rossworn. Jackie took on the responsibility of the fair this year. She did all the planning and followed through with the work to make it a successful event. And thanks to Kris Danielson, Jackie's right hand. Also thanks to Leta Danielson for decorating our booth with her wonderful art work. It was a big job and Jackie and Kris made it look easy. And many thanks to Roberta Messinger for her outstanding "fair" work.

KAPO "Nite Out"

Have you been able to attend our monthly membership dinners at the AA China Buffet? About 50 or 60 of us gather for some good food and company. We have an interesting speaker and stay current on property rights and land use issues in the county, statewide and nationwide. We even get in some good laughs. If you haven't been able to join us yet I do hope you'll plan on it soon. My favorite part is when we pass the microphone around and members share information, news, quotes, jokes and other interesting tidbits. 5:30pm AA China Buffet, 3583 Wheaton Way E. Bremerton across from McDonalds. Reservations not required, all you can eat \$13.50 (includes gratuity).

Editor's Note: *I second Vivian's encouragement for more of you to attend "Nite Out". Of course, based on how things are going now, Vivian might want to start looking for a bigger place.*

Don't forget to check out our blog www.insidekapo.wordpress.com. Talk to us!

Call me sometime

Environmental Insight With a Touch of Real Science Another Look at Shorelines - "Of Eagles, Beaches, and Buffers" Don Flora (a real scientist)

The crudities of near-shore life can be repelling. It's not nicer that oysters defecate and that Orca's rip the bellies out of salmon, seals and baby whales while they are still alive. If you are less than nine years old, do not read on.

Earlier this year there were ten eagles standing together on the beach watching the eleventh, their elder, eviscerate a dead cat. It's a food chain thing, I know, with eagles among the champion predators and carrionizers. The cat was of the large, free-range feral sort. Cats, like raccoons, are regular bulkhead cruisers. And, just as all trees ultimately fall down, all cats die.

I mention this because of what used to be called the balance of nature. Now it's diversity, sustainability, and restoration. The silly issue here is, if the ratio of well-fed eagles is one in eleven, do we have enough feral cats?

More serious questions are:

How can there be an obvious increase in eagles when human populations have grown as well?

If people pressure is bad, how can it get worse when 80 percent of Bainbridge Island's shoreline is already residential, and 88 percent of eastern Kitsap County's shoreline is already "disturbed"?

Was there any human activity or structure along the shoreline that created that unbalanced wildlife situation? (Clearly, NO.)

Are there any tradeoffs among shoreline –using wildlife? (Yes-Indeed. A wildlife expert has told me that eagles are stealing eggs and chicks from herons' nests, leading to whole heron rookeries moving on or dying out. The heron decline is palpable where I live. This is an instance of dynamics, always and everywhere: plant and animal species jostling with each other for living space.)

Shoreline buffers have existed since the 1970s. Did they enhance or lessen the prey base for eagles and other raptors? (Never studied. The alternatives, lawns and landscaped yards, are, like estuaries, highly productive places. That means more invertebrates, birds, rodents, and other small mammals. Maybe even feral cats and coyotes, though we associate those with woody places.

Would wider buffers make a difference? (Not if more productive ecosystems, like lawns, are being pushed away.)

But what about nesting places for tidewater birds and eagles? (The state's priority-species list names 17 marine birds that visit Puget Sound. Most pass through to nest far to the north. Four, including eagles and herons, may nest on Bainbridge Island; the same may be true of mainland Kitsap County. Nesting space does not appear to be a limiting factor, given the abundance of wetland buffers and other open space.)

It is interesting that the recent shoreline assessments for easterly Kitsap County and Bainbridge Island mention only habitat for salmon and forage fish. More on that and human-installed "stressors" later.

Kitsap County Planning Commission Activity Report

Mike Gustavson

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August 4 I was not present, but the following topics were discussed:

Storm water Manual and Low Impact Development update. Planning Commission recommended approval of the proposed changes.

Rural Commercial and Rural Industrial zones and policy. After considerable discussion it was moved and passed that the public hearing be continued on September 15.

Title 21 Mediation public hearing. Comments were taken and the public hearing was continued to September 1

August 18 Public Hearing Greater Hansville.

About thirty people attended and many spoke, both in favor and against the Greater Hansville Community Plan. Some objected to being included in Hansville, stating their unique communities didn't reflect Hansville.

I asked several of the speakers to define the problem this plan was attempting to solve - none could. Later I commented Department of Community Development is limited to changing the zoning (currently rural) or entries in the use tables. There was no desire to change the zoning or the use tables.

The greater interest by property owners is in preventing Pope Resources from developing their 2000 acres of forest. During the public hearing, a representative from Poe Resources stated their company was more than willing to sell their land in a single parcel or to develop it in 20 acre or clusters parcels.

I held up the Kitsap Sun article of Thursday August 13, showing Cascade Land Conservancy's purchase of 2000 acres south of Green Mountain from Pope Resources and stating their desire to purchase more tracts of land in the Hood Canal area.

At the Planning Commission meeting 1 September, I plan to float a motion that the Planning Commission recommend to the County Commissioners that the Greater Hansville Community Plan be scrapped and the citizens facilitate purchase of the 2000 acres of Pope Resources property by Cascade land Conservancy.

September 1 (5:30 p.m.) topics:

Public hearing, deliberations and recommendations: Greater Hansville Community Plan

Work study: Site Specific Plan Amendments

Continuation of public hearing, deliberation, and recommendation: Land Use and Development Procedures - Mediation and Appeals.

Rural Commercial and Rural Industrial Planning Update

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Early this year, in late January and early February, Kitsap County accepted Site Specific Comprehensive Plan Amendment / Rezone applications for commercial and industrial proposals lying outside the Urban Growth Areas (UGA) in Rural Areas. At the time of application, the Department of Community Development encouraged applicants to consider applying for an Industrial Limited Area of More Intense Rural Development (ILAMRID). The State's Growth Management Act (GMA) has provisions for LAMRID that allow counties and cities to recognize places outside the UGA where urban services are present and where patterns of development have characteristics like those found in Urban Areas.

The concept behind the Industrial LAMRID was that they could be used to allow expansion of existing rural located industrial zoning and still maintain consistency with GMA. Also at issue was/is the County adopted policy RL- 8 which at present seems to prohibit expansion of rural located commercial and industrial. This policy was added to the County's Comprehensive Land Use Plan in December of 2006 and would have to be amended before any of the "site specifics" could be approved. Also significant, but not readily apparent in February was the fact that all existing rural commercial and industrial zoning is affected by the limitations of Policy RL-8.

The foregoing provides the context to understand what took place in late May of this year. That is the time when the DCD staff took the initiative to construct two new zones to be added to the County's Zoning Ordinance. The zones were Rural Commercial and Rural Industrial.

These zones were created on the premise that the County needed to make a distinction between what could take place in a rural environment versus those use allowances in an urban area. The idea was that by implementing these new zones, the issue of expansion of commercial and industrial development within rural areas would be limited to that "appropriate" to the service levels found in rural areas, i.e. well water, on-site sewage disposal and local collector roads. Staff did recognize as well that policy RL-8 would still have to be amended because in its present form it is very restrictive and would not allow for expanded zoning even with the imposition of the Rural Commercial and Rural Industrial Zones. Thus, staff prepared revised policy language to modify RL-8.

Even though the people who had submitted "Site Specific" amendment applications were notified of a need to make changes in their applications to allow the new but un-adopted zones to be substituted for the commercial and industrial zoning contained in their amendment submittals, few other people knew about the proposed changes in zoning contemplated by staff.

Unbeknownst to most of the business owners and property owners with commercial and industrially zoned property in rural areas, these new zones were to replace their existing zoning. That fact escaped the notice of most every one, even the County Planning Commission.

The Planning Commission considered the new zone proposals in their work-study session in July prior to scheduling the August 11th public hearing to adopt the zones. The night of the public hearing several business owners testified before the Planning Commission to complain that the new zones would adversely affect their ability to continue to conduct business and would certainly negatively impact their business plans if they were interrupted for a time and had to be re-established or expanded. DCD staff had a different opinion, but it was clear from the testimony given that not much analysis had been undertaken prior to the public hearing to evaluate potential impacts on those with existing business and those holding zoned property for which there is an inherent value. Also it was clear that there had been no prior vetting of the proposed zone provisions with “stake holder” groups to review the contents of the zone before a public hearing was scheduled.

No action was taken by the Planning Commission on the proposed zones. Instead they postponed action until September 15, 2009 at which time they would continue to take testimony from interested citizens, property and business owners. Prior to the vote of the Commission to continue the public hearing, DCD staff assured the Commission that they would empanel stakeholder groups to review the proposed zones.

A meeting with DCD Permit Advisory Group was scheduled for August 27th. The committee was joined by several industrial business owners and others who testified at the Planning Commission public hearing. Much discussion ensued regarding the proposed zones and whether such zoning was the best approach to solve the problem of Policy RL-8 and the spectra of non-compliance with GMA.

At the conclusion of the Advisory Group meeting, it was decided to abandon the process to adopt the proposed Rural Commercial and Rural Industrial Zones. Instead, a four point program was structured which would address the following issues:

1. Land use intensity for rural situated commercial and industrially zoned areas. The resolution of this issue would lead to limitations in the table of allowable uses within the scope of the existing commercial and industrial zones. A key component of the new “intensity” criteria will include employment generation.
2. The provisions for continuation and expansion of non-conforming uses and buildings would be evaluated and changed so that a) uses would not be phased out, but allowed to continue for long periods of time, and b) present expansion limitations on uses and buildings would be increased.
3. Where possible, the Rural LAMIRD provisions of GMA would be utilized to create areas where industrial and commercial growth can continue in a sustained fashion over time. This particular issue when examined will include the possible use of the “sub area planning process” for a separate plan amendment schedule than allowed in the “site specific” amendment process.
4. The “Rural Element” of the 2006 adopted Comprehensive Plan will be examined to provide language and policy recommendations that better characterize what constitutes rural development and rural community areas. This effort will not be likely enfolded into the County’s Comprehensive Plan until some time in 2011 when the County completes its mandatory update process. Never-the-less there is a present need for this language to buttress the recommendations that will flow out of the work effort for point one. Just as important, the public, the staff, and elected officials all may gain a better understanding as to what “rural” means in the context of Kitsap County’s geographic area.

The DCD Permit Advisory Group has allocated sixty (60) days to prepare its recommendations for this four point program. One consequence of the advisory groups work effort and drafting schedule means that the Planning Commission will terminate the public hearing on the proposed zone. A secondary consequence means that the “site specific” plan amendment proposals cannot proceed to public hearing until the Advisory Groups work is complete and there is opportunity to evaluate their material in the public review and public hearing processes. Thus, it will be sometime next year before these 2009 amendment proposals can be adopted.

An Island Perspective
Bainbridge Shoreline Homeowners
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Ed. – *This material was taken from the BSH web site with their permission.*

No Proof that Bulkheads Harm Shorelines.

Peter Ruggiero, Department of Geosciences, Oregon State University

The shores of Puget Sound are rapidly being hardened and covered with artificial structures. While shoreline armoring often succeeds in protecting upland investments, shoreline armoring activities are hypothesized to represent a significant source of nearshore morphodynamic and marine habitat modification in Puget Sound.

Shoreline armoring is believed to affect physical processes in many ways, primarily by causing beach narrowing, sediment coarsening, and a decrease in the natural sediment supply from eroding bluffs. Shoreline armoring is also thought to affect biological processes through loss of upper intertidal habitat, changes in sediment composition, and decreased organic input.

However, **it has not been confirmed in the field or the laboratory** whether currents and sediment transport rates will increase or decrease in front of a hardened shoreline, as compared to a non-armored section of beach, and whether the sedimentary environment will be significantly modified.

California (1986-1994) : ‘A comparison of summer and winter beach profiles on beaches with seawalls and on adjacent control beaches show no significant long term effects or impacts of seawalls during this seven year period.’ (Griggs and co-workers early 90’s)

Virginia (1980-1992): ‘The results at three time scales (storm seasonal and interannual) and from the three analysis methods all supported the same conclusion, namely: the volume erosion rates are not higher in front of seawalls.’ (Basco and co- workers mid 90’s)

Oregon (1986-1998): ‘Ten years of monitoring has revealed that the structures at these seven sites are having no adverse impacts on the surrounding beach or adjacent properties.’ (Hearon and McDougal, 1996)

[Dr. Ruggiero’s comments](#) are quoted from the [U.S. Geological Survey website](#) and a May 11-14 conference on shoreline armoring.

President Obama says [real science not political agendas](#) should govern policy. One wonders why Governor Gregoir rejects this opinion and relies instead on speculation as the foundation for environmental action.

See our previous article: [Does science justify bulkhead rules?](#)

Peter Ruggiero is an Assistant Professor in the Department of Geosciences at Oregon State University. His current research interests include applied coastal geomorphology and developing methodologies for assessing vulnerability to coastal hazards particularly in light of a changing and variable climate. Dr. Ruggiero earned a bachelors degree in Civil Engineering from Lehigh University in 1991 and a Ph.D. in Coastal Engineering from Oregon State University in 1997.

Following his graduate work, he worked for the state of Washington as a principal investigator of the Southwest Washington Coastal Erosion Study. This multi-year effort developed a quantitative understanding of the regional sediment dynamics of the Columbia River littoral cell.

Ruggiero then worked for the US Geological Survey in Menlo Park, CA between 2001 and 2005 getting involved in coastal studies in Alaska, North Carolina, and Sumatra. Since 2006, he has been at Oregon State University focusing on a variety of projects quantifying and assessing the vulnerability of communities to coastal hazards.

Legislative Update

Jack Hamilton

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In the other Washington

In the coming months we will hear more and more about the hazards of CO2 emissions and the absolute need to implement “cap and trade” regulations to enable us (America) to reduce manmade harm to the environment. However, we need look no further than the recent federal “CARS” (“Cash for Clunkers”) program to gain clear insight regarding the seriousness with which our government is approaching the subject. “CARS” was sold to the American taxpayer as a way to “stimulate the economy” and remove a significant number of emission producing vehicles from our roads. The premise was that vehicles with mileage less than 20 mpg would be removed and be replaced by newer cleaner vehicles. Since the President had declared that we would all be driving cars with efficiencies of not less than 30 MPG in a few years, it would be appropriate to consider that the “CARS” replacement vehicles would be or most certainly approach that efficiency level. Too bad we have to deal with reality. There are over 135 million cars on the road in America. The “CARS” program resulted in a turnover of about ½ million or less than 0.4 percent of all vehicles. On average, 20 million cars are sold in the US each year so “CARS”, in two months accounted for less than 2.5 percent of annual sales, not even close to nominal sales figures for a two month period. Further the “average” efficiency of all cars sold under “CARS” is 25 mpg well below the president’s dictate. So although the “CARS” program empties car lots of inventories, artificially prolonged employment of car sales people, eliminated a large inventory of potential used cars for first time buyers, and redistributed 3 Billion dollars of our wealth, little real progress on either CO2 emission reductions or economic stimulus. Now

government is talking about a “stimulus” program to get you to buy a new refrigerator. Where does it end?

At Home in Kitsap – Commissioners and Rural Industrial development

Just when you thought it was safe to breathe because surely the budget crunch would slow down the time and manpower available to come up with more near brainless ideas, the Commissioners are off and running again. (Read Bill Palmer’s article above if you have not done so already.)

We are all aware that the concept of “Zoning” in Kitsap County passed from confusing to lunatic a long time ago. There was some hope that the planners in DCD and their supervisors would have run out of new ways to frustrate development and drive property owners around the bend. Have heart, utopian land use planning is alive and well in the Admin Building.

As a part of one of the earlier incarnations of the comprehensive plan, the planners created a zoning classification of “Rural Industrial”. That classification was distinct from “Urban Industrial” and “Rural Commercial” supposedly to provide the ability to designate areas where certain “industrial” activities, suitable only to those areas, could be allowed. It’s not that we needed as many zoning classification as we had but if that’s what it took to enable proper development of industrial activity in a rural area, so be it. (Of course, the fact that the majority of current industrial activities originated in rural areas and than many remain in rural areas did not appear to fit in the planners reality check when the separate classification was deemed necessary). Having settled on the classification and associated identified permissible uses for the classification, it would be appropriate that property owners and developers would soon turn their energies toward creating industries in the rural areas. Well, that was the case but some just did not act fast enough.

When Puget Sound Regional Council revised the land use planning policies in Vision 2040, they implemented a set of policies that moved all industrial development (and essentially all economic development) to areas designated as “centers”. If you guessed that those “centers” were either in or adjacent to Urban Growth population centers so as to facilitate mass transit and eliminate those pesky private autos, you would go to the head of the class. The move was so far under the radar screen of most that it was cast in stone before most even understood the potential result. (Your faithful KAPO staff recognized what the “degreed professionals” on the planning staffs were trying to do and identified the threat in our review) With the adoption of the Vision 2040 policies, the end result was clear. Rural areas were the “preserved playground” of the urbanites and no further degradation of the sacred rural areas would be allowed.

Not surprising, our local staff in DCD have introduced a revision to the Comprehensive Plan (for a document with a fixed review and revision process we seem to change it a lot) that does not eliminate Rural Industrial, but does eliminate virtually all allowed used in the classification. Hard to complain that your property has been “rezoned” when it hasn’t. Also hard to complain that there is no longer any viable commercial use to the property when one or two are still left. Don’t you love those guys?

This ploy by the Commissioners and their staff supporters will have a major detrimental impact on the existing and future economic well being of the county. Existing businesses located in Rural Industrial areas will be forced to close, if sold, will not be allowed to expand, and will feel continued pressure to relocate. New businesses will not have choice of location but will be

forced to locate in the new “centers” in or near Urban Growth Areas. Since we have a reasonable historical record on the lack of success in that concept to date, it is unlikely that businesses will find Kitsap a pleasing fit. Perhaps it is time to buy land in Idaho (or South Carolina, if you own Boeing stock).

Washington Property Owners

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The discussion and exchange of ideas continues. The bright spot is that the two apparent major players, KAPO and CAPR, are in agreement that a statewide organization must exist if we are to be effective in our endeavors. Getting there is just part of the fun.

What are those things called Property Rights?

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While manning the KAPO booth at the Fair this week, in a sudden blinding flash of a flower pot falling on my head, I realized that not all property owners are necessarily on the same page as some of us who appear to bleed this stuff on a daily basis. Those of us who have buried ourselves in the details of PSRC policies, Shoreline management Act, GMA, best available science, Critical Area Ordinance, Growth Management Hearings Board findings, and case law at various levels tend to live this stuff. Those of us equally dedicated to the cause of freedom and liberty, but not as deeply involved or invested in the day-to-day struggle may get left on the sidelines with respect to an understanding of what we are really dealing with. While we may, individually, comprehend the overall concepts or “big picture” of property rights we might be a bit cloudy on particulars or some of the specifics. Reading some of those heady tomes created by the “brain trust” might make your head ache. Perhaps a short refresher is appropriate.

First let’s define Property in terms of real property or land. It includes, within a set of geographic boundaries:

- From center of earth to edges of space
- Every thing under the earth – all of the mineral resources
- Every thing attached to the earth – buildings, trees, roads
- The air above the earth including the visibility through that space

OK, But when we talk about a “bundle of right” associate with property, what is in the bundle and what does it mean?

- **“Control”** of property means both the ability and authority to determine how the property will be used, how and when it may be disposed of and how and when access will be permitted.
- **“Enjoyment of Use”** means deciding what use the property will be put to and who will benefit from that use. This right supports building a home or putting the property to other use such as farming, mining, or industrial use.
- **“Exclusion”** means just that. The property owner determines who may or may not enter the property. Entrance onto property is by permission of the owner. No individual or

government agency has any right to enter onto a property without prior permission of the owner, except under the most unusual circumstances.

- **“Disposition”** is the right to sell, lease, rent or otherwise dispose of all or portions of a property or the rights vested in the property. Renting a home, leasing space to another, or selling the mineral rights of a property are all types of disposal

OK so that all very well and good but how do I know those right are real and that they are protected?

First, the right to own property, including real property or land is one of the unalienable rights granted to us by our creator. We do not need permission from or approval of any higher authority to own land.

Second, the Bundle of rights theory has been workable through common law for centuries and reaffirmed through case law and other government actions. For example, following the Revolutionary War, in the Treaty of Paris specific passages were included to ensure that those who remained loyal to the British crown throughout the war were not deprived of their property or denied their rights associated with that property even though they might have abandoned the property or borne arms against the United States. In the wording of the Louisiana Purchase there is specific provision to protect both the ownership and rights of property owners as the land was transferred from France to the US. The same level of concern and care is present in other land transfer documents or in documents that transfer land from the US to states or private ownership.

Finally our federal and state constitutions guarantee the protection of property ownership and the rights associate with property

- **US Constitution, Amendment V** – “No person shall be...deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation.”
- **Washington State Constitution**
 - **Art I, Section 1** – Primary duty of elected officials to maintain and protect individual rights
 - **Art 1, section 3**- No person shall be deprived of life, liberty, or property without due process of law
 - **Art 1, Section 7** – protection from illegal invasion of property
 - **Art 1, Section 16** – Eminent Domain places strict limits on takings and requires prior just compensation (Very detailed clause) Stronger than Federal protections)

Historical Almanac

September 2, 1789	US Treasury Department established
September 2, 1945	Japan formally surrenders on the decks of USS Missouri
September 3, 1783	Treaty of Paris formally end Revolutionary War
September 5, 1882	First Labor Day Parade in New York City

September 6, 1901	President McKinley assassinated
September 7, 1927	Fist image transmitted by television
September 9, 1776	Second Continental Congress makes official the term "United States"
September 10, 1913	First cross country paved highway (Lincoln Highway) New York to San Francisco is opened (now I-80)
September 11, 1941	Groundbreaking ceremony for Pentagon
September 13, 1814	British bombard Fort McHenry in Baltimore
September 16, 1908	General Motors founded
September 18, 1947	US Air Force established
September 21, 1784	Pennsylvania Packet and daily Advertiser, fist successful daily newspaper in US is published in Philadelphia.
September 22, 1776	Nathan Hale hanged by British
September 22, 1862	Emancipation Proclamation issued
September 24, 1906	"Devil's Tower" in Wyoming is established as first national monument.
September 25, 1981	Sandra Day O'Connor sworn in as first female Supreme Court Justice

Hail to the Chief

When the President of the United States arrives at an official function or enters the room at an official gathering, he is accorded due honor by the playing of a tune named "Hail to the Chief". This is a function of tradition turned etiquette and has been common since the mid 1800's. The tune, taken from a Scottish air, is normally offered as an instrumental piece. However there are words to the piece. It would be a good question to ask how many Presidents knew the words or considered the impact of their meaning,

Hail to the Chief we have chosen for the nation
Hail to the Chief! We salute him one and all.
Hail to the Chief, as we pledge co-operation
In proud fulfillment of a great, noble call.

Yours is the aim to make this grand country grander,
This you will do, that's our strong, firm belief.
Hail to the one we selected as commander,
Hail to the President! Hail to the Chief!

KAPO Membership

Membership in Kitsap Alliance of Property Owners is available at two levels

Voting Membership is open to applicants and includes voting rights. Membership dues are \$100 per year.

Associate Membership is also available. Associate Members do not enjoy voting rights. Associate Membership dues are \$25 per year

Life Membership, voting membership for the life of the members, is available for a single payment of \$1000.

The list of KAPO members is not released to the public and the individual member information is not available for or used for other than the specific business of KAPO.

For more information or to receive a membership application visit the KAPO web site at www.kapo.org or contact Executive Director Vivian Henderson at viviankapo@wavecable.com or Phone: 360-710-8560