



VOTER

Volume 1, Issue 3

JANUARY 2007

CALENDAR

Jan. 19

Lobby Day
Columbia Room
At Capitol
8:00 am

Jan. 18

Life & Times of
Leonardo daVinci
State Theater in
Olympia

Jan. 24

'Port Competition
on the West Coast'
State History
Museum
Carriage House
7 pm

Jan. 25

Business
Meeting
2221 Water Street
5:30 pm

Feb. 21

Membership
Meeting
At Lacey Library
5:30 pm
**State GMA
Study/
Review**

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Hearing Examiner Sustains Appeal of Port's Weyerhaeuser Project

In a lengthy decision released December 18, Thomas Bjorgen, the City of Olympia's Hearing Examiner, ruled that the City decision that its land use approval of the proposed Weyerhaeuser Office and Shop was not environmentally significant was not correct and must be "vacated".

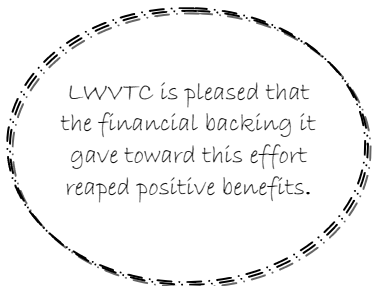
In June of this year, City residents Janet Witt and Jerome Parker appealed the City decision, expressed in a "Determination of Nonsignificance" (DNS). They argued that the City's DNS considered only the actual buildings and did not properly consider the environmental impacts of the entire export facility and its operations of which the Office and Shop are an element. Hearing Examiner

Bjorgen concurred, finding that the City "did not consider the impacts of increased air emissions from truck and vessel traffic, the impacts of increased noise, the impacts of increased lighting, or the impacts of pollution from vessels, all as related to the log export operations. The DNS also did not consider the impacts relating to the Cascade Pole site".

In a press release, Witt and Parker emphasized that their appeal did not express opposition to the facility and did not demand that an environmental impact statement be prepared. "We simply argued that the decision of whether an environmental impact statement is required must be based on the entire log export project, not on individual bits and pieces of the project. We felt that both statute and case law are explicit on this

point and that the City's decision contradicted the law. We are relieved that the Hearing Examiner considered our arguments in detail and issued what we feel is an extremely strong, well researched decision." The City, the Port, and Weyerhaeuser can each appeal the decision of the Hearing Examiner to the City Council and then, if such appeal were to be rejected by the Council, to Superior Court. Alternatively, the City can directly proceed with a decision of whether an environmental impact statement on the entire log export facility is necessary prior to City approval of the site plan or permits required by the facility.

Jerry Parker



LOBBY DAY FRIDAY, JANUARY 19, 2007

COLUMBIA ROOM, STATE CAPITOL BUILDING

This year the LWV Thurston County is taking the primary responsibility to plan and coordinate the annual state wide Lobby day sponsored by the League of Women Voters of Washington. Please plan to attend!

Check-in and Coffee 8:00 a.m.
 Program 8:30 a.m. - 1:15 p.m.
 Cost: \$20 includes lunch and printed materials

The goal of this Lobby Day will be to have 3 primary presentations about legislative issues as relate to League's positions on Social Policy, Natural Resources and Government. The day will also include an opportunity to hear from our State League's Portfolio Chairs and our Lobbyist, Lonnie Johns Brown. All legislators will be invited to our luncheon where you will have an opportunity to talk with them about our issues.

- ⇒ Governor Christine Gregoire will present an overview of Washington Learns.
- ⇒ Jone Bosworth, Director, Early Learning Department, will discuss the goals and purposes of this new department.
- ⇒ Barbara Mertens, Assistant Executive Director, Gov. Relations, WA Association of School Administrators, will discuss K-12 aspects of Washington Learns.
- ⇒ Laurie Valeriano, Toxic Policy Director, will discuss Pollution in People
- ⇒ Representative Eileen Cody, Chair, House Committee on Health Care (invited) will review the findings and proposals of the Blue Ribbon Committee On Health Care

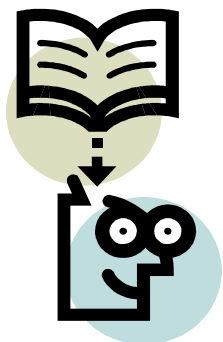
Make all checks for \$20.00 payable to LWVWA

REGISTRATION DEADLINE: January 12, 2006. RESERVATIONS ARE REQUIRED
 4710 University Way, Suite 214 Seattle, WA 98105

Lobby Day—Don't Miss It

EDUCATION FUND DONATION

Once again we have received a \$500 donation from Allstate Insurance for our Education Fund. This is to support our many education activities such as public fo-



runs, candidate debates and our TRY (*They Represent You*) brochures.

We thank Marilyn Funk for securing this wonderful contribution

for us three years in a row. We greatly appreciate her efforts and Allstate's generosity.

Karen Verrill
 Development Chair

TREASURE HUNT AND BAKE SALE

It is never too early to plan for our LWV SALE!

Our Treasure and Bake sale will be held this summer; either the last weekend in July or the first weekend in August. Please start setting aside household items now!

I usually put a box in my closet and when that is filled (usually with books I have read or dishes I no longer use); I move it out to the garage and start another. If you have items you wish to do-

nate now and have no room for them, give me a call, I will find storage.

Each year this sale gets bigger and better. In the past, items that have sold the best were quality household items, clothes, books, videos, gift items, plants, glassware, jewelry, furniture and collectibles.

We do have to be selective on a few items that are sometimes difficult to find homes for after the sale (examples are exercise equipment and computers).

Though most items, both big and small, we can sell.

The community looks forward to this sale and I have always received positive feedback as to the quality of the items for sale. And we raise money for our favorite organization - The League of Woman Voters Thurston County.

Call Fran Williams, 357-3334 or email franwil@comast.net if you have any questions.



Understanding Growth - A Regional Policy Maker Forum

Thurston Regional Planning Council & the Transportation Policy Board invite you to join them:

Wednesday, January 10, 2007
6:00 p.m. to 8:30 p.m.
Thurston Regional Planning Council
2424 Heritage Court, Olympia

Who Is Invited:

Policy makers from throughout the county, Puget Sound Regional Council representatives, and private sector partners.

Main Speaker:

Suzanne Britch, dynamic speaker & founder of New Home Trends, a leader in real estate information throughout Puget Sound.

Why You Should Participate:

A chance to learn and talk about:
 ⇒ Market drivers behind this region's growth.
 ⇒ What commute pat-

terns and other data tell us about the changing nature of residential and employment growth.

⇒ Strategies for planning for the known – and unknown.

Did You Know?

- ◇ 15,000 commuters travel **TO** Thurston County each day.
 - ◇ 30,000 commuters travel **FROM** Thurston County to other counties each day
 - ◇ It is estimated that by 2025, the number of commuters will double.
- Source:TRPC

Leonardo daVinci: artist, scientist, inventor, scholar and teacher.

The Life and Times of Leonardo daVinci by Peter Donaldson will debut in January in Olympia at the State Theater (a Harlequin production).

Beginning January 18, in Olympia, a national theatrical tour of

The Life and Times of Leonardo daVinci (think Hal Holbrook does Mark Twain) will be launched and wrapped in a series of education seminars, leadership workshops, and community forums on this question... **Are we at the cusp of a New Renaissance?**

At its last meeting the board chose

to help publicize the project for it is compatible with the mission of the League of Women Voters; educate through sound information and respectful dialogue, common sense for the common good.

Bonnie Jacobs

VOLUNTEER MOTIVATION

- to feel needed
- to share a skill
- to get to know a community
- to demonstrate commitment to a cause/belief
- to gain leadership skills
- to act out a fantasy
- to do your civic duty
- because of pressure from a friend or relative
- satisfaction from accomplishment
- to keep busy
- for recognition
- to repay a debt
- to donate your professional skills
- because there is no one else to do it
- to have an impact
- to learn something new
- for freedom of schedule
- to help a friend or relative
- for escape
- to become an "insider"
- guilt
- to be challenged
- to be a watchdog
- to feel proud
- to make new friends
- to explore a career
- to help someone
- as therapy
- to do something different from your job
- for fun!
- for religious reasons
- to earn academic credit
- to keep skills alive
- because an agency is geographically close
- to have an excuse to do what you love
- to be able to criticize
- to assure progress
- to feel good
- to be part of a team
- to gain status
- because you were asked
- to test yourself
- to build your resume
- to be an agent of change
- because of personal experience with the problem, illness, or cause
- to stand up and be counted

**WHATEVER YOUR MOTIVATION
LWVTC NEEDS YOU**
Call Marilyn Funk at 491-3376

PORT EXPERT TO SPEAK IN JANUARY

Chris Fowler, a geography doctoral student at the University of Washington, will present a special program on ports and port competition on the West Coast. In researching his dissertation on the Ports of Genoa, Italy and Vancouver, B.C., Chris has concentrated on attempts by these cities and ports to make themselves competitive in global trade networks. As part of this project Chris is also critically examining the cost/benefit analyses that

ports use to support their policies in an attempt to capture more of the impact that ports and port policies have on their local communities. Chris emphasizes that his talk will not concern the specific case of the Port of Olympia, but is designed instead to provide attendees with a broader framework of understanding with which to assess the proposed changes there. As the Port of Olympia continues to seek expansion with some major environmental constraints, BHAS is excited

to present an academic and broader picture of marine trade and ports. This special event will be held in the State History Museum Carriage House (211 West 21st, off of Capitol Way S) beginning at 7 p.m. on January 24, 2007. Please RSVP to Sue Danver at 705-9247 or sdanver7@aol.com to guarantee a seat. We anticipate some open seating and should be able to accommodate "drop-ins".

Eve Johnson

SENATOR KAREN FRASER A POSSIBLE SPEAKER FOR MARCH

Senator Karen Fraser has just returned from a conference, in New York, on International Women's Issues involving conflict and peace. She said that she learned a lot about current situations around the world, the extra devastating impacts of conflict situations on women and girls, and what recent UN

policies are to try to improve treatment of women around the world and to involve women in conflict resolution and reconstruction after armed conflict ends. This conference concluded with a visit to multiple high level officials of the UN, which gave an opportunity to hear from each of them and to offer to each of them input.

The LWV is interested in hearing about the Senator's experience and is hoping to persuade her to share what she has learned by adding her to our March program.

If the Senator is available, the date and time of her presentation will be announced. Clydia Cuykendall is the chair of this project.

Principles of the LWV

The League of Women Voters believes that democratic government depends upon the informed and active participation of its citizens and requires that governmental bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

The League of Women Voters believes in representative government and in the individual liberties established in the Constitution of the United States. The League of Women Voters believes that every citizen should be protected in the

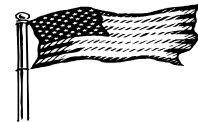
right to vote; that every person should have access to free public education which provides equal opportunity for all; and that no person or group should suffer legal, economic or administrative discrimination.

The League of Women Voters believes that responsible government should be responsive to the will of the people, that government should maintain an equitable and flexible system of taxation, promote the conservation and development of natural resources in

the public interest, share in the solution of economic and social problems which affect the general welfare, promote a sound economy and adopt domestic policies which facilitate the solution of international problems.

The League of Women Voters believes that cooperation with other nations is essential in the search for solutions to world problems and that the development of international organization and international law is imperative in the promotion of world peace.

FROM LWVUS PROGRAM IN ACTION 05-07



PEOPLE CAN MAKE A DIFFERENCE—TOP 10 REASON TO DONATE YOUR TIME

- | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> 1. Offers incredible networking opportunities. 2. Helps you retain and sharpen old skills. 3. The perfect place to develop new skills. 4. Offers opportunities to practice skills in a relatively risk free environment. 5. Can help you expand your | <ol style="list-style-type: none"> 6. Gives you the satisfaction of knowing you are doing good and being involved in your community. 7. Gives you visibility. 8. Can be energizing/renewing. 9. Can create leaders. 10. Demonstrates workplace skills/management skills/ | <p>customer service skills/ leadership skills that can be documented in a resume.</p> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|



One of the most interesting state League events will be taking place in Olympia on January 19, 2007. Lobby Day will be in the Columbia Room at the state Capitol building. Governor Gregoire, legislators and our own Portfolio Chairs will be speaking about issues that will be prominent during the

Lobby Day— Don't Miss It

legislative session. Guest Suffragettes will tell us about their time in history. Special exhibit by Sue Lean sponsored by our League, the

state League and the Women's History Consortium, will be on display. In addition, a tapestry of the Lewis and Clark Expedition will be hung.

Please send in your registration by Jan. 12th.

Karen Verrill

President's Column

LWV STATE PROGRAM PLAN

Why did LWVTC devote Program time to ferries, elections, growth and water on the 2007 agenda?

The League of Women Voters believes that informed and active citizens, joining to explore common problems and identify shared goals, can resolve the tough issues that confront our communities, our nation and our world.

We study and educate our members and our communities about public policy concerns, we encourage public discussion of these problems and citizen participation in solving them, and we act to achieve solutions that contribute to the benefit of all.

Our program – our education and advocacy work – focuses on public policy issues. We work to build informed citizenry through League program. **The League must have a position before it takes action.** Program Planning is the way the League chooses its issues. At the 2005 State convention in Seattle, League members chose to learn more about the issues, which are on LWVTC 2007 agenda.

LWVTC now has the opportunity to help choose issues to place on our public policy agenda for the coming two years. The process culminates when the program is adopted at the local annual meeting (ours is in May) and the biennial state convention, which will be held June 21-24 in Vancouver, WA at the Heathman Lodge.

Here are some questions to consider in selecting an issue for League work:

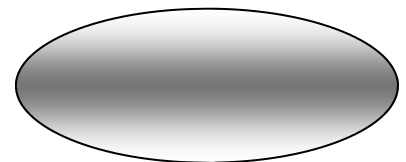
- Which issues will benefit from The League's special expertise or perspective?
- is there a real possibility that citizens working on this issue can bring about positive change?
- Will the work League does on this issue have a measurable impact on our community or state? How will results be evaluated?
- Will working on this issue give the League opportunities to collaborate with other groups and individuals?
- Which issues are of such vital concern to our members and our community that they demand attention now?

Pierce County League has asked us to support their request to have Health Care selected as the 2007-2008 State Study.

The selection of a study topic will be explored at the end of the January Business meeting. Be an informed participant in this discussion.

Eve Johnson

January Board Meeting to be held on 25th instead of 18th



HOLIDAY PARTY
A BIG SUCCESS!

Thanks to everyone who came and to those who brought delicious food.

LWVTC/Jorgensen—Public Request of the Port of Olympia

Background

On August 22, 2005, the Port of Olympia entered a long term lease with Weyerhaeuser for a log export facility. Concerned with the terms of the lease between the Port and Weyerhaeuser, several persons or organizations sent public records requests to the Port asking it to disclose various documents related to the lease. Requesters included LWVTC and Walter Jorgensen together, Arthur West, and David Koenig. Dissatisfied with the Port's response, all of them filed separate lawsuits against the Port in Thurston County, the required jurisdiction for such cases.

Timeline

1/05/06 Eve Johnson (LWVTC President)/Walt Jorgensen (member) send an email requesting Port documents pertaining to the Lease, confirmed in a letter the next day.

1/17-27/06 The Port discloses 8 documents, but claims most of them are exempt from disclosure under various exceptions to the Public Records Act (PRA).

1/23/06 LWVTC/Jorgensen file a complaint against the Port for violation of the PRA in Thurston County Superior Court.

2/22/06 Weyerhaeuser is admitted to the case to protect its interests.

3/3/06 Weyerhaeuser and the Port are granted their motion to consolidate the West and League/Jorgensen cases, which are assigned to Judge Hicks.

3/29/06 After reviewing 342 "packets" totaling 2409 pages of documents at issue, Judge Hicks orders the Port to produce some documents, but also rules that other documents are exempt under the deliberative process and research data exemptions of the PRA. All parties move for reconsideration. The Port discloses 406 more documents, but fails to provide 19 documents that it was ordered to disclose and omitted

critical pages of at least 12 other documents.

5/4/06 Judge Hicks acts on the motions, denying some and granting others in whole or in part and awards legal fees and penalties to LWVTC/Jorgensen.

6/2/06 Bernie Friedman, counsel for LWVTC/Jorgensen, files a notice of appeal (and statement of grounds for direct review) to the WA State Supreme Court, but dies before the issue of fees and penalties is resolved by the trial court. Mr. Friedman is replaced by his colleagues Phil Talmadge and Emmelyn Hart-Biberfeld from Tacoma as counsel for LWVTC/Jorgensen.

9/29/06 Judge Hicks grants motion to consolidate Koenig's case against the Port, which has been proceeding before Judge Stophy.

10/20/06 The issue of how to calculate legal fees and penalties is presented to Judge Hicks.

11/17/06 Judge Hicks enters a judgment for fees and costs in favor of LWVTC/Jorgensen and West and against the Port, calculating the penalty by multiplying the number of days the Port withheld the documents (123) by a sum of \$60 per day, without regard to the number of documents or pages withheld. Judge Hicks also awards \$52,500 in legal fees to LWVTC/Jorgensen's counsel based on their records of hours spent on the case, but reduces their hourly rates to rates comparable to those for attorneys practicing in Thurston County.

12/8/06 Despite objections by West, Judge Hicks finalizes his November 17, 2006 judgment.

12/2006 Counsel for LWVTC/Jorgensen file their brief with the WA State Supreme Court. They also file a motion to de-consolidate the LWVTC/Jorgensen case from West because his case raises different issues (State Environmental Policy Act trumps PRA) and because he does not understand that counsel for LWVTC/Jorgensen does not represent him.

Issues

Scope of the Deliberative Process Exemption: Is the Port entitled to claim this exemption after the decision has been made? It is the position of the LWVTC/Jorgensen that the interest of the public in disclosure of the deliberative documents after the deal is closed is greater than the Port's interest in withholding such information because it might be useful to some possible, yet unspecified, future lease negotiation.

Scope of the Research Data Process Exemption: Is the Port entitled to claim this exemption after the decision has been made where the research is not intellectual property? It is the position of the LWVTC/Jorgensen that the interest of the public in disclosure of financial information after the deal is closed is essential for it to determine if the Weyerhaeuser lease was a good deal for the Port's taxpayers. Further, such data is not the type covered by this exemption which covers "valuable formulae, designs, drawings, computer source code or object code." Finally, the Port has not shown that "disclosure would produce private gain and public loss" as required for this exemption to apply under the PRA.

Penalty Calculation: Was the penalty under the PRA correctly calculated? It is LWVTC/Jorgensen's position that such "per request" calculation is not sufficiently punitive given the Port's culpability and the size of the deal, and it should have been calculated on a per document or per page basis in this instance.

Legal Fee Calculation: Was the legal fee award correctly calculated? It is LWVTC/Jorgensen's position that legal fee awards under the PRA should be calculated based on a statewide comparison of legal fees charged for such work because the PRA is a statewide law. If such calculation is limited to Thurston County, then lawyers in larger markets will be discouraged from taking such cases and Thurston County lawyers will be favored.

Clydia Cuykendall

LEAGUE OF WOMEN VOTERS OF THURSTON COUNTY

MEMBERSHIP APPLICATION

For more information about the League's activities or membership call Marilyn Funk, 360-491-3376, or mail in the membership form below.

Enclosed is a check in the amount of \$_____

- ◇ \$60 for my membership
- ◇ \$_____ for an Educational Fund Donation

For Lifetime Membership and Scholarships contact Membership Chair.

NAME _____

ADDRESS _____

CITY/STATE/ZIP _____

HOME PHONE _____ WORK PHONE _____

E-MAIL _____ FAX NUMBER _____

LWVTC Newsletter, the VOTER will be distributed by e-mail unless you specifically request a hard copy in regular mail.

- ◇ Please send my copy of the VOTER by postal mail to the above noted address.
- ◇ Please send my copy of the VOTER to _____

LWV Purpose

The League of Women Voters, a nonpartisan, nonprofit political organization, encourages informed and active participation in government. The League influences public policy through education and advocacy. Anyone of voting age may become a League member.

LEAGUE OF WOMEN VOTERS OF THURSTON COUNTY
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