

Statement Opposing the City of Seattle Shoreline Master Plan

Presented at the Open Hearing July 11, 1974

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My name is Richard Slomon, I work as Environmental Planner for the University of Washington, however, tonight I am speaking strictly as a private citizen and resident of Seattle. I am not at this time a property owner and I have never owned property on the shoreline. My interest in the Seattle Shoreline Master Plan is purely in the defense of private property rights. It is my considered opinion that the Seattle Shoreline Master Plan which is a product of the implementation of the Shoreline Management Act at the local level is a blatant expression of socialist doctrine and must be opposed at every level, state and local. Although the third draft of this document has considerably modified the obvious socialist nature of the first draft, its devious anti-property slant is little changed. The Shoreline Management Act bases itself on two philosophical premises, one that individual rights to private property are subordinate to the public good and that shoreline areas have a unique potential to serve the public interest. I contend that the notion of the public good is not only a logical fallacy, but as it is construed in the Shoreline Management Act and implemented in the Seattle Shoreline Master Plan it is forcing a great sacrifice of human value. It forces the individual to surrender the higher value of the right to live his life unmolested and dispose of his property for a lower value of satisfying the questionable esthetic whims of those not able or willing to compete on the free market for shoreline sites. In addition, it shows no indication of the more noble desire to protect biotic communities from wasteful predation.

The notion that individual property rights must be sacrificed to provide public access because shoreline zones are esthetically unique is absurd. All areas of the earth whether they are marine, estuarine, riverine, lacustrine or terrestrial are unique. Does this mean that we can await the whittling away of our property rights because our buildings interfere with someone's claim to see some unique portion of the earth? Today, we lose the right to choose who visits our shoreline properties and how to dispose of this property, what loss of rights will tomorrow bring?

In its desire to protect biotic communities, the Seattle Shoreline Master Plan is absurd. Fifty-six percent of the 78 miles of shorelines is already owned by various government agencies who have never shown any great competence or predilection in policing their own pollution. But this is not the essential question, if the individuals concerned with the potential loss of biotic communities are really sincere, why don't they buy these shoreline zones with their own money or that donated by interested parties. If so little remains of these unique and precious shoreline ecosystems, it would seem the most direct route would be the immediate acquisition of these limited areas, and if these areas are so extensive then why must individual private property rights have to be bludgeoned through the use of legislative coercion to insure their preservation.

Private property owners are by nature very concerned and preservative over the condition of their land and its resources. It is more generally the government and its practices which has led to the destruction of rangelands, it is taxation and zoning practices which induce the reduction of open areas and the ill effects of speculation. Urban renewal in our own city and all over the country has

destroyed neighborhoods leaving behind a desert. I say government, police yourself, leave private citizens alone!

The inability of government to police its own actions is demonstrated in the development of the Seattle Shoreline Master Plan. The environmental assessment has not considered all feasible alternatives which are mandated by the State Environmental Policy Act. The process by which this third draft was produced by open admission has not considered the adverse environmental impacts to the livelihood of those persons directly and indirectly affected by this action, nor has it considered proper mitigative measures. I assert that this is in defiance of the letter and spirit of the law. A law by the way which is being applied with great rigor to the private sector.

I ask you to remember that the term unique, the essential qualitative word used in referring to those shoreline areas which ostensibly must be protected against the so called evils of private ownership means singular. In other words there cannot be many of these areas to protect. Now, either the Shoreline Management Act was based on a mistaken premise or a misuse of the term unique, in any case its conception of value is totally erroneous. Its stated mission is to protect the shoreline for future public use but at the extremely high cost of major reduction of actual property rights and in the full abrogation of the abstract right to property in setting a dangerous and constitutionally questionable precedent. Consider carefully that environment means the conditions under which a living organism lives or dies. The essential aspect of the human environment is freedom from force and fraud and the absolute right to live ones own life and to own property. Individuals must make a choice between surrendering the higher value of his right to live his or her own life or to impose his or her own whimsical desires on others by the use of legislated coercion. Logically, you cannot have it both ways! There ain't no such thing as free lunch!

The Seattle Shoreline Master Plan is full of contradictions. For example the shoreline areas are downzoned to the limit of 35% lot coverage and 35 feet height regulations. This backzoning and downzoning cannot help but promote the spread urban industrial uses to other shoreline areas with fewer restrictions or to other states. Its desire to impose "urban stable" which remains an undefined and perhaps undefinable term over the heart of the city's shoreline area along Lake Union can only promote official corruption in the future as individual attempts to carry out necessary economic functions along the shoreline are thwarted by unrealistic regulations.

The desire to provide public access on private property is abominable. Any easement across residential land whatever the hour or condition reduces the security of those families and increases the insurance cost of that land. But what insurance can make up for rape, child molestation and the lurking fear of burglary because you can't prevent strangers from trespassing on your own land.

And if its only visual access, what about privacy, must one bare his or her activities on the land and in the buildings he has worked and saved to acquire. What must we sacrifice next to satisfy the rapacious socialist appetites of so called citizen's committees and planning commissions. Will a view be enough, a walkway be enough, a free lunch, or will it require our blood, our bodies and our minds?

I realize that this hearing is primarily designed to receive comments on the details of this proposed plan, however, unless one speaks to the essential philosophical premises implied by a governmental action, one loses the actual fundamental question by default. The question in this case is not how I will permit robbery of my rights or my neighbor's rights by haggling over details which lends an air of legitimacy to the proceedings but rather whether I accept the abrogation of my neighbor's rights and by implication my own.