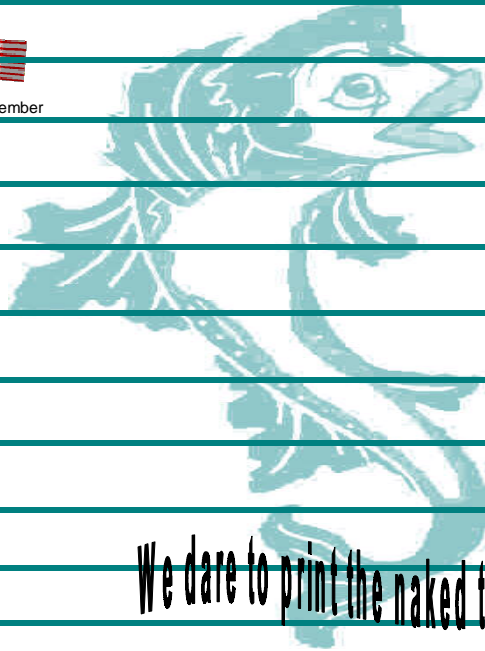




We Remember



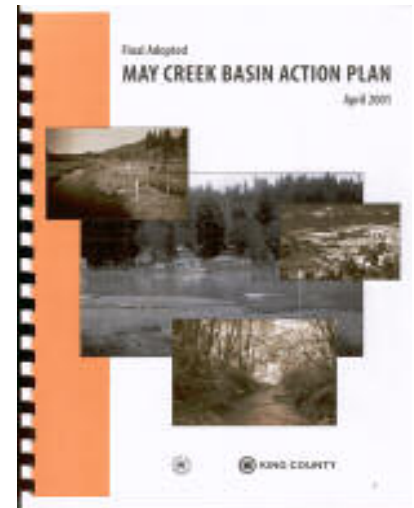
The Naked Fish

We dare to print the naked truth!

Primary Recommendation 5

Reduce flood durations in May Valley by removing flow obstructions from May Creek channel. Types of obstructions most frequently encountered are beaver dams, stream reaches choked with vegetation, and sediment deposits.

The first project to remove flow obstructions from May Creek as mandated by the May Creek Basin Action Plan 2001 (Basin Plan) may actually happen this month. King County Department of Natural Resources and Parks (DNRP) has put together a project to remove a four-foot-deep hump of gravel located just downstream of the mouth of Long Marsh Creek. That reach of May Creek is located on the McFarland and Nguyen properties. Because that obstruction was identified as the most downstream obstruction in May Valley, it is the first to be tackled by DNRP.



Barring unforeseen setbacks, staging for the project will begin September 28 with actual removal of material to begin September 30. An estimated 200-250 cubic yards of material will be removed from the ditch. The area of removal extends approximately 200 yards downstream from the mouth of Long Marsh Creek. County Department of Transportation personnel who will actually do the work estimate less than a week for the removal. The stream will be diverted using a six-inch pump while the cleaning is performed.

This project represents the first baby step in the implementation of Primary Recommendation 5 of the Basin Plan that was many years in the making. Perhaps the endless cycle of study yet do nothing is finally over. We commend the many federal, state, and county regulators and managers that have worked hard to make this project happen. We certainly hope that the success of this small project will lead to the other larger projects necessary to restore May Creek Ditch and alleviate the large-scale property destruction of the recent past.

Inside "The Fish"

America's Silliest Laws	2
Starving Preferred	3
NMFS Releases Policy	4
Cartoon	7
Environmental Litany	8
Best Foot Backward	12
Letter to the Editor	13
Advertisers	14
From the President	16

Thinking cannot be carried on without the materials of thought; and the materials of thought are facts, or else assertions that are presented as facts. A mass of details stored up in the mind does not in itself make a thinker; but on the other hand thinking is absolutely impossible without that mass of details. And it is just this latter impossible operation of thinking without the materials of thought which is being advocated by modern pedagogy and is being put into practice only too well by modern students. In the presence of this tendency, we believe that facts and hard work ought again to be allowed to come to their rights: it is impossible to think with an empty mind.

J. Gresham Machen

The Naked Fish is published by May Valley Environmental Council (MVEC) a non-profit community group dedicated to sensible environmental management of private property. Articles in *The Naked Fish* cover subjects of concern both to local and national readers. We try to provide environmental information not commonly found in the major media. Articles with by-lines reflect the research, views and opinions of the author which may not reflect positions on the issues adopted by MVEC.

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AMERICA'S SILLIEST LAWS: WHAT WERE THEY THINKING?

Just to prove that environmental regulations aren't the only laws the politicians goof up, we present the following article by LP News Editor Bill Winter:

"Laws are like sausages. It is better not to see them made." Or so Otto von Bismark once said.

He may be right. But it sure would have been fun to watch the debate when the Portland, Maine, city council passed a law against tickling a girl under her chin with a feather duster.

Felonious feather dusting. What were they thinking?

A similar question could be asked of politicians in Clarendon, Texas. They made it against the law to use a feather duster to clean any public building.

And in Borger, Texas, politicians made it a crime to throw a feather duster.

Why are lawmakers so preoccupied with feather dusters?

Why not? Feather dusters are just one of countless objects, actions, animals, utterances, and activities that politicians have banned, regulated, and (occasionally) mandated over the years.

The litany of ludicrous legislation is not surprising. There are 435 members of the U.S. House. Another 100 U.S. Senators. Fifty governors. A total of 7,424 state legislators. And a whopping 500,000 elected officials at the state, county, and local level, according to Campaigns & Elections magazine.

These politicians must do something to earn their pay.

So they legislate. Everything. Anything.

In fact, a review of the peculiar laws on the books around the USA illustrates that nothing ~ repeat, nothing ~ escapes a lawmaker's lust to legislate.

In Mesquite, Texas, for example, it's a crime for children to have unusual haircuts.

(Continued on page 6)

STARVING PREFERRED

By Rodney McFarland

Thirteen million people in southern Africa are facing starvation while UN emergency food aid shipped to the region sits unused because it may contain genetically modified grain. Malawi, Swaziland, and Lesotho, the smallest countries in the region, accepted the food donations, most of which came from the United States. Zimbabwe, Zambia, and Mozambique have refused the food. Zambian president Levy Mwanawasa told Sky News, "We would rather starve than get something toxic!" I doubt that Mr. Mwanawasa is really in danger of starving like his countrymen.

Several insect-protected crops (corn, cotton and potato) contain a protein-producing gene from the soil bacterium *Bacillus thuringiensis* (Bt). Bt has been used as an organic pesticide for years with no known problems. The US Environmental Protection Agency in a report to their Scientific Advisory Panel reaffirms findings of no unreasonable adverse effects from the crops. See the full report (283 pages) at www.epa.gov/scipoly/sap or a synopsis prepared by the Council for Agricultural Science and Technology at www.cast-science.org/biotechnology/20001016.htm. Despite lack of any scientific evidence, a few radical environmentalists have convinced most of Europe and these African leaders that these crops will kill them faster than not eating. That people would starve rather than eat genetically modified grain points out the power a few fear-mongering radicals have with the world's gullible press. It also points out the danger of having a scientifically illiterate world incapable of assessing the issue for themselves. African kids starve to make fat American and European environmentalists feel good.

According to the World Health Organization, more than a million kids die every year because they lack Vitamin A in their diets and millions more become blind. A strain of rice has been developed that contains vastly increased Vitamin A which could prevent the deaths and blindness if only it could get by the government gatekeepers. Do any of you remember goiter? One of my grandmothers and one of my aunts died from goiter. It used to be a significant health threat. The simple addition of iodine, a toxin, to table salt easily cured the problem. Today's environmental fringe groups would have squashed that wonderful discovery had they been operating back then.

Long before you were ever born, farmers were splicing genes, manipulating seeds to create more robust plants. Genetic modification used to be called "breeding," and people have been doing it for centuries. Thomas Jefferson did it at Monticello, as he experimented in his gardens with literally hundreds of varieties of fruits and vegetables. Everything you eat is the result of genetic modification. When a rancher in Wyoming selected his stud

(Continued on page 5)



Photo by Kevin Carter



Should we ban iodine?

NMFS Releases Anti-Hatchery Anti-Law Policy

By James Buchal

The National Marine Fisheries Service (NMFS) recently released its draft policy on how to treat hatchery fish when administering the Endangered Species Act. Hatchery fish are a problem for the agency, because if one takes account of hatchery fish in assessing extinction risk, there are no endangered salmon in the Pacific Northwest. Hatchery populations aren't about to go extinct, even with bad hatchery management.



Many Northwesterners suffering under the dead hand of federal land management took heart almost a year ago when U.S. District Judge Hogan told NMFS its anti-hatchery discrimination was unlawful. But the Regional Administrator of NMFS, Robert Lohn, has now put forth a bold response: NMFS will not merely ignore Judge Hogan's decision, but also declare that the ESA requires anti-hatchery discrimination.



Would it be good or bad if the Issaquah hatchery went away?

This is an astounding lie, because Congress spelled out the purpose of the Endangered Species Act in its first section:

"The purposes of this Act are to provide a means whereby the ecosystems upon which endangered species and threatened species depend may be conserved, to provide a program for the *conservation* of such endangered species and threatened species, and to take such steps as may be appropriate to achieve the purposes of [certain international] treaties and conventions . . ." (16 USC 1531(b) (emphasis added)).

I emphasize the word "conservation" because the Act says that growing hatchery fish is conserving salmon. The statutory definition of "conserve", "conserving," and "conservation" is: "all methods and procedures which are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this Act are no longer necessary. Such methods and procedures include, but are not limited to, all activities associated with scientific resource management such as research, census, law enforcement, habitat acquisition and maintenance, *propagation, live trapping, and transplantation . . .*" (16 USC 1532(3) (emphasis added)).

The critical question resolved by the new policy is how to treat hatchery fish in assessing whether or not salmon are endangered or threatened within the meaning of the Endangered Species Act; that is, whether they

(Continued on page 5)

NMFS RELEASES ANTI-HATCHERY, ANTI-LAW POLICY

(Continued from page 4)

are in danger of disappearing. Mr. Lohn says the ESA does not give "specific guidance on how the presence of captive or artificially propagated populations might influence a listing determination".

But Congress said that NMFS must "determine whether any species is an endangered species or a threatened species because of any of the following factors:

"(A) the present or threatened destruction, modification, or curtailment of its habitat or range;

"(B) overutilization for commercial, recreational, scientific, or educational purposes;

"(C) disease or predation;

"(D) the inadequacy of existing regulatory mechanisms;

"(E) other natural or manmade factors affecting its continued existence." (16 USC 1533(a)(1))

If NMFS followed this law, and considered all these five factors, there would be no salmon listings to build the Salmon Recovery Empire. Mr. Lohn offers reasons to avoid that result. According to him:

"Artificial propagation cannot serve as a substitute for the protective efforts necessary to address other factors for decline limiting a [salmon species] such as habitat degradation, overutilization, disease or predation, inadequate regulatory mechanisms, or other natural or manmade factors . . ."

In other words, Mr. Lohn has announced that NMFS will refuse to obey the law. Rather than balance all the factors required by Congress, including hatchery operations, to assess extinction risk, Mr. Lohn says NMFS must "address" all the "factors for decline", apparently without regard to whether there are any genuinely endangered species at all. Mr. Lohn emphasizes that there is no way that "a strong hatchery population would, by itself, be a reason to decide that listing is not warranted".

As a practical matter, this amounts to a claim that the Federal government has to take over management of all natural resources in the Pacific Northwest to save ecosystems, whether or not there is any risk that any particular species of salmon is about to disappear from the face of the earth. Like most modern federal bureaucrats, Mr. Lohn does not under-

(Continued on page 6)

STARVING PREFERRED

(Continued from page 3)

bull to mate with a certain cow to produce the calf that ultimately produced the milk on your breakfast table, he was manipulating genes. Breeding isn't a scary word, so people who oppose technology call it "genetic modification." They want to cast biotechnology, which is just a more precise and effective breeding tool, as some kind of threat to our lives, instead of the blessing that it is.

The fear mongers are waging a very successful campaign against biotechnology, especially in Europe where they've lobbied to limit the availability of "genetically modified" foods. Even in the United States, where we generally embrace technology and its possibilities, the fear is spreading. Not because of some horrible event related to the food supply, but because of more aggressive spinning of the media. In fact, you've been enjoying foods enhanced by biotechnology for most of the last decade. And the news is all good – lower prices and more abundant food.

Technological advances in food, sanitation and medicine have doubled life expectancy from 35 years to 70-plus. Yet there are those who insist we shun that technology because it is dangerous. They would have us return the world to that bygone era of early death and misery "For the children!"

AMERICA'S SILLIEST LAWS

(Continued from page 2)

In San Francisco, it's illegal to pile horse manure more than six feet high on a street corner. (Five feet high? That's OK.)

In Washington state, it's a crime to pretend your parents are rich.

In San Francisco, it's a crime to clean your car with used underwear. (So don't wash your Audi with your undies.)

In Atlanta, it's illegal to tie a giraffe to a telephone pole.

In McLough, Kansas, it's illegal to wash your false teeth in a public drinking fountain.

And in Bexley, Ohio, it's illegal to install slot machines in an outhouse. (No word on whether they also banned craps.)

Some laws seem designed to deal with absurdly trivial problems.

In Salt Lake County, Utah, it's illegal to walk down the street carrying a violin in a paper bag. (Thus solving half the problem of too much sex and violins.)

In New York, it's illegal to knit while serving on jury duty. (If you knit, you must quit.)

And in Everett, Washington, it's illegal to display a hypnotized person in a store window. (Sure-fire legal defense: "Officer, I haven't broken the law. That's Al Gore.")

(Continued on page 7)

NMFS RELEASES ANTI-HATCHERY, ANTI-LAW POLICY

(Continued from page 5)

stand his role as implementing law, but rather as exercising a limitless mandate to pursue his peculiar conceptions of the public interest.

Worst of all, Mr. Lohn argues that his interpretation of the Endangered Species Act is compelled by law. Since the language of the statute does not support his position, Mr. Lohn quotes (among others) the lightweight son of the heavyweight champion, former Democratic Senator Tunney of California, complaining about "unsuitable environments for natural populations of fish and wildlife". According to Mr. Lohn, "NMFS understands the goal of the ESA to be the preservation of self-sustaining naturally-reproducing populations in their natural habitats". What this means in practical terms is that so long as one single salmon hatchery is still running, our government "scientists" will never be able to tell whether "wild" salmon populations are "self-sustaining", so that they must remain listed forever.

By the end of his extraordinary policy, Mr. Lohn flatly declares that the ESA "require[s] the preservation of self-sustaining species in their natural ecosystems", which is obvious nonsense. The Act forbids things such as federal actions that "jeopardize the continued existence of listed species" (unless an exemption is obtained in the public interest), but it does not require "the preservation of self-sustaining species in their natural ecosystems". How could it, when the Act requires federal agencies to carry out "programs for the conservation of endangered species and threatened species", and includes artificial propagation within the definition of "conservation"?

What Congress wanted, and what Northwesterners still want, is the "scientific resource management" promised in the Act. It is easy to understand why the Greens, for whom the highest virtue is keeping humans off the land (other than themselves), would insist that scientific management means "hands off Nature". (This, of course, is the "scientific resource management" burning our forests to the ground this summer.) What is harder to understand is why a Bush appointee like Mr. Lohn chooses Green worship over scientific resource management and obedience to law. Rumor has it that one reason the policy is so bad because Mr. Lohn's secretary sent it out to environmentalist groups before it was released to the public (probably standard practice under the Clinton/Gore Administration), and those groups then met with Mr. Lohn, who changed the policy in response to their objections.

As far as I can tell, the bottom line remains the same. It's going to take a Revolution to put common sense back into government, and Mr. Lohn is an Enemy of the Revolution. If President Bush had the slightest will

(Continued on page 7)

NMFS RELEASES ANTI-HATCHERY, ANTI-LAW POLICY

(Continued from page 6)

to "dance with them that brung him" into office, he'd fire Mr. Lohn forthwith. That's what Leftists like Oregon's Governor Kitzhaber do, and that's why the Leftists are winning. (Governor Kitzhaber has just summarily sacked Oregon's representative to the Northwest Power Planning Council for daring to challenge Green orthodoxy.)

© James Buchal, August 6, 2002

Mr. Buchal graduated from Harvard College in 1981 with a degree in physics, and from Yale Law School and Yale School of Management in 1985. He lives on a farm twenty-five miles from Portland, Oregon's largest city. He is the author of *The Great Salmon Hoax*.

AMERICA'S SILLIEST LAWS

(Continued from page 6)

Other laws seem designed to prohibit activity that, frankly, ain't gonna happen anyway.

In Hawaii, for example, it's illegal to insert pennies into your ears. (Which seems to unfairly target criminals who confuse their heads with gumball machines.)

In Trout Creek, Utah, it's a crime for a pharmacist to sell gunpowder to cure headaches. (No word on whether it's a crime to sell aspirin to fire a gun.)

And in Florida, it's specifically against the law to have sexual relations with a porcupine. (We see the point.)

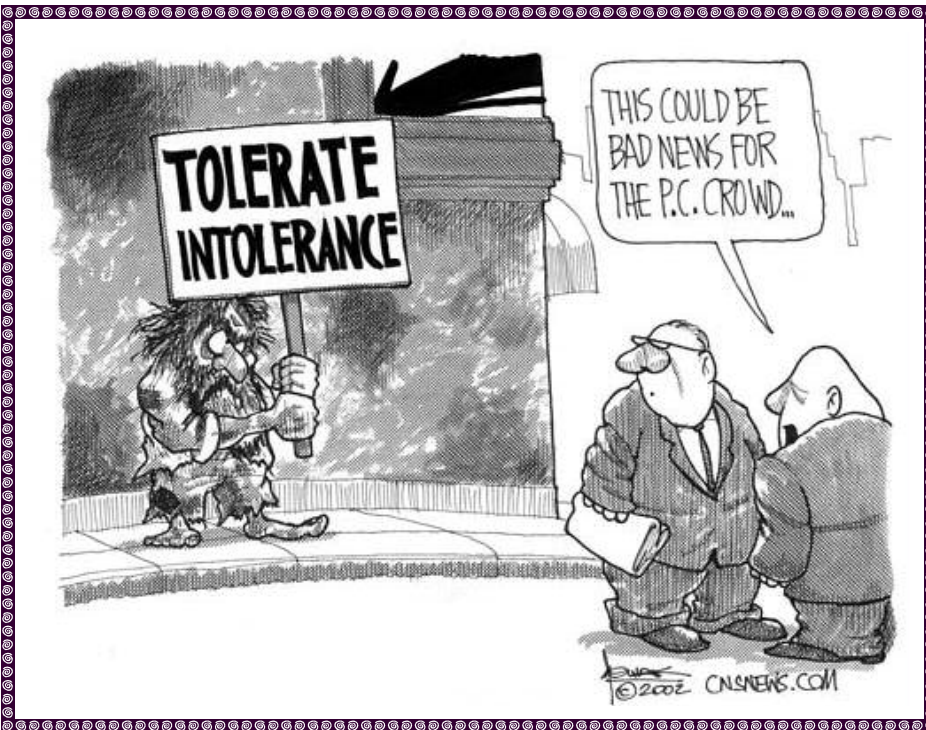
Speaking of illegal lust, if you object to politicians regulating what goes on in your bedroom — or your front lawn! — you'll be appalled at all the "Sex Police" laws on the books.

In Willodale, Oregon, it's illegal for a husband to talk dirty during sex.

In Liberty Corner, New Jersey, couples face jail time if they accidentally sound the horn while having sex in a car. (Designed to curb, ahem, excessive horniness.) And in Tremonton, Utah, it's a misdemeanor to have sex while riding in an ambulance.

Politicians in Iowa were more proactive in preventing improper procreation. They made it a crime for

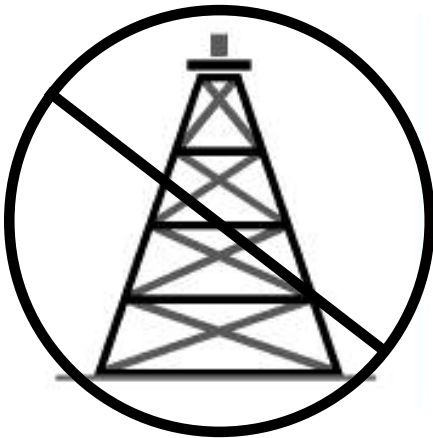
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ENVIRONMENTAL LITANY FACT OR FICTION?

By Rodney McFarland

We are running out of oil, again!



The environmental Litany preaches that we will soon use the last drop of oil thus destroying the world as we know it for our grandkids. In 1972 the book *Limits to Growth* predicted we would run out of oil in 1992. In 1987 Paul Erlich told us the oil crisis would return in the 1990s. In 1992 *Beyond the Limits*, the update to *Limits to Growth*, predicted the last drop will be consumed in 2031.

We are going to take a longer look at energy this month. Our civilization is built on energy. We have been striving to gain control of more energy since very early in our history. We used fire and animals and slaves first and added wind and water as technology got its start. With Watts' improvements to the steam engine in 1769 we were able to produce large amounts of energy on demand. Oil currently gets all the press but it is only one form of energy available to us. While the "experts" may eventually predict (as they continue to revise their predictions upward) the end of the oil age, the oil age won't end from lack of oil any more than the Stone Age ended from lack of stones. We will simply move on to better and cheaper sources of energy.

The industrial revolution was initially fueled by wood but switched to coal as wood supplies grew short and coal was found to be a better fuel and available in large quantities. In the last century coal was replaced by oil because it is easier to transport, store and use. Coal, oil and natural gas are the products of plants millions of years old which is why they are collectively known as fossil fuels. Coal is the remains of land plants that lived 300-400 million years ago and decomposed in vast swamps. Oil and natural gas are primarily composed of plankton that dropped to the sea floor some 2-140 million years ago.

Today we are heavily dependent on energy. At the end of the nineteenth century, human labor made up 94 percent of all industrial work in the United States. Today it accounts for only 8 percent. If we think of energy as a "servant" capable of doing the work of one human, each person in Western Europe has 150 servants. People in the US have 300 servants. Even in India each person has 15 servants. It is no wonder we get frightened when we think of running out of energy. Can we sustain our current level of energy use long term?

In 1914 the US Bureau of Mines estimated that there was a ten-year sup-

(Continued on page 9)



ENVIRONMENTAL LITANY — FACT OR FICTION?

(Continued from page 8)

ply of oil. In 1939 the Department of the Interior projected a 13-year supply and again in 1951 projected a 13-year supply. As the graph (Figure 66) reproduced here shows, the projected supply of oil has increased steadily over the years even as consumption has also increased. Why do we continuously believe oil is about to run out when it hasn't happened?

In 1865 Stanley Jevons, one of Europe's more prominent scientists, wrote a book on England's coal use. His analysis predicted that the Industrial Revolution's relentless increase in demand for coal would inevitably cause the exhaustion of England's coal reserves, causing industry to come to a halt. He did not realize that when the price of coal increased it would increase the incentive to search for more effective ways to use coal, to search for new coal reserves, to find cheaper ways of transporting coal, and to search for other energy sources such as oil. Jevons' crisis did not happen.

As Bjorn Lomborg says in his book *The Skeptical Environmentalist*, "That we can both use resources better and find more and more could be subsumed under the idea of human ingenuity. True, Earth is spherical and limited, but this is not necessarily a relevant objection. The problem is rather how large are the deposits that are actually accessible for exploitation. These deposits can seem limited, but if price increases this will increase the incentive to find more deposits and develop better techniques for extracting these deposits. Consequently, the price increase actually increases our total reserves, causing the price to fall again."

There are three central arguments against the limited resources litany.

1. "Known reserves" is not a finite entity. Since searching for new oil costs money, new searches will not occur too far in advance of production. New oil fields will only be added to the reserves as demand increases.
2. We become better at exploiting resources. We invent new technology to extract more oil from known fields. An initial drilling often exploits only 20 percent of the oil. Even with our most advanced present-day techniques more than half the oil remains in the ground. The latest US Geological Survey assessment expects technological improvements to yield a 50-percent increase in reserves.

We also have become more efficient using each gallon of oil. US cars have improved their mileage by 60 percent since 1973. The US has produced ever more goods with the same amount of energy since 1800 as shown in the graph below. In 1800 one exajoule of energy could produce \$19 billion (in year 2000 US dollars) in goods, whereas by 1999 the same amount of energy produces more than \$90 billion of

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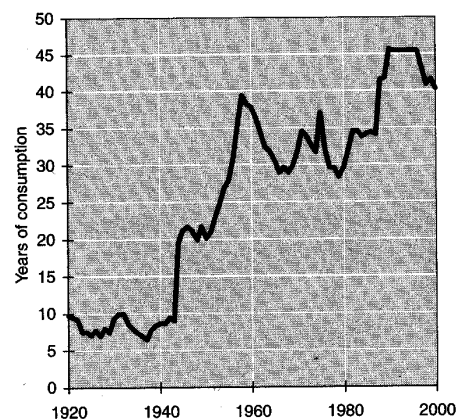


Figure 66 Years-of-consumption: world oil reserves compared to the annual production, 1920–2000. Source: Simon *et al.* 1994, EIA 1997b:Table 11.3, 11.5, 1999c:271, 2000d:277, 2000a:109, 2000c:136, 2001a:137, 2001b:113. Total reserves until 1944 are only American, since 1944 for the entire world.

AMERICA'S SILLIEST LAWS

(Continued from page 7)

any kiss to last more than five minutes.

Alas, humans aren't the only ones having fun. There is also the problem of — well, there is no delicate way to say this — animal sex. We mean canine copulation. Feline fornication. Wildlife whoopee.

But a million years of evolutionary imperative didn't daunt politicians. They'll make it go away by simply passing laws against it.

In Los Angeles, politicians made it a crime for dogs to mate within 500 feet of a church. The California legislature — realizing that this law was woefully inadequate — made it illegal for any animal to mate within 1,500 feet of a tavern, school, or church.

In Fairbanks, Alaska, they had a bigger problem. So they made it illegal for two moose to have sex on city sidewalks. (Which means loose moose can still engage in legal threesomes. Call it a menagerie a trois.)

After sex ~ illegal or otherwise ~ what does every animal want? A cigarette, of course. And perhaps a nightcap.

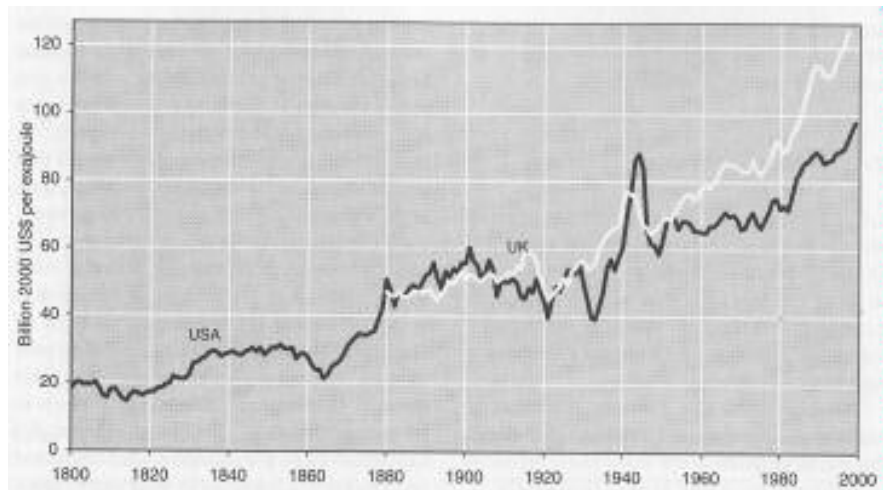
Forget it. Politicians long ago realized that tobacco-smoking, booze-swilling animals are a major problem.

So in Meadville, New Jersey, it's illegal to offer cigarettes or whiskey

(Continued on page 11)

ENVIRONMENTAL LITANY — FACT OR FICTION?

(Continued from page 9)



We continuously produce more goods from the same energy!

goods. For the world at large, almost twice the amount of wealth was produced in 1992 per energy unit compared to as recently as 1971.

3. We can substitute energy sources. We can substitute oil with the other commonly known fossil fuels. In the long run, we will likely move to sources such as nuclear power, wind and solar power, biomass and shale oil.

Reserve estimates reflect petroleum that “can be recovered under present and expected local economic conditions with existing available technology.” Estimates presume no further advances in extraction or energy efficiency technology as price increases. The world’s stock of fossil fuels is far greater than traditional oil, natural gas and coal. In the words of energy economist Robert L. Bradley, Jr. “Orimulsion became the ‘fourth fossil fuel’ in the mid-1980s when technological improvements made Venezuela’s reserves of the tar-like substance commercial. Venezuela’s reserve equivalent of 1.2 trillion barrels exceeds the world’s known reserves of crude oil, and other countries’ more modest supplies of natural bitumen add to this total.” Tar sands and oil shale, of which there are vast reserves, become viable when world petroleum prices reach \$30 per barrel. [Editor’s note: On August 30, 2002, Benchmark Brent crude was at \$27.53 a barrel in London, while U.S. light crude was at \$28.88.]

The U.S Geological Survey calculated 25 years ago that there are enough fossil fuels to last 520 years at projected increases in demand. No one objected. Ten years ago analysts increased the estimate to 650 years. A current prominent study estimates a reserve of recoverable conventional petroleum of 6 trillion barrels and another 15 trillion barrels of unconven-

(Continued on page 11)

ENVIRONMENTAL LITANY — FACT OR FICTION?

(Continued from page 10)

tional petroleum that would be recoverable given the right price. At present consumption that gives us 231 years of conventional petroleum and 808 years of petroleum reserves of all kinds.

Everything else being equal, the cheapest deposits are developed first. Costs, therefore, would seem to have to rise inevitably over time. Technological improvements, however, counteract the cost increases over time. Proven reserves have expanded over time at real (inflation-adjusted) prices that have not expanded. Gasoline prices in 1998 were lower than at any time since the late 1940s. In 1949, gasoline averaged 26.8 cents per gallon (\$1.664 in 1998 dollars). In 1972, gasoline was 33.42 cents per gallon (\$1.213 in 1998 dollars) and in March of 1998 the average price of unleaded gasoline was \$104.1.

If we have all this oil, why does the Litany of vanishing oil persist? The proponents of the Litany are a very diverse group ranging all over the political spectrum. Some preach vanishing oil in the hopes that America will reduce its use of oil from the Middle East and other volatile areas of the world. Many others promote alternative energy means that are perceived as "cleaner". Some are concerned that we need to save the oil for future generations.

British Petroleum CEO Lord Browne recently addressed energy shortage concerns in light of September 11 and other unexpected world events. He said the data show that the market sustained a secure flow of energy because there are diverse sources of supply. "The US, for instance, imported 55% of its oil needs last year, but it did so from 60 different countries, no one of which accounted for more than 16% of the total. And that diversity can be sustained because there are now a number of major sources of supply coming on stream. There is oil and gas from the deep water of the Gulf of Mexico and the Caspian Sea and Russia, oil from Angola and gas from Indonesia and Trinidad. Those concerned about energy should concentrate their efforts on maintaining that diversity."

The primary pollutant those who want cleaner energy worry about is the carbon dioxide released from the oxidation of fossil fuels. Oil spills, sulfur emissions, etc. are concerns that pale in comparison to carbon dioxide, the greenhouse gas that is currently being blamed for global warming. We will cover this subject in detail as part of a global warming article later in this series. While carbon dioxide certainly plays a role in global warming, its role is much smaller than the Litany would have you believe. As a homework exercise, you might ask your favorite biologist or chemist where the carbon dioxide in fossil fuels was before it became

(Continued on page 13)

AMERICA'S SILLIEST LAWS

(Continued from page 10)

to animals at the local zoo. In Zion, Illinois, it's illegal to give a lighted cigar to a dog, cat, or other domesticated animal. In Chicago, it's illegal to give whiskey to a dog. In Oklahoma, it's a crime to get a fish drunk. (They prefer their whiskey with a splash of water, by the way.) And in Natchez, Missouri, it's illegal to give beer or other intoxicants to an elephant.

Speaking of elephants, politicians have passed an unusual number of laws regulating the lumbering beasts. And camels, too.

In San Francisco, it's a crime for elephants to stroll down Market Street unless they're on a leash. In Palm Springs, California, it's illegal to walk a camel down Palm Canyon Drive between 4:00 and 6:00 pm. In North Carolina, it's illegal to plow your cotton fields with an elephant. And in Arizona, it's a crime to hunt camels within state borders. (Sure-fire legal defense: "Your honor, that is one ugly deer.")

When criminals aren't trying to get animals to puff Marlboros or guzzle Jack Daniels, they're just, well, bothering them.

This must stop.

So, in Oklahoma, you can be arrested for making ugly faces at a dog. In Texas, it's illegal to put graffiti on someone else's cow. In Excelsior Springs, Missouri, it's a crime to "worry" a squirrel. In Hay-

(Continued on page 12)

AMERICA'S SILLIEST LAWS

(Continued from page 11)

den, Arizona, it's a crime to bother bullfrogs. In Alabama, it's against the law to try to teach a bear to wrestle.

Meanwhile, in Galesburg, Illinois, there is a \$1,000 fine for beating rats with a baseball bat. Frankly, it's cheaper to molest butterflies in Pacific Grove, California. You face only a \$500 fine for that crime.

Moving from animals to everyday items, politicians have recognized danger ~ and the urgent need for more laws ~ where ordinary folks don't. How else to explain the spate of laws about...ice cream?

Yes. Around the nation, lawmakers have passed almost as many anti-ice cream laws as Ben and Jerry sells flavors.

In Newark, New Jersey, it's illegal to buy ice cream after 6:00 pm unless you have a note from your doctor. In Kentucky, it's illegal to carry ice cream in your back pocket.

In Carmel, California, it was illegal to eat ice cream on the sidewalk. That law was repealed by Clint Eastwood when he was mayor ~ thus burnishing his Libertarian reputation. Unfortunately for citizens in Lexington, Kentucky, Dirty Harry didn't make their day. Eating ice cream on the sidewalk is still a crime there.

But food felonies ~ and the hunger to regulate them ~ go beyond ice

(Continued on page 13)

BEST FOOT BACKWARD

By Isaac Asimov

Excerpted from "Asimov on Science A 30 Year Retrospective"

Item 1 ~ In the May 16, 1974, issue of *New Scientist*, an excellent British weekly devoted to articles on scientific advance, one of the magazine's feature writers [said]: "Science in its 200-year long flight has produced some neat tricks like canned food and long-playing records, but, truthfully, how much else of real value to man's threescore years and ten?"

I promptly wrote a letter in which I said, in part: ". . . one thing you might consider to be of real value is man's threescore years and ten. . . . Through most of history it has been more like onscore years and ten. May we expect a bit of gratitude from you for those extra forty years of life you have the chance of enjoying?"

Item 2 ~ I get private communications, sometimes, that express an individual's dissatisfaction with the modern world of science and technology, and call for a quick retreat, best foot backward, into a preindustrial world of nobility and happiness.

For instance, a letter arrived recently from a professor of something or other who had gotten himself a farm and was growing his own food. He told me jubilantly all about how great it was and how healthy and happy he felt now that he was freed of all the horrible machinery. He did use an automobile, he admitted, and he apologized for it.

He didn't apologize for the fact that he used a typewriter, however, and that the letter got to me by way of our modern system of transportation. He didn't apologize for the use of electric lights or the use of the telephone, so I assume he read by the light of a wood fire and sent messages by semaphore.

Item 3 ~ Once, during the question-and-answer session that followed one of my talks, a young man asked me if I honestly believed science had done anything to increase man's *happiness*.

"Do you think you would be just as happy if you had lived in the days of ancient Greece?" I asked.

"Yes," he replied firmly.

"How would you have enjoyed being a slave in the Athenian silver mines?" I asked with a smile, and he sat down to think a bit about that.

(Continued on page 13)

FROM THE PRESIDENT

(Continued from page 16)

to consume the entire dry season. It is currently set to start the first week of October if it doesn't rain, which is a rather unlikely circumstance.

The failure of DNRP to implement the Basin Plan can only be attributed to two possible causes. DNRP personnel are woefully incompetent or they are consciously thumbing their nose at the will of the King County Council and Chief Executive Sims both of whom have said "Clean the ditch!" They used to blame the regulatory arms of federal, state, and county government but those arguments have lost steam as permissions have been granted as they have actually been asked for on the first project. Whether the cause is incompetence or willful disdain for our elected representatives the cure is the same. Take away their money and clean their house. That is what happens in the private sector when companies don't perform.

ENVIRONMENTAL LITANY

(Continued from page 11)

part of the fossil fuel.

The argument that we must save the oil for future generations could have easily been used about whale oil in the mid 1800s. Should those people have remained in the dark so that we would have more whale oil to use now? In 150 years, the story of using energy from oil will be just another quaint paragraph in the history books.



BEST FOOT BACKWARD

(Continued from page 12)

Or consider the person who said to me once, "How pleasant it would be if only we lived a hundred years ago when it was easy to get servants."

"It would be horrible," I said at once.

"Why?" came the astonished answer.

And I said, quite matter-of-factly, "We'd be the servants."

LETTER TO EDITOR

Dear MVEC,

Good to see you are aggressive in protecting your rights as Americans. We need to stand united and bring our government back to the people by the people. The enviros have shown they are only interested in control and not saving or improvement of any animal, land or even the human race. Stand Tough you are not alone.

Bill Oetting
Klamath Relief Fund
Klamath Falls
(Received via email)

Thanks for the support, Bill!



AMERICA'S SILLIEST LAWS

(Continued from page 12)

cream. In Memphis, Tennessee, it's illegal to take an unfinished slice of pie home from a diner. In Oklahoma, it's against the law to take a bite of someone else's hamburger. (Known as the "Hamburgler Law.") And in Ocean City, New Jersey, it's a crime to slurp your soup in a restaurant.

To Be Continued:

Mr. Winter is just getting warmed up on silly laws. We will save the rest for next issue.

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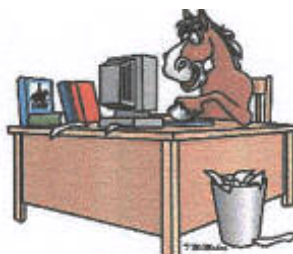
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A Message from the President

After years of studies and meetings and presentations and countless dollars spent by King County Department of Natural Resources and Parks (DNRP) the May Creek Basin Action Plan (Basin Plan) was passed unanimously by the King County Council in April of 2001. Primary recommendation 5 of that document is: **Reduce flood durations in May Valley by removing flow obstructions from May Creek channel.** Types of obstructions most frequently encountered are beaver dams, stream reaches choked with vegetation, and sediment deposits.

The first project was to be removal of beaver and beaver dams during the summer of 2001. We were told that more substantial projects would have to wait until 2002 to give DNRP time to design the projects and obtain permits. But nothing happened during 2001. DNRP employees received their paychecks regularly but no beaver dams were removed and no larger projects were designed. When taken to task by MVEC for their lack of progress, DNRP bureaucrats cried in unison "Trust us! We will get two projects done in 2002."

The two promised projects were both located in the lower half of May Valley. The first was sediment removal in the McFarland/Nguyen reach right above 148th Avenue.

The second was a larger project involving a reach of the creek completely obliterated by willows and sediment further up the ditch (on property owned by Crane/Hanson/Free among others).

As we watch the fall rains start, neither project has been completed. Neither has even been started. The second, larger project was abandoned in early spring after a half-hearted attempt at a design by Senior Engineer Kathryn Neal met with legitimate objections from landowners. No further design work has been attempted this summer, which puts that project out to 2004 at least. The design and permitting process for the second project has limped along and managed

(Continued on page 13)

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**Protect
Historic
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