

Begin forwarded message:

From: Noah Levy <noah@sanctuaryforest.org>
Subject: No word from you; so here's what I think.
Date: February 24, 2014 at 3:44:04 AM PST
To: Lee Ulansey <ulansey.humboldt@gmail.com>

Lee,

I hope you had a restful and restorative weekend. The pace of our Commission's work these past few weeks must be taking its toll on you, as it certainly has on me too.

I was half-expecting and certainly hoping that by now I would have received an email or something from you apologizing for what you said about me in the meeting Thursday night and recanting the assertions you made about me. As you probably have gathered, I am a very forgiving guy — too forgiving, most of my friends and colleagues would tell me — but I can't forgive someone who doesn't apologize. So I feel compelled to write to you now to tell you just what I think of your public words about me in that meeting.

Let me note that, while I cannot force you to keep this email confidential and will not assume that you will do so, I consider this to be a private, confidential email to you alone. For my part, I will not share it with anyone else — nor will I share your response, if you do respond — and I would consider it to be a further breach of my trust in you if I should learn that you forward what I'm writing here to anyone else or discuss the substance of it with anyone. This exchange (I hope it will be an exchange) is between you and me only.

You've now told me, not once but twice in the short time we've known each other, your

personal code when it comes to dealing with people. Best I recall, you said something like this: "Look, I give everybody the benefit of the doubt to start with. If you deal fairly with me, I'll be loyal to you, I'll be the best friend you've got. But if you stab me in the back once, watch out."

Well, Lee, I have to tell you — your words that night felt a lot like a stab in the back to me. Which is why I was not only stunned to hear them, but also quite hurt, because I had actually believed you when you told me that was your code.

In case you have forgotten what you said that night (from what sure appeared to be a pre-written prepared statement), here are your words about me, based on my own very accurate transcription from the video:

"I hope that everyone here realizes that no one took trails out of the General Plan, as it was mischaracterized by Supervisor Lovelace's and Commissioner Levy's public statements online."

That's the first reference to me that shocked me. Here is the second, which shocked me even more:

"Further, I think it was really unfortunate that neither Supervisor Lovelace nor Commissioner Levy posted the actual language that was affected in their comments, so that all of you and anybody else that was interested would actually know what happened, what was being discussed, and have real and legitimate information, while inciting the public to show up here with 'torches and pitchforks.' As I mentioned, I have a long and well-established history of supporting public participation, but this encouragement of misinformation and violence is another thing altogether. I am frankly shocked."

Well, Lee, it would be an understatement to say that I was "frankly shocked" when I heard you say that. Because I believe you know good and well that what I wrote — and all I did, in my own personal online comments — was to explain accurately, in the form of a short summary of the issue, what had happened to the GPU's former Goal of a countywide trail system, and to strongly encourage all segments of the public to get involved with the process while it was still ongoing. Encouraging misinformation? Inciting violence, for God's sake? Really, Lee — do you take me for such an idiot that I would not know what I had and had not written?

Now, I suppose it's possible that you had not actually read what I had written when you made those remarks. If that's the case, of course, it's still reprehensible and inexcusable that you would publicly slur me as you did. I find it hard to believe you would speak without having read my remarks, but since you made no quote or even reference to anything I (as opposed to Mark) had actually written, and since you have no Facebook presence that I'm aware of, I suppose it's possible that you simply were acting on the extremely erroneous hearsay of one of your cronies. So, just to refresh your memory, and to allow you compare what I wrote to your own characterization of it, I will reproduce here in their entirety the two carefully crafted comments I actually posted on Facebook late Tuesday night. Here's the first one, which you heard me read into the record Thursday:

To all the folks just tuning in to what is happening in the Humboldt County Planning Commission's reworking of the Open Space Element -- these meetings quite understandably have been very poorly

attended, tonight's especially so. Yes it's true, this will all go back to the Supervisors to approve or revise or revert to the original version, so it's their call finally -- but meanwhile, there is a LOT at stake and being threatened by the changes we are making as a Commission. Your voices in these meetings will make a difference, if you can stand it to come out for even one more meeting on the GPU.

The change tonight many on FaceBook have been discussing, regarding the removal of the Goal of having a countywide trail system, passed 4-2 over my and Sue Masten's forceful objections. But other potentially bad changes were stalled by a 3-3 vote (because the rest of the Commission is not, in fact, monolithic in its thinking) and came back into the realm of the more reasonable.

And -- to give Chairman Morris due credit -- there are AMPLE opportunities to comment repeatedly in each of these meetings, for those members of the public that manage to show up. Just ask Dan Ehresman; he must have been to the mike more than a dozen times tonight in his lonely role as sole spokesman for Open Space, and in favor of the compromises agreed to by the last Planning Commission (after all the public input they heard last time).

So please, all of you -- don't leave all of this on Dan's and Jen Kalt's shoulders. Come out this Thursday night at 6 pm (also next Tuesday and Thursday at 6 pm) and say your piece. It really helps to be specific in focusing on the particular policies that are going to be considered in the meeting, and for this Thursday's meeting (which is limited to Sections 10.2 (open space) and 10.3 (biological resources) of the Open Space Element), I can promise you that the following policies at least will be discussed (note, all of these are Policies found under Section 10.2 of the draft plan):

CO-P5: Planning for Recreational Needs within Communities

CO-P6: Develop and Maintain County Parks

CO-Px4: Public Recreation (this includes reference to trails)

CO-Px5: Access on Private Open Space Lands (this also refers to multi-use trails)

CO-P8: Development Review (this is, as Dan Ehresman articulated in public comments tonight, at the heart of the issue of what this General Plan is supposed to do)

I am, as a member of the Planning Commission, most definitely NOT telling you or any other member of the public what you should say about these policies. But I am saying that they matter, they have real implications for the future of this County, and I have strong feelings about them, and most likely you do too — IF you happen to know that these policies are going to be discussed in public this Thursday. So please, tell all your friends and neighbors -- even the ones you don't agree with — that they should come out and participate in the best excuse for an open democracy that we have.

And here's the second one, which I referred to in passing but did not read that night:

(don't read if you're not a Planning Commission geek)

In all the fretting about what was lost tonight, don't miss what was gained: certain policies, tempered by the inquisition they survived, emerged even stronger than before -- that is, now they are impossible for the Board of Supervisors to overturn because they have been unanimously supported by two very different Planning Commissions.

They might as well be engraved on stone tablets.

One of them is TDR. For the first time in Humboldt history, Humboldt will create and implement a Transfer of Development Rights program. The Policy passed tonight deliberately doesn't get very detailed about how that will work, and I think that's a good thing -- but the general idea is that we will create a marketplace for some landowners (presumably of rural lands with development rights that don't make sense to exercise) to sell their development rights to those landowners, whether urban, suburban, or certain rural locations, that on a case-by-case basis are found to make sense to develop more heavily than normal zoning would allow.

Sell and buy are the key words there. The County sets up parameters for right-sellers and right-buyers; the free market does the rest. The result is a net improvement in shifting -- through voluntary transactions only -- some fraction of development pressures from "open space lands" that will suffer some from exercising their development rights, to locations -- whether urban or rural -- that are much better suited to "receive" more development than normal rules would allow, and so want to buy the right to do so.

It's a win for property rights of sellers and buyer, and it's a win for promoting our Open Space Goals as well, which means it's a win for net habitat left in a relatively unfragmented state. Really, what's not to like?

Now, I don't get to hold anyone else to my own definition of what it is to be a mensch. But I can share it with you, because I'm confident at least that you have heard this word. Here's what it means to me:

If I have a problem with what someone I'm working with does, if I'm really upset by it or think it's really wrong, I do not inform them of that by attacking them in public. I tell them privately, man to man, what I don't like about what they're doing. And I give them the opportunity to explain themselves to me, before I decide to criticize them in public. That's what a mensch does. What a mensch does not do is publicly criticize and misrepresent someone else's statements without even having the decency to tell them beforehand that he has a problem with something they said, or explain what that problem is.

That is my personal policy for dealing with anyone, period. It goes double when I'm dealing with a member of a public body — one that is supposed to be non-political at that -- with whom I have taken an oath to try to work productively on matters in the public interest.

To this day, I still have no idea what you actually objected to in what I wrote, or why, because you didn't tell me — you didn't even tell me in public. Instead you told the public what you disliked about a rather selective couple of quotes that our friend Mark Lovelace wrote, and acted as though I had co-authored his remarks. I'll ask you again — did you even read what I actually wrote? If you did, please tell me what I wrote that you consider "mischaracterizing" what our Commission did that night. Please show me where I was "inciting the public to show up with 'torches and pitchforks'" or "encouraging misinformation and violence." Where is the resemblance between what I wrote and what you accused me of saying?

Really, Lee, you should be ashamed, and I suspect you are. I suspect that's why you would not look at me, would not make eye contact, as I stared at you aghast in the immediate aftermath of your concluding those remarks.

Earlier, you told me in private that while you may not be an expert on this or that, you think what you bring to your role is being a strategic thinker. I readily agreed with you, based on what I knew about your record in the past. But I gotta tell you, Lee — I have a really hard time figuring out your strategy here. It seems to me to be a big strategic blunder any way I look at it.

It's possible you were genuinely offended and shocked by some aspect of those two quotes of mine above — although, as I've noted, it remains a totally mystery to me what precisely you find fault with -- while also being (more understandably) mad about what Mark had written; and so, in a pique of indignation, you decided to react in public with a poorly-worded

outburst that tarred us both with the same crude brush. That seems possible, makes a certain emotional sense, but it's the very opposite of strategic to have an unplanned emotional outburst in public, isn't it?

It seems much more likely that this was not unplanned at all; after all, you sure appeared to be reading something as you spoke. In which case, I suppose your goal might have been to try to take the opportunity to publicly paint me as being Mark Lovelace Jr., someone whose quotes could be literally interchanged with his, in order to... well, what? To reassure those folks who don't like Mark that you were not going to play nice with the Commissioner Mark appointed? Not to get into semantics, but I could see that as a reasonable tactic if I actually understood what strategic goal it supported. But as far as I can tell, it doesn't serve your strategic goals to portray our Commission as being even more ideologically divided than it actually is. It would make much more sense to me, strategically, if you were to emphasize or perhaps exaggerate in public the extent to which you and I (and others) have agreed on a number of points, so as to try to give further legitimacy to the changes this Commission has wrought so far.

Or, I suppose, your strategy here could simply be one of intimidation — perhaps you decided to bully me in public as a way of sending a message to me that I ought to make sure my public comments in future echo what you think I ought or ought not to say. That strategy's effectiveness, however, would depend on the notion that I tend to give in to intimidation. But I can assure you, Lee, I do not. I may have mentioned that I am a fairly forgiving guy, but I do not like to be bullied, and I do not respond to intimidation because I believe very strongly in the correctness of what I am trying to do on this Commission. In my long work in this field I have learned to stand up to people far more intimidating than you when I believe I am in the right. And your crude mischaracterization of what I had said makes it very easy to know I am in the right on this one; it might have been harder to be sure if you had responded to my words with honest, accurate objections and arguments.

Look — whether you actually read my remarks or not before you attacked them, you apparently think that they were inappropriate. Well, I'm sorry to learn that, Lee. But with all due respect, your ability to have any influence on what I say in future took a serious nosedive when you decided to criticize my words in public in a way that bore no relationship to what I had actually said. In the aftermath of that exchange on Thursday night, I ran the question by County Counsel, and they

Anyway, as I may have mentioned, I am a fairly forgiving guy. I am still a guy who likes to work with people, even those who choose not to treat me respectfully. I am a guy who likes to give the people I work with a second chance, even when I'm not sure they really deserve it. And I have meant everything I have said to you about my earnest intention to find ways to work with you productively and constructively — as opposed to antagonistically or with political posturing — on the many matters of importance that are now or will be before this Commission. I don't know about you, but I see this as a long game, and this current episode with the Open Space Element is just one very early example of the many issues, both legislative and judicial, that I expect you and I will be working on together for the supposed benefit of this County over the next few years.

So I will make what I think is a pretty generous offer: First, I will offer to talk this over with you in person before our next meeting. That's generous for me because I really have no time to offer you (other than these hours in the middle of the night), but I would sacrifice some further amount of the work hours I'm committed to, or the precious little time that's left over for my family, if you would like to get together to discuss this before Tuesday night.

Second, I will offer you a chance to go on the record in public in our meeting Tuesday night and correct the record concerning your remarks about me in Thursday's meeting. The record needs to be corrected, one way or the other. I would prefer it comes from you. If you choose to amend your remarks and apologize publicly, and graciously, for having mischaracterized what I had written about our Feb 18 meeting, I will be happy to accept your apology publicly and drop the matter. But if you do not, I will have no choice but to go on the record myself, and call you out on this one. That choice is really entirely up to you.

My hope is that, by responding to you privately but strongly in this manner, I can reset what I believe must be the fair, decent, honest terms by which we shall treat and deal with and speak about each other in public. I really do not want to go to war with you, Lee — I think that would be extremely unproductive and unfortunate for all of us. But you did cross a line Thursday night, and the onus really is upon you to correct that situation so that we can work together as respectful colleagues going forward.

Respectfully,

Noah