

Taylor files second legal challenge; delayed asked

By GREG SKINNER

The state late last week asked Taylor United to delay a pending lawsuit, which seeks to grab ownership of state-owned tideland in Totten Inlet.

Wednesday, Taylor answered, saying 'no' as they filed federal court action to further their case.

"We are not taking this lightly," Bill Taylor, president of Taylor United, said.

Commissioner of Public Lands Peter Goldmark had asked for six months to allow for "further evaluation" of the previously signed settlement, which included a lease agreement. Previously Taylor spent nine months working out an agreement with Goldmark's predecessor.

"We recognize you have opted to file a lawsuit against DNR at this time," Goldmark said. "We hope that we may be able to reach agreement to stay that prosecution of the suit while our negotiations are under way."

Taylor said that both suits are Goldmark's fault because a previous agreement, if accepted, removed any future possibilities of legal action regarding the disputed tideland on Taylor's behalf.

"Under the signed settlement agreement, we had not only given up ownership claims of the disputed property, but we waived our right of substitution in the Totten Inlet deed," Taylor said.

The recent legal action against the Department of Natural Resources is the company's first in more than 100 years of farming in South Puget Sound inlets.

Outgoing lands commissioner Doug Sutherland signed the much-mentioned original agreement with Taylor days before leaving office in mid-January.

Sutherland gave a five-year lease to Taylor, the state's largest shellfish company, as part of a settlement agreement over 17 acres of state-owned tideland, which included \$800,000 in past-due and future monies. He left it to his predecessor to decide whether or not to honor the no-bid lease.

Bill Dewey, Taylor spokesperson, said his company spent nine months working with the state on a settlement and then offered to pay \$53,000 in labor wages to compensate the state employees' time spent working on the agreement.

Earlier this month, Goldmark said he would not accept the lease within the settlement and threatened to open the clam beds holding nearly 300,000 Taylor-planted geoducks to public bidding.

Taylor responded with a suit claiming title to the land. It's a new direction for the company, which previously asserted the clams and oysters were planted by

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Answer is 'no'

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mistake.

Taylor's reasoning for forgoing more delay and getting into court rests with a stark reality of farming — time delays equal losses.

"We have oyster and geoduck crops on the land that are overdue for harvest," Taylor said.

The longer crops stay the less valuable they are to anyone, he said.

Oysters suffer from a high mortality rate in that area of Totten Inlet and geoduck can outgrow the premium market size of 24 ounces and then become less valuable.

"We have suffered significant damages in the nine months it took to reach the January 12 agreement," Taylor said.