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PRESS RELEASE

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State Parks Commission Violates State Law and SEPA, Judge Rules

OLYMPIA—Washington’s State Parks and Recreation Commission was “arbitrary and capricious” in granting the United States Navy use of state parks for military training. Their permission to do so was vacated today by Judge James J. Dixon of Thurston County Superior Court in an unusual and lengthy ruling from the bench.

The lawsuit brought by Whidbey Environmental Action Network with the support of the Not in Our Parks Coalition challenged a January 28, 2021 approval by the commission to allow parks staff to proceed with permitting the Navy’s plans for war training use of state parks in a 4-3 vote.

WEAN won on all counts, including the allegation that the emotional impact on the public of knowing that covert military surveillance by Navy SEALs was being conducted in parks without their knowledge would affect the public use of state parks. Judge Dixon acknowledged the “creep factor” and ruled it to be an environmental factor necessary to address under SEPA.

“We are very pleased that the Superior Court thoughtfully considered the issues and ruled in favor of Whidbey Environmental Action’s argument on all counts,” said the group’s attorney Zachary Griefen. “The court ruled that the State Parks Commission acted beyond the scope of its authority and also violated the State Environmental Policy Act. Parks are for recreation and not for military use.”

The stunning judicial rebuke comes after years of lobbying by the US Navy in pressuring Washington State Parks to open up most of the state’s waterfront parks for covert military

operations. For years, the practice was allowed under an administrative permit with no public knowledge or review.

“Washington’s laws are clear and Judge Dixon just enforced them. Parks are not for military use,” said WEAN Litigation Coordinator, Steve Erickson.

“I’ve never heard a judge rule like this,” said Erickson. “In agreeing with all our arguments, he rebuked the Parks Commission’s misinterpretation of their mission.”

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Photo captions:

1. Judge James Dixon—Thurston County Superior Court Judge James J. Dixon ruled today that the Washington State Parks and Recreation Commission violated its legal mandate and state environmental law in permitting the US Navy to use state parks for military use.
2. Not in Our Parks supporters—Nearly 100 people listened remotely and Not in Our Parks supporters showed up today in Olympia at the hearing challenging military use of state parks. The supporters and their signs were allowed in the hearing room.