

## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 03, 2015 8:18 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: The GMA is every bit concerned with rural as it is urban growth

FYI, and Kathy for the index. More is coming. Thanks.

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**From:** Carol Levanen [<mailto:cnldental@yahoo.com>]  
**Sent:** Wednesday, September 02, 2015 11:20 PM  
**To:** Stewart, Jeanne; Mielke, Tom; Madore, David; Orjiako, Oliver  
**Subject:** Fw: The GMA is every bit concerned with rural as it is urban growth

----- Forwarded Message -----

**From:** susan rasmussen <[sprazz@outlook.com](mailto:sprazz@outlook.com)>  
**To:** susan rasmussen <[sprazz@outlook.com](mailto:sprazz@outlook.com)>; Carol Levanen <[cnldental@yahoo.com](mailto:cnldental@yahoo.com)>  
**Sent:** Tuesday, September 1, 2015 8:26 AM  
**Subject:** Re: The GMA is every bit concerned with rural as it is urban growth

GMA encourages counties to influence the greatest population growth into UGA's, its policies and provisions also reflect the strong desires of Washington citizens to maintain historical, and viable rural lifestyles. This goal isn't stated in language, but explicitly recognized in several Court and Board decisions. The unstated GMA goal is clearly expressed in the many provisions in the GMA that speak to distinguishing urban living from rural lifestyles. For example, the Act's definition of "urban growth," as "growth that makes intensive use of the land for the location of buildings, structures, and impermeable surfaces." "Rural character", stresses the cultural dimensions of "ruralism." 36.70A.030(14) defines rural character as "patterns of land use and development that foster traditional rural lifestyles and provide visual landscapes that are traditionally found in rural areas and communities. The only stipulation in the act on rural growth is that it can not be "urban in nature."

The GMA's overall treatment of the rural areas recognizes the more traditional concept of living, and supports a citizen's ability to rightfully decide to live in a rural setting. This reflects an overall lifestyle choice, not merely a geographical preference for housing.

The fact that large numbers of Clark County residents have historically resided outside of incorporated city limits further suggests that many citizens may theoretically oppose high density, urban lifestyles. The historic rural growth patterns of Clark County are based in reality. The patterns are a result of generations of cultural practices. Amazingly, these growth patterns haven't ever been considered important enough to recognize and accomodate in any comprehensive plan update. GMA recognizes the patterns of development as the unique "rural character." On remand in our court action, the county was ordered to amend its comprehensive plan by making reasoned zoning considering existing conditions.

Partly as a result of our court actions, local governments are able to designate rural areas that are capable of accommodating however many people they choose...just as long as the development is

reflective of the area's rural character. The court decision represents the continuity of rural values, culture, and lifestyles.

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**From:** susan rasmussen'

**Sent:** Monday, August 31, 2015 1:49 PM

**To:** Carol Levanen

steep slopes

MapsOnline, Clark County WA. GIS. can

<http://gis.clark.wa.gov/mapsonline/?site=GeoHazards&ext=1>

Sent from Windows Mail

## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 03, 2015 8:21 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Draft SEIS Septic Suitability Soils Maps - For the Public Record

More FYI and for the index. Thanks.

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**From:** Carol Levanen [<mailto:cnldental@yahoo.com>]  
**Sent:** Thursday, September 03, 2015 12:15 AM  
**To:** Stewart, Jeanne; Mielke, Tom; Madore, David; Orjiako, Oliver  
**Subject:** Draft SEIS Septic Suitability Soils Maps - For the Public Record

Dear Councilors,

The Draft SEIS to the 2016 Comprehensive Land Use Plan has included a Septic System Soil Suitability map. This map is new, as previous Comprehensive Plans have not included such a map. The map indicates that almost all of Clark County is unsuitable for septic systems, even though there are thousands of such systems in place today that are functioning quite well. Many of them are standard systems. Research indicates that 80% of aquifer recharge area water is provided by return of water via septic systems. With the new technology used in the design and installations of such systems today, they should be encouraged. This map is unnecessary. Recent resource data indicates that septic systems are more environmentally friendly than sewer systems and are becoming the trend for those who want to protect the environment. In addition they are less costly to the landowner and to the municipalities. CCCU is aware of one landowner who has a septic system that processes drinking water.

Since there is not scientific data that supports elimination of septic systems in Clark County, it appears that the map is intended to inaccurately demonstrate a reason to prevent septic systems in the rural and resource communities, where they are commonly used. This would effectively prevent the rural and resource lands from allowing any new development. This is not what the GMA has intended.

The only requirement in the GMA is that rural development not be urban in nature and that rural character is preserved. The GMA intends that rural and resource lands would have development and the infrastructure to support it. Septic systems are part of that requirement.

The Septic System map is unnecessary. Research and scientific data demonstrates that prime and good agriculture and forest soils are well drained and well suited to support septic systems. CCCU, Inc. recommends removal of the septic system soil maps provided in the Draft SEIS of the 2016 update of the Comprehensive Land Use Plan.

Sincerely,

Carol Levanen, Ex. Secretary  
Clark County Citizens, United, Inc.  
P.O. Box 2188  
Battle Ground, Washington 98604



## Schroader, Kathy

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**From:** NoReply@Clark.Wa.Gov  
**Sent:** Thursday, September 03, 2015 8:43 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** 2016 Comp Plan comments submitted

Following comments were submitted online:

Parcel No:

Subject: Comprehensive Plan Update

Comments:

I am concerned that the Comprehensive Plan ensure the support needed for family farms to grow and thrive in our community. The Family Farm is the back bone of our food supply system, and our community. In order to meet the needs of our farmers, the minimum 20 acre lots must be maintained. When they are broken up into smaller lots, it becomes not only harder to grow enough to support the farm, the lots tend to become more expensive, and demand on water increases, again increasing the cost of farming to our neighbors.

The desire to break lots into 1-5 acre lots, appears to be in order to expand the urban growth boundary, with the focus on high end housing. To the best of my knowledge, there is no significant shortage of high end housing. What this community needs and demands is affordable low cost housing, of which there is none. We have a large homeless community, which is growing every day due to the unavailability of housing the average, and minimum wage earner can afford. This is the area that must be addressed before any consideration is given to increasing the inventory of overly expensive housing.

It was also pointed out that in order to expand work opportunities there needs to be an inventory of large acreage available for businesses to purchase. The division of 20 acre lots into smaller lots, will increase the cost, and reduce the availability of affordable lots, for new businesses to expand, or move into the area. I prefer option 1.

Submitted by:  
Terry Eaton

Email: [john.and.terry@gmail.com](mailto:john.and.terry@gmail.com)

Address:

Brush Prairie, WA



**Schroader, Kathy**

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**From:** Tilton, Rebecca  
**Sent:** Thursday, September 03, 2015 9:08 AM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom; Silliman, Peter; Orjiako, Oliver; Schroader, Kathy  
**Subject:** Comments RE: Comp Plan Update (9/1/15 BOCC Hearing)  
**Attachments:** Carol Levanen comments\_09-01-15.pdf; Susan Rasmussen\_09-01-15.pdf

The attached written testimony was received from Carol Levanen and Susan Rasmussen during the public comment portion of the 9/01/15 BOCC hearing.

Thank you,  
Rebecca

Rebecca Tilton, Clerk of the Council  
Board of County Councilors  
1300 Franklin Street  
PO Box 5000  
Vancouver, WA 98666-5000  
PHONE: 360-397-2232, ext. 4305 | E-MAIL: [Rebecca.Tilton@clark.wa.gov](mailto:Rebecca.Tilton@clark.wa.gov)



~~60712~~

Rec'd 9/1/15

CC'd = BOCE; Orjiako; Schroader  
Silliman

Clark County Board of Commissioners  
P.O. Box 5000, Vancouver,  
Washington 98666

September 1, 2015

For the Public Record

Dear Councilors,

In the Growth Manage Act, 2016 Comprehensive Plan Draft SEIS, one is lead to believe the Framework Plan was a new concept adopted in 1993 to guide the 1994 Comprehensive Plan. An examination of the text and history of the Framework Plan shows the intent and purpose of this document. Staff is improperly applying the Framework Plan in the 2016 update. Originally, the concept was used in 1977 to determine and segregate rural, urban and resource lands. It was simply used as an organizational tool with goals and objectives for the future. In 1993 it was presented to citizens as a public outreach mechanism, leading people to believe they had a say in the planning process. In reality, the 1979 Framework Plan was simply expanded, but very little was changed conceptually. It continued to be a document that was used to segregate rural, urban and resource lands. But, in 1994, it was touted as the reason for massive down zoning of thousands of rural and resource lands into very large lots, and reflected as the peoples choice. Hundreds came forward to protest the Plan, but their pleas were ignored. Is this Council going to ignore the public testimony of those rural landowners, and allow this to happen again in the 2016 update?

The 6-24-77 2nd Draft - CRITERIA FOR CHANGING URBAN RURAL AND NATURAL RESOURCE CAEGORIES, states, " *Within the Framework Plan of the proposed new Clark County Comprehensive Plan, three broad land use categories have been proposed; urban, rural and natural resource.*

Page 8,9 discusses resource and rural lands. ...*The existence of prime or good agricultural soils or site index 2 Forest Lands be noted as soon as possible .... 2. That not more than 50 percent of the land is broken up into parcels of less than ten acres.* The companion document called CLARK COUNTY COMPREHENSIVE PLAN DISCUSSION DRAFT GOALS AND GUIDELINES page 1, item 2 states, *Rural Lands - Those lands not within urban service guideline areas 1 and 2 that are suitable for settlement. Small farms and acreage home sites are the predominant land use.*

Page 5, RURAL LANDS - Goals; 1, it states ...*rural areas for the maintenance of diverse life style opportunities for present and future generations. 2. To encourage the maintenance of small farms or acreage home sites on land suitable for sparse settlement.*

Page 7-8, CONSERVATION GOALS 1. *To encourage the maintenance of agricultural land uses in those areas that are agriculturally productive. 2. To encourage the conservation of land best suited for the production of food and fiber products. Guidelines: 4. b. and c., Conserve prime timberland ...defined by the United States Department of Agriculture - site index 2 or Conserve prime agricultural land soils classified by the soil Survey of Clark County, USDA Conservation Service 1972 currently in production...* Item 13. states, *Identify commercial forest land suitability by evaluation soil productivity land ownership patterns and existing use.*

Page 12, HOUSING GOALS AND OBJECTIVES - *Statement of Intent - The production and rehabilitation of housing reflect the social and economic well-being of a community. It is the responsibility of the community to strive for the highest quality of living environments for all citizens, while enabling each citizen to choose a home among a variety of housing types and residential areas.*

Page 21-22 GOALS AND GUIDELINES FOR ECONOMIC ELEMENT - *Statement of Intent - The promotion of an area wide economic environment which is conducive to the well being of the region and based on the private ownership of property and the freedom of the individual to engage in*

*economic activities of his choice for his own profit and well being. 3. An annual review and evaluation of overall economic growth would be prepared.*

Page 26 - **DEFINITIONS - PRIME AGRICULTURE LAND - Soil Conservation Service Capability Classes I and II.**

The 1979 CLARK COUNTY COMPREHENSIVE PLAN GOALS AND GUIDELINES - INTRODUCTIONS - states *These Goals and Guidelines and attached Broad Land use Map (which together constitute the Framework Plan) are intended to establish a benchmark along the route toward the adoption of a more detailed Comprehensive Land use Plan. The Framework Plan is not intended to constitute the Comprehensive Plan of Clark County, except for the purpose of designating the boundary lines between urban, rural and natural resource areas. This, for the purpose of establishing these boundary lines the Broad Land Use Map and the planning data upon which it is based shall take effect immediately upon the adoption of the Framework Plan. It is not intended in so adopting this Framework Plan to repeal, either expressly or impliedly, and portion of the Clark County Comprehensive Alan adopted on February 23, 1960.*

Page 16, **ECONOMIC ELEMENT - GUIDELINES;** 2. it states, *Encourage a diversified economy with employment opportunities which complements the characteristics of the Clark County labor force.*

Page 20 **DEFINITIONS - PRIME AGRICUTURAL LAND - Soil Conservation Service Capability Classes I and II.**

In the May 26, 1993 Community Framework Plan, Clark County, Washington, on page 8 it reads, **:ISSUES ADDRESSED BY THE COMMUNITY FRAMEWORK COMCEPTS - This is the beginning. The Draft Community Framework Plan .does not change the existing comprehensive plan or zoning of Clark County. However, the Draft Community Framework Plan does provide the framework with which the County, cities, and towns have the flexibility to develop their own growth policies and plans for their individual 20 -year Growth Management Comprehensive Plans.** It goes on to say, **:Outside the urban areas, the land is predominantly rural with farms, forests open space, and large lot residences. Shopping or businesses would be in rural centers. Urban level of public services would generally not be provided in rural areas. Rural residents are provided levels of service appropriate to their areas. These area are by definition more rural in nature and residents are more self-sufficient, often relying on private wells and septic systems. Most of northern Clark County would remain as it is today, in resource industries or rural use.** One might understand this sentence to mean that no change would occur with rural and resource land. But, little did folks know that only the names stayed the same, and the legal lots and conforming lots changed dramatically.

On page 16,17, The 1993 Framework Plan determined there would be Villages and Hamlets, as well as Rural Centers. But those concepts, were thrown out. It took a court action to return the rural centers, but only a few locations were allowed, compared to what citizens wanted and thought was going to happen.

On Page 19, 20 - 2.0, and 2.2.0 the Housing section in the 1993 Framework Plan states, **The Housing Element is to recognize the vitality and character of established residential neighborhoods and identify sufficient land for housing to accommodate a range of housing types ...** In 2.2.0 - **Framework Plan Policies** - it states, **Communities, urban and rural, should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries and to ensure an adequate supply of affordable and attainable housing. Little did the people know that only the urban area was to be included and high density was the goal.**

Page 3 of 3

On page 24 of the Framework Plan it states in 4.1 County-wide Planning Policies a. it states, ***The County shall recognize existing development and provide lands which allow rural development in areas which are developed or committed to development of a rural character.*** On page 25, 4.2.6 it states, ***All new development should be of a scale consistent with the existing rural character.***

So one can see that the Framework Plan intended to be fair and equitable as Clark County planned for the future. It included something beneficial for all of the citizens of the county. The 2016 Plan is claimed to reflect the Community Framework Plan, but that simply is not the truth. Corrections to the Comprehensive Plan are needed to accurately reflect what was intended to happen in the lives of those who live in Clark County and in the real Clark County Community Framework Plan.

Sincerely, 

Carol Levanen, Ex. Secretary  
Clark County Citizens United, Inc.  
P.O. Box 2188  
Battle Ground, Washington 98604

CLARK COUNTY FRAMEWORK PLAN

DRAFT ENVIRONMENTAL IMPACT STATEMENT

June 1977

Prepared for the Clark County Planning Commission and Board of County Commissioners by the staff of the Regional Planning Council of Clark County, pursuant to the requirements of the State Environmental Policy Act (RCW 43.21C) and the SEPA Guidelines (WAC 197-10).

CRITERIA FOR CHANGING URBAN, RURAL AND  
NATURAL RESOURCE CATEGORIES

Need for Change

Within the Framework Plan of the proposed new Clark County Comprehensive Plan, three broad land use categories have been proposed: urban, rural, and natural resource. As time progresses, changes in designations may be necessary to provide for flexibility within the plan. For instance, a need for more urban land may become evident, and a means of providing more land so designated may be necessary.

Types of Change

Because there are three broad land use categories, it is possible to formulate six different changes (some may not be very probable but all possibilities should be taken into consideration:

Natural Resource to Urban

Rural to Urban

Natural Resource to Rural

Rural to Natural Resource

Urban to Rural and

Urban to Natural Resource

These possible conversions can be broken down into two major types: those that increase the intensity of use, and those that reduce the intensity of use. A change from natural resource to rural or urban, or from rural to urban, would be

CLARK COUNTY COMPREHENSIVE PLAN  
GOALS AND GUIDELINES

INTRODUCTION

The Comprehensive Land Use Plan shall serve a variety of functions for the citizens of Clark County. Perhaps the most fundamental purpose, and the one specifically mentioned in the Washington State Planning Act (RCW 35.63), is to guide the physical development of the County. The enabling act has as its purpose the certification of both public and private projects and the coordination of their execution in developing and servicing land. The intent is to assure the "highest degree of public health, safety, morals and welfare" for the citizens of the State of Washington.

The citizens of Clark County have reached general conclusions about the future of Clark County. Through a citizen involvement program, conducted by the County Planning Commission and staff, it was established that future population growth and subsequent land development shall be encouraged to locate within or adjacent to existing cities and towns. Termed the "cluster concept", this future urban form should maximize the efficiency of the provision of public services and facilities while assuring the private ownership of land and the freedom of the individual to engage in economic activities of his choice for his own profit and well-being.

These Goals and Guidelines and attached Broad Land Use Map (which together constitute the Framework Plan) are intended to establish a benchmark along the route toward the adoption of a more detailed Comprehensive Land Use Plan. The Framework Plan is not intended to constitute the Comprehensive Plan of Clark County, except for the purpose of designating the boundary lines between urban, rural, and natural resource areas. Thus, for the purpose of establishing these boundary lines, the Broad Land Use Map and the planning data upon which it is based shall take effect immediately upon the adoption of the Framework Plan. However, the effective date of the Goals and Guidelines of the Framework Plan shall be delayed until the adoption of the more detailed plan.

It is not intended in so adopting this Framework Plan to repeal, either expressly or impliedly, any portion of the Clark County Comprehensive Plan adopted on February 23, 1960, or any valid amendment, extension or addition thereto.

THE LAND

The Comprehensive Plan Discussion Draft divides Clark County into three broad land use classifications:

## AGRICULTURAL SOIL SUITABILITY RATINGS IN CLARK COUNTY

Agricultural soil suitability ratings were developed by the U.S.D.A. Soil Conservation Service in Clark County. The ratings are based on localized soil conditions and their agricultural productivity. Agricultural lands with soil suitability ratings of prime and good are proposed for conservation under the Framework Plan. Following is the suitability rating by soil type (including slope), with a brief description of each.

<u>Rating</u>	<u>Soil Series (Mapping Unit)</u>	<u>Description</u>
Prime	Hillsboro loam, 0-3 (HIA) Hillsboro silt loam, 0-3 (HOA) Hillsboro loam, 3-8 (HLB) (HOB)	These soils are the most prime in the county. They have the best soil structure, best climate, wide range of work-ability, least energy inputs, are very fertile and all crops adapted to the area can be grown.
Prime	Newberg silt loam, 0-3 (NbA) Newberg silt loam, 3-8 (NbB) Cloquato silt loam, 0-3 (CtA) Sauvie silt loam, 0-3 (SmA) Sauvie silt loam, 3-8 (SmB) substratum, 0-3 (SnA) Sauvie Silty clay loam, 0-8 (SpB)	These soils are prime where they are behind dikes. They are fertile, have good soil structure, are fairly easily worked, and a wide range of crops can be grown.
Prime	Semiahmoo muck (Sr) Semiahmoo muck, shallow variant (Su) Tisch silt loam, 0-3 (ThA)	These soils are prime or unique for specialty crops, where drained.
Good	Sauvie silt loam, 0-3 (SmA) Sauvie silt loam, 3-8 (SmB) Sauvie silt loam, sandy substratum, 0-3 (SnA) Sauvie silty clay loam, 0-8 (SpB) Newberg silt loam, 0-3 (NbA) Newberg silt loam, 3-8 (NbB) Cloquato silt loam, 0-3 (CtA)	These are the same soils as in Group 2, but are subject to periodical flooding. If diked they would be prime.

Gee silt loam, 0-8 (GeB)

These are good, fertile soils, easily worked, but have a restrictive layer which limits some deep-rooted crops. Internal drainage is generally required for maximum use.

Hesson clay loam, 0-8  
(Dobler) (HcB)

This soil, originally mapped Dobler, was lumped into the Hesson series. It is much better for agricultural uses than the Hessons. It has less clay content and is more easily worked.

Hillsboro loam, 8-15 (H1C)  
Hillsboro silt loam, 8-15 (HoC)  
Hillsboro silt loam, 15-20 (HoD)

These are the same soils as in Group 1, but repose on steeper slopes, causing increased erosion hazards and equipment limitations.

Puyallup fine sandy loam, 0-3 (PuA)  
Wind River sandy loam, 0-8 (WnB)  
Wind River sandy loam, 8-20 (WnD)  
Wind River gravelly loam, 0-8 (WrB)

These soils have good workability but some are subject to flooding on lower elevations where not diked. They are also drouthy and require irrigation for maximum crop yields.

Cinebar silt loam, 3-8 (CnB)  
Cinebar silt loam 8-20 (CnD)

Very deep soils with good workability, but they occur at higher elevations and climatic conditions become a limiting factor.

Fair Hesson clay loam, 0-8 (HcB)  
Olympic clay loam, 3-8 (OlB)

These soils, being higher in clay content, require increased energy inputs. Basic soil fertility is low. Cultivation is restricted because of the clay content and the narrow range of moisture needed for good tillability.

Powelll silt loam, 8-20 (PoD)  
Sara silt loam, 8-20 (SlD)  
Olympic clay loam, 8-20 (OlD)  
Hesson clay loam, 8-20 (HcD)  
Gee silt loam, 8-20 (GeD)

These soils have restrictive layers and/or higher clay content, steeper slopes, and poor workability.

Dollar loam, 0-5 (DoB)  
Sara silt loam, 0-8 (SlB)  
Hockinson loam, moderately well drained, 0-8 (HuB)

These soils have poor internal drainage and low fertility.

Lauren gravelly loam, 0-8 (LgB)  
Vader silt loam, 3-8 (VaC)  
Lauren loam, 0-8 (LeB)

These soils range from a silty loam to gravelly loam which is drouthy with low fertility.

Fair

Cove silty clay loam, thin  
solum,, 0-3 (CwA)  
Cove silty clay loam, 0-3 (CvA)  
Hockinson loam, 0-3 (HtA)  
Hockinson-Dollar loam, 0-3 (HvA)  
McBee silt loam, 0-5 (McB)  
McBee silty clay loam, 0-3 (MeA)  
McBee silt loam, coarse variant  
0-3 (MlA)  
Odne silt loam, 0-5 (OdB)  
Olequa silt loam, 3-20 (OeD)  
Salkum silty clay loam, 3-15 (SaC)  
Washougal loam, 0-3 (WaA)  
Washougal gravelly loam, 0-8 (WgB)

Not color coded.  
Soils too poor for  
agricultural production.

**PRELIMINARY DRAFT**  
**ENVIRONMENTAL IMPACT STATEMENT**  
**COMMUNITY FRAMEWORK PLANS**  
**CLARK COUNTY, WASHINGTON**

November 6, 1992

*Prepared for*

Clark County Public Services  
Department of Community Development  
1408 Esther Street  
Vancouver, Washington 98668  
(206) 699-2375

*Prepared by*

David Evans and Associates, Inc.  
2828 SW Corbett Avenue  
Portland, Oregon 97201  
(503) 223-6663



DEPARTMENT OF  
PUBLIC SERVICES

Planning & Development Review Division

November 6, 1992

To Whom It May Concern:

Clark County is preparing a new comprehensive plan in accordance with the Washington State Growth Management Act (GMA) of 1990 as amended (ESHB 2929 and 1025). The plan will consist of elements addressing land use, transportation, utilities, capital facilities, housing parks and open space, rural areas, economic development, critical areas and resource lands, and possibly other optional elements. The County and cities within it have been working on this process since 1990.

The GMA requires the County and each city and town to plan to accommodate twenty years of projected growth. However, County officials recognize that the County will not stop growing then. In order to provide supporting urban services (water, sewer, roads, and storm drainage) in an efficient and cost-effective manner, it is necessary to plan for a longer time frame. Therefore, the County proposes to adopt a Community Framework Plan to guide development for the longer term.

SEPA requires that agencies evaluate the environmental impacts which may result from decisions to pursue particular courses of action. SEPA encourages agencies to begin environmental review at the earliest possible time in the planning and decision-making process when the principal features of the proposal and its associated impacts can be reasonably identified (WAC 197-11-055-(2)). Proposed actions such as adoption of plans and policies are known as non-project or programmatic actions. These actions are broader than those necessary for site-specific projects. Their analysis is also broader and is framed as a discussion of the alternative courses of action which can accomplish a stated objective. SEPA states that an EIS discussion of alternatives for a comprehensive plan, such as this, shall be limited to a general discussion of the impacts of alternative policies. The lead agency is not required to examine all conceivable policies, designations, or implementation measures but should cover a range of topics (WAC 197-11-442). Subsequent actions resulting from adoption of the Framework Plan may be either non-project or project actions requiring further environmental review as determined by threshold evaluations.

In this non-project analysis, Clark County is evaluating the environmental impacts of several alternative concepts for accommodating growth throughout the County. The alternatives include the existing Comprehensive Plan (the "no action" alternative); and three different visionary concepts for the future. Each of the alternatives would accommodate growth beyond that forecast for the next 20 years, but each represents a different urban form. Each would have a different potential positive and adverse impacts on the environment. Growth by itself has impacts on infrastructure, public services, aesthetics, and the natural environment.



**Schroader, Kathy**

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**From:** Tilton, Rebecca  
**Sent:** Thursday, September 03, 2015 9:08 AM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom; Silliman, Peter; Orjiako, Oliver; Schroader, Kathy  
**Subject:** Comments RE: Comp Plan Update (9/1/15 BOCC Hearing)  
**Attachments:** Carol Levanen comments\_09-01-15.pdf; Susan Rasmussen\_09-01-15.pdf

The attached written testimony was received from Carol Levanen and Susan Rasmussen during the public comment portion of the 9/01/15 BOCC hearing.

Thank you,  
Rebecca

Rebecca Tilton, Clerk of the Council  
Board of County Councilors  
1300 Franklin Street  
PO Box 5000  
Vancouver, WA 98666-5000  
PHONE: 360-397-2232, ext. 4305 | E-MAIL: [Rebecca.Tilton@clark.wa.gov](mailto:Rebecca.Tilton@clark.wa.gov)



Rec'd 9/1/15  
CC'd = BOCC; OrjiaKO; Schroader ✓

susan rasmussen  
to Carol Levanen; David Madore

Sat, Aug 29 11:30 AM

Re: Defining Clark County Rural Character

Sprawl is defined by Webster's Dictionary, as "to spread or develop irregularly or without restraint." This definition implies negative environmental and human health impacts associated with sprawl. Clark County does not support sprawl, but rather development of rural land that is consistent with the historic density patterns, considers the protections of the natural resources and critical areas, and encourages orderly growth patterns. This type of rural development is not sprawl, but rather follows the historic patterns of rural living in Clark County with larger lot sizes used for residential living alongside agricultural and forestry activities or clustered lots with areas of large fields.

It is common to find rural development occurring adjacent to built infrastructure such as roads, power, water, electricity, and churches. This type of development is not sprawl, but follows the historical patterns of rural living on larger residential lot sizes in Clark County that have resulted from cultural rural practices. This cultural practice limited fragmentation of rural families and had been supported by the County.

Sent from Windows Mail

**From:** Carol Levanen  
**Sent:** Friday, August 28, 2015 6:23 PM  
**To:** susan rasmussen

susan rasmussen  
to Carol Levanen David Madore

Sat, Aug 29 11:08 AM

Re: Alt. 4 supports a variety of parcel sizes for small-scale farming

**Major Land Use Considerations:** Clark County has traditionally supported small-scale agriculture activities by ensuring a variety of various parcel sizes.

Large scale commercial agricultural operations continue to decline, however, changes in agriculture activities to vineyards, nurseries, berries, and organic produce have been evolving. This agriculture shift reflects the larger changes happening throughout the entire state. Many of the new agricultural activities can and are occurring on smaller parcels (reference 2012 Ag. Census). Indeed, Clark County has always been a haven supporting small-scale farming (1950 Ag. Census). The long-term changes in agricultural operations will be influenced in large part by the economic and market demands. It is Clark County's tradition to provide for a wide variety of farming opportunities by ensuring a variety of various parcel sizes.  
Sent from Windows Mail

**From:** Carol Levanen  
**Sent:** Friday, August 28, 2015 6:23 PM  
**To:** susan rasmussen

susan rasmussen

Carol Levanen David Madore

at Aug 29 11:44 AM

Re: Rural Community Vision Statement

1. Encourage an economic climate that enables our rural communities to find family wage jobs within the rural area.
2. Protection of private property rights of landowners.
3. Ensure adequate housing that fulfills the housing needs and lifestyles of all segments of the county's population
4. Future development that will compliment and enhance historic patterns of development
5. Respect rural cultural practices
6. Acknowledge local trends in the agricultural and forestry industries
7. Enhance rural quality of life

Sent from Windows Mail

**From:** Carol Levanen

**Sent:** Friday, August 28, 2015 6:23 PM

**To:** susan rasmussen



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 03, 2015 12:46 PM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Documents - Comprehensive Growth Management PlanCommunity Planning

FYI and for the record! Thanks.

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**From:** Carol Levanen [mailto:cnldental@yahoo.com]  
**Sent:** Thursday, September 03, 2015 11:53 AM  
**To:** McCauley, Mark; Orjiako, Oliver  
**Subject:** Fw: Documents - Comprehensive Growth Management PlanCommunity Planning

----- Forwarded Message -----

**From:** susan rasmussen <sprazz@outlook.com>  
**To:** Carol Levanen <cnldental@yahoo.com>; "jeanne.stewart@clark.wa.gov" <jeanne.stewart@clark.wa.gov>;  
"david.madore@clark.wa.gov" <david.madore@clark.wa.gov>; "tom.mielke@clark.wa.gov" <tom.mielke@clark.wa.gov>;  
Jim Malinowski <j.malinowski@ieee.org>  
**Sent:** Thursday, September 3, 2015 11:08 AM  
**Subject:** Documents - Comprehensive Growth Management PlanCommunity Planning

Dear Councilors,

Listed as one of the Elements of the Comprehensive Plan is the "Growing Healthier Report." This report is also one of three, along with the "Aging Readiness" report, that is listed as resources for the comprehensive plan. I recall that the Board did not authorize this; but the reports are there.  
Sincerely, Susan Rasmussen

[Documents - Comprehensive Growth Management PlanCommunity Planning](#)

[http://www.clark.wa.gov/planning/comp\\_plan/docs.html](http://www.clark.wa.gov/planning/comp_plan/docs.html)

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## Comprehensive Growth Management Plan Documents

### Related information

- Clark County Code
- Maps Online (property information)

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### Comprehensive Plan

The current Clark County Comprehensive Growth Management Plan was adopted in September 2007. It covers the planning period of 2007 through 2024. The document is reviewed and updated annually.

**Comprehensive Plan Adopted in 2007** w/2008, 2009, 2010, 2011, 2012 & 2013 Amendments

### 2007 Comprehensive Plan Figures and Maps (PDFs)

- Figure 1 - Critical Lands
- Figure 2 - Fish & Wildlife
- Figure 3 - Wetlands
- Figure 4 - Hydric Soils
- Figure 5 - Floodway
- Figure 6 - Wellhead
- Figure 7 - Steep Slopes
- Figure 8 - Landslide Hazards
- Figure 9 - Liquefaction
- Figure 10 - NEHRP Site Classes
- Figure 11 - Erosion Hazards
- Figure 12 - Battle Ground UGA w/2012 Amendments
- Figure 13 - Camas UGA w/2012 Amendments
- Figure 14 - La Center UGA w/2012 Amendments
- Figure 15 - Ridgefield UGA w/2012 Amendments
- Figure 16 - Three Creeks Special Planning Area w/2012 Amendments
- Figure 16A - Vancouver UGA w/2010 Amendments
- Figure 17 - Washougal UGA w/2012 Amendments
- Figure 18 - Yacolt UGA w/2012 Amendments
- Figure 19 - Woodland UGA
- Figure 20 - Transportation Facilities at E/F Level of Service
- Figure 21 - Soil Capabilities for Forest Use
- Figure 22 - Soil Capabilities for Agricultural Use
- Figure 23 - Mineral Resources
- Figure 24A - Rural and Natural Resources
- Figure 24B - Columbia River Gorge National Scenic Area
- Figure 25 - Comprehensive Parks & Open Space Plan (Unincorporated Urban Area A)
- Figure 26 - Comprehensive Parks & Open Space Plan (Unincorporated Urban Area B)
- Figure 27 - Comprehensive Parks & Open Space Plan (Regional Parks System)

### Elements of the Comprehensive Plan

**Capital Facilities Financial Plan 2007-2012 (PDF)**

**Coordinated Water System Plan Update - November 2011 (PDF)**

**Growing Healthier Report >**

**2007 Environmental Impact Statement >**

**2007 Plan Compliance Maps and Decisions >**

**Ordinances of Annual Amendments (PDFs)**

- Ordinance 2007-09-13
- Ordinance 2008-12-15
- Ordinance 2009-12-15
- Ordinance 2009-12-21
- Ordinance 2010-12-12
- Ordinance 2011-12-22
- Ordinance 2012-01-01
- Ordinance 2012-11-08
- Ordinance 2012-12-20
- Ordinance 2013-01-15
- Ordinance 2013-12-20

**Vancouver Agreements (PDFs)**

- Clark County and City of Vancouver Interlocal Agreement
- Vancouver Annexation Blueprint

**BOCC Values and Principles**

- Values and Principles (PDF)

**HISTORICAL & RESEARCH DOCUMENTS (PDFs)**

2004 Adopted Comprehensive Plan

2004 Environmental Impact Statement

**Title 40 Text Changes (PDFs)**

- 40.100.070 Definitions
- 40.230.070 Urban Holding Districts
- 40.350 Transportation and Circulation
- 40.560 Procedures

**Focused Public Investment Plan (PDFs)**

- Focused Public Investment Plan Infrastructure Cost Report
- Focused Public Investment Plan Infrastructure Cost Appendix A - Tables
- Focused Public Investment Plan Infrastructure Cost Appendix B - Maps

Last updated: 07/23/2014 15:08:12

**Schroader, Kathy**

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 03, 2015 12:45 PM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Clark County Food Systems Council - A special interest political group - For the Record

FYI and for the record. Thanks.

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**From:** Carol Levanen [<mailto:cnldental@yahoo.com>]  
**Sent:** Thursday, September 03, 2015 11:57 AM  
**To:** Stewart, Jeanne; Madore, David; Mielke, Tom; Orjiako, Oliver; McCauley, Mark  
**Subject:** Fw: Clark County Food Systems Council - A special interest political group - For the Record

----- Forwarded Message -----

**From:** susan rasmussen <[sprazz@outlook.com](mailto:sprazz@outlook.com)>  
**To:** Carol Levanen <[cnldental@yahoo.com](mailto:cnldental@yahoo.com)>  
**Sent:** Thursday, September 3, 2015 10:54 AM  
**Subject:** Reader

Strategies for change, Food Systems Council

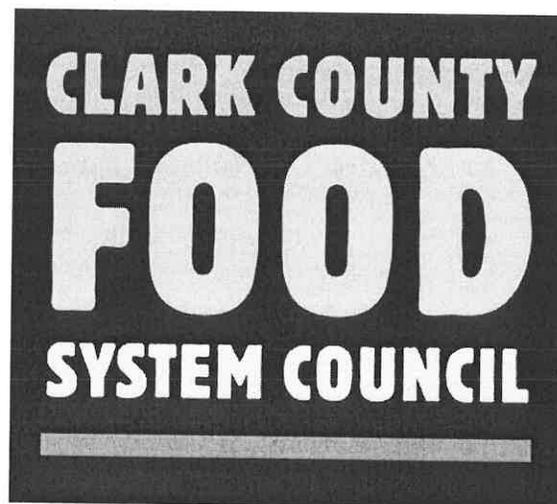
<http://www.clark.wa.gov/public-health/about/documents/RoadmapWorkPlan2012.pdf>

Sent from Windows Mail



# **Policy Roadmap for Clark County's Food System**

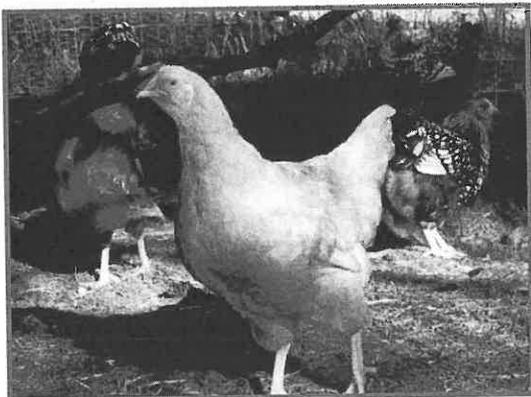
Strategies for Change  
October 2012



## Supporting a Strong Local Food System

Wander through a Clark County farmers market and you're likely to experience a keen sense of community—one of the benefits of a healthy, local food system. Growing, producing and buying local foods also supports the local economy and reduces the environmental impacts of transporting food. What's more, locally produced food tastes better and retains nutrients longer than food imported from great distances.

But getting locally grown food from farm to table is no simple feat. It involves land resource issues, policy decisions, food distribution and recycling, community education and more. Helping to integrate the many components of our local food system is where the Clark County food System Council comes in.



### About the Food System Council

Council members represent health, nutrition, education, food security, waste management, resource conservation, business, agriculture, food distribution and the greater community. Engaging the community at all levels, the council works to promote healthier food choices and create a legacy of greater environmental protection and health.

The council has three main focus areas:

- ◆ Improving Access to Healthy Food
- ◆ Land and Resource Preservation
- ◆ Community Education

## Land Use and Resource Preservation

**Planning for a healthy, local food system is critical to our community's future food security**

### Strategies for Change

**Work with Clark County Community Planning in developing of food system planning goals to be included in the Framework document of the Clark County Comprehensive Growth Plan.**

- ◆ Draft talking points and suggested strategies for inclusion of food system issues in new Framework document.
- ◆ Participate in community opportunities for providing input to Framework document.
- ◆ Partner with other community task forces to advocate for inclusion of food in Framework document.



**Work with Clark County Community Planning staff to develop tools and other strategies that encourage conservation of the county's designated agricultural land, providing support for the widest variety of agricultural crops and products.**

- ◆ Participate in community forums and education opportunities with Community Planning, Planning Commission and other community groups such as Rural Lands Task Force.
- ◆ Invite topic experts on conservation strategies to provide education to Food System Council.
- ◆ Develop opportunities for hosting community education forums related to land policy strategies that support healthy food systems.
- ◆ Request opportunities for Food System Council to participate in continued work of Rural Lands Task Force.
- ◆ Develop Food System Council work plan regarding input on rural lands study informing Community Planning's work plan.

#### **Policy Change in Action**

Clark County Food System Council requested the Board of Commissioners proceed with the update of the *Framework Plan*, and that in doing so they add community food security to the county's vision for healthy, sustainable, and prosperous growth.

August 2012

## Land Use and Resource Preservation

### All residents need opportunities to grow and share food

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#### Strategies for Change

**Investigate the need to create a land use category for urban agriculture; distinguish it from rural agriculture as smaller, temporary, less intensive, and of short-term commercial significance or critical importance to community food security.**

- ◆ Consider partnerships with other interested groups, such as Vancouver Watershed Alliance, WSU Extension, etc.
- ◆ Look at City of Portland's process to develop an urban agriculture code, *Urban Food Zoning Code Update Concept Report*.
- ◆ Talk with city planners about creating an urban agriculture designation.
- ◆ Invite experts to provide education and determine interest in hosting a community forum regarding this topic.

**Assess government-owned land suitable for cultivation and support opportunities for food production activities on these sites.**

- ◆ Investigate opportunities to partner with city and county government on assessment process.
- ◆ Engage local higher education students in support of this work.
- ◆ Partner with agriculture partners, such as Clark-Cowlitz Farm Bureau and WSU Extension to determine needs and opportunities.
- ◆ Investigate results of *Portland/Multnomah Food Policy Council Diggable City* report and other similar reports.



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#### Looking Ahead Future Strategies

- ◆ Assess access to food via public transit. Work with transit service planners to improve service to food stores lacking adequate service.
- ◆ Prohibit restrictions that preclude food stores from using appropriately zoned land, especially those that keep new grocery stores from using vacant buildings.
- ◆ Advocate for and support increasing compost availability at public events.

## Access to Healthy Food

**Community organizations and institutions are critical partners in creating and supporting healthy food systems**

### Strategies for Change

**Increase community garden programs in neighborhoods, schools, workplaces and faith communities.**

- ◆ Assess geographical need for more gardens.
- ◆ Advocate for gardening as a conditional use on vacant land.
- ◆ Investigate upcoming park levy and its impact on funding neighborhood and regional community gardens.
- ◆ Support language in Clark County and City of Vancouver Comprehensive Plans that includes service standards, service objectives, development standards or expectations for community gardens.
- ◆ Work to assure equitable access and costs for water usage for private/public community gardens.
- ◆ Advocate for additional funding for community gardens and maintenance.

**Encourage healthy food options in programs that help alleviate hunger.**

- ◆ Assess current capacity and need for systems and support for collecting and storing healthy food choices.
- ◆ Support food pantries in securing sustainable funding for cold storage capacity allowing all pantries to offer fresh fruits and vegetables.
- ◆ Assist in building community partnerships and opportunities for bringing more locally grown produce into the emergency food system.

**Advocate for school district policies encouraging purchase of locally grown food for school meals and school-sponsored events.**

- ◆ Collaborate with schools to develop policies and procedures for developing and implementing successful school gardens.
- ◆ Support full implementation of current nutrition and physical activity policies in all Clark County schools.
- ◆ Support schools in adopting and implementing policies that ensure that all foods and beverages available on school campuses and at school events are consistent with the Dietary Guidelines for Americans.

#### Policy Change in Action

The Food System Council worked with the city of Vancouver to include food systems planning in the Comprehensive Plan.

Additions to the current plan include:

- Recruit and retain supermarkets in areas of need.
- Assess and promote opportunities to grow food and consider guidelines for service provision levels.

2011-2013

Vancouver Comprehensive Plan

## Access to Healthy Food

### Creating equitable access to healthy food choices through community and business partnerships

#### Strategies for Change

##### Address barriers to implementing SNAP (food stamps) benefits at farmers markets.

- ◆ Advocate for sustainable funding for markets to accept EBT (electronic benefits transfer).
- ◆ Support expansion of Fresh Match bonus program to all farmers markets and other vendors of locally grown food.

##### Encourage sustainable funding for the healthy retailers program.

- ◆ Advocate for sustainable funding for the healthy food retail program.
- ◆ Advocate for a statewide certification program to identify stores that carry healthy options.

##### Policy Change in Action

Eight neighborhood stores have signed on to the *Healthy, Here, Now* Neighborhood Store initiative, working to improve access to healthy food.

##### Increase healthy options where prepared foods are served.

- ◆ Participate with Clark County Public Health in developing a healthy restaurant initiative for local restaurants.
- ◆ Advocate for policies supporting healthy food options at all public venues and events.
- ◆ Support and promote efforts to ensure healthy food options are available in government, healthcare and other institutional settings.
- ◆ Advocate for reinstatement of summer food programs through support of parks levy.



## Looking Ahead Future Strategies

### Create local economic incentives for improving access to healthy food

- ◆ Assist convenience store owners to leverage their purchasing power to procure fresh produce and set up a distribution method.
- ◆ Support tax abatements to stores carrying a certain amount of healthy foods.
- ◆ Develop new fee structures or other financial incentives that prioritize sales of healthy and local foods at public events.

### Support and promote efforts to improve access to Good Agricultural Practice (GAP) certification and insurance for small farmers' distribution and sales.

# 2012 Clark County Food System Council

Robert Bacon  
Gary Boldt  
Sarah Brown  
Paul Childers  
Cheryl Gabriel  
Carolyn Gordon  
Erin Harwood, Co-Chair  
Dion Hess  
Jessie Hiller  
George Hoffman  
Garrett Hoyt  
Lynn Krogseng

Ron McKnight, Chair  
Cyndie Meyer  
Debe Nagy-Nero  
Warren Neth  
Kristine Perry  
Jennifer Prouse  
Tammy Rodriguez  
Amanda Schlegel  
Summer Steenbarger  
Alexander Van Dinter  
Bill Zimmerman

Council members are individuals living or working in Clark County, representing a wide variety of professions and viewpoints from our local food system.

The Council meets monthly on the fourth Thursday of each month. Meetings are open to the public.

Clark County Public Health supports work of the Council  
For more information contact:

Theresa Cross  
(360) 397-8000 ext 7378  
Theresa.Cross@clark.wa.gov





**Schroader, Kathy**

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 03, 2015 1:31 PM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Report from David McDonald  
**Attachments:** FOCC-Comments-150903.pdf

FYI and for the record. Thanks.

Oliver

---

**From:** Carol Duncan [<mailto:carol@mcdonaldpc.com>]  
**Sent:** Thursday, September 03, 2015 1:21 PM  
**To:** Orjiako, Oliver  
**Subject:** Re: Report from David McDonald

Hello Oliver:

David asked me to forward the following document to you.

Please let me know if you need any further assistance.

Thank you,

Carol Duncan  
Assistant to David T. McDonald  
503-226-0188 (ph)  
503-226-1136 (f)



FRIENDS OF CLARK COUNTY  
PO Box 513  
Vancouver, WA 98666  
friendsofclarkcounty@tds.net

September 3, 2015

Mr. Oliver Orjiako  
Community Planning  
1300 Franklin Street  
3<sup>rd</sup> Floor  
Vancouver, Washington 98660

Via pdf and e-mail only—[Oliver.Orjiako@clark.wa.gov](mailto:Oliver.Orjiako@clark.wa.gov)

Dear Mr. Orjiako:

There have been some public comments, and some documents placed in the public record, regarding Clark County's current agricultural land designations. Some of those comments, and maps, have been alleging that the County has failed to adequately designate agricultural resource lands and, most surprisingly, has relied on the "Poyfair Remand" opinion for that premise.

Before I go in depth into how the County is in compliance with designating Agricultural Resource Lands, and challenging the soils and designations is without merit, I think it is important to note that Judge Poyfair's opinion from Case No. 95-2-05656-7. In case number 95-2-05656-7, CCCU specifically asked Judge Poyfair to make the following finding:

There is not substantial evidence in the record to support the County's designation of agricultural lands. In particular, there is not substantial evidence to demonstrate how those lands designated satisfy the GMA definitional criteria; that is, that those lands are primarily devoted to agricultural production and are of long term commercial significance for the production of agricultural products. The only explanation provided regarding the designation of agricultural resource lands is contained in a staff report prepared after the RNRAC had completed its work which states "soils was a critical factor". This is not to suggest the County was incapable of analyzing the required statutory criteria: the County undertook a comprehensive

analysis of resource land designations in urban reserve areas when it was compelled by the Board to re-examine these designations. The County should have undertaken a similar analysis before designating any agricultural resource lands.

Because there is not substantial evidence in the record that satisfies the GMA's definitional criteria, the agricultural resource land designations are invalid.

*CCCU v. WWGMHB*, 96-2-00080-2 Findings of Fact, Conclusions of Law and Order at page 5<sup>1</sup>.

Judge Poyfair specifically rejected that Proposed Conclusion of Law and instead affirmed the County's actions with the following ruling: *"There is substantial evidence in the record to support the County's designation of agricultural resource lands"*. (emphasis supplied). Based upon the plain language of Judge Poyfair's order, he found that the County was in compliance with GMA as to this aspect of the appeal, the County had provided substantial evidence for its agricultural lands designations and Judge Poyfair rejected any finding that the County had not provided substantial evidence to demonstrate that the agricultural lands satisfied the GMA. CCCU did *not* appeal this ruling. Therefore, any assertion that has been made, or might be made by any person, that the County did not support its original agricultural lands designations is contrary to the Order drafted by the attorney for CCCU and signed by Judge Poyfair.

These comments recognize that Alternative #4 seeks to reduce the parcel sizes of the Forest Resource lands, the Agricultural Resource lands and the Rural lands. However, these comments are limited to the Agricultural land designations and considerations. These comments also recognize that the reductions in parcel size proposed by Alternative #4 would increase pressure on other larger lots to upzone to smaller parcels.

Clearly, Washington state law, the GMA and Clark County ordinances specifically recognize legally created non-conforming use lots throughout the County and nothing in any of the Alternatives attempts to limit those uses. No one disputes that those landowners in the rural area with legally developable non-conforming use lots should not be allowed to develop. However, although Alternative #4 does not state that it is de-designating resource lands, by upzoning many rural and resource land zones, and recognizing non-conforming lots that are not legally developable (meaning that they are not "legal lots under current Clark County Code), it creates pressure on the resource lands to try and put their lands into non-resource based use.

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<sup>1</sup> A copy of the pertinent page is attached.

According to staff and county counsel, there is no way to determine how many lots Alternative #4 will make legally developable that are, in fact, not legally developable. In fact, recently, Friends of Clark County requested a GIS map all of the lots listed in Alternative #4 that were not currently legally developable. The response was that the data was not available, meaning that no one from the County can assess how many lots that designated as legal buildable lots by Alternative #4 are currently legally buildable lots.

In addition, from some of the public comments, both orally at various public BOCC meetings and in written submissions, some argue that Alternative #4 is justified based upon the fact that the designated resource lands are, in fact, not properly designated. However, after years of litigation, may rulings by the WWGMHB and various courts, the decisions have been consistent that the lands designated under the current plan are properly designated as resource lands, presumed valid and compliant with GMA.<sup>2</sup> Most recently, the Washington Court of Appeal's 2011 decision on the County's 2007 comprehensive plan update concluded that Clark County's current agricultural lands designations are presumed valid.<sup>3</sup>

The underlying legal principle is that the GMA provides that counties must designate "[a]gricultural lands that are not already characterized by urban growth and that have long-term significance for the commercial production of food or other agricultural products." RCW 36.70A.170(1)(a). Importantly, "[T]he intent of a landowner to use land for agriculture or to cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production." WAC 365-190-060. In addition, the county must adopt development regulations "to assure the conservation of" those agricultural lands designated under RCW 36.70A.170. RCW 36.70A.060(1). *Lewis Cnty. v. W. Washington Growth Mgmt. Hearings Bd.*, 157 Wash. 2d 488, 498-99, 139 P.3d 1096, 1101 (2006). Therefore, any claims in support of changes to the current designations must not be based on the intent of the landowner for a specific piece of property.

The prevailing definition for agricultural lands is:

land: (a) not already characterized by urban growth (b) that is primarily devoted to the commercial production of agricultural products enumerated in RCW 36.70A.030(2), *including land in areas used or capable of being used for production based on land characteristics, and* (c) that has long-term commercial significance for agricultural

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<sup>2</sup> Clark County has already done these designations and been found compliant with the GMA, *CCCU, Inc and Michael Achen and Catherine Achen.*, 96-2-00080-2, Final Order, Poyfair, J.

<sup>3</sup> *Clark Cnty. Washington v. W. Washington Growth Mgmt. Hearings Review Bd.*, 161 Wash. App. 204, 234, 254 P.3d 862, 876 (2011) *vacated in part sub nom. Clark Cnty. v. W. Washington Growth Mgmt. Hearings Review Bd.*, 177 Wash. 2d 136, 298 P.3d 704 (2013)

production, as indicated by soil, growing capacity, productivity, and whether it is near population areas or vulnerable to more intense uses. We further hold that counties may consider the development-related factors enumerated in WAC 365-190-050(1) in determining which lands have long-term commercial significance.

*Lewis Cnty. v. W. Washington Growth Mgmt. Hearings Bd.*, *supra* at 502 (emphasis supplied).

Under a previous case, *Manke*, and the *Lewis County* case, both the Growth Board decisions and the court decisions make it almost explicit that where there is a reduction in lot sizes (for example as proposed by Alternative #4) then that heightens the pressure on the area to be used for non-agricultural uses.

The designation of agricultural resource lands is covered by WAC 365-190-060. Under these administrative rules, counties *must* approach the effort as a county wide or area wide process and not on a “parcel by parcel” basis. WAC 365-190-060(1). In addition, the legal directives are clear that the county is not to consider economic issues in designating lands:

Serving the farmer's “non-farm” economic needs is not a logical or permissible consideration in designating agricultural lands under the GMA. That is because it is a goal in and of itself, not a characteristic of farmland to be evaluated in determining whether such land has long-term commercial significance. A farmer's presumed need for “non-farm” income does not necessarily relate to soil, productivity or growing capacity under RCW 36.70A.030(10), nor to proximity to population areas or the possibility of more intense uses of land. It has to do only with the farmer's bottom line.

*Lewis Cnty. v. W. Washington Growth Mgmt. Hearings Bd.*, 157 Wash. 2d at 505.

The County went through that process prior to the adoption of the 1994 Comprehensive Plan (affirmed by Judge Poyfair’s decision) and it appears those designations were affirmed by the County in 2004 and 2007 as shown on the maps. When Clark County designated its lands in accordance with the regulations, it can utilize all classifications of soils from the United States Department of Agriculture Natural Resources (not just Soil Classifications 1 and 2 as has been argued by members of CCCU). Clark County defined its “Prime Agricultural Soils” as Classes I, II & III. *See*

[http://www.clark.wa.gov/planning/comp\\_plan/documents/Figure22-Soil-Agricultural.pdf](http://www.clark.wa.gov/planning/comp_plan/documents/Figure22-Soil-Agricultural.pdf).

<sup>4</sup>The county's designations of soils also shows areas of "Good" and "Fair" soils. If one views a map of the soils with an AG-20 overlay, the County has designated those lands that have class I-III soils as AG-20 parcels. See County GIS mapping.

Moreover, once designated, the county must act to conserve those lands through development regulations. WAC 365-190-060(2). Thus, the imposition of development regulations is the county's legally mandated tool for protecting and conserving designated agricultural lands. By law those development regulations cannot prohibit uses that legally existed prior to the designation and must include the following:

1. Regulations that assure that natural resources lands will remain available to be used for commercial production and prevent conversion to a use that removes the land from resource production and prohibit a primary use of agricultural lands that would convert the land to a non-agricultural land purpose. WAC 365-196-815(1)(b);
2. Regulations that endeavor to meld with other regional, state and federal resource management programs applicable to the same lands. WAC 365-196-815(2)(b);
3. Utilize innovative zoning techniques that are designed to assure the conservation of agricultural lands and encourage the agricultural economy while limiting any non-agricultural purpose to lands either with poor soils or not otherwise suitable for agricultural uses. WAC 365-196-815(3); and
4. Those "innovative" techniques could include: a) *limits the density of development*, b) restrictions or prohibitions on nonfarm uses and limitations on accessory uses to those that designed to conserve<sup>5</sup> agricultural lands and any non-agricultural use should be limited to lands with poor soils or otherwise not suitable for agricultural purposes, c)

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<sup>4</sup> The 2007 comprehensive plan maps also show the soils that are available for forests. [http://www.clark.wa.gov/planning/comp\\_plan/documents/Figure21-Soil-Forest.pdf](http://www.clark.wa.gov/planning/comp_plan/documents/Figure21-Soil-Forest.pdf)

<sup>5</sup> (b) "Conservation" means measures designed to assure that the natural resource lands will remain available to be used for commercial production of the natural resources designated. Counties and cities should address two components to conservation:

(i) Development regulations must prevent conversion to a use that removes land from resource production. Development regulations must not allow a primary use of agricultural resource lands that would convert those lands to nonresource purposes. Accessory uses may be allowed, consistent with subsection (3)(b) of this section.

(ii) Development regulations must assure that the use of lands adjacent to designated natural resource lands does not interfere with the continued use, in the accustomed manner and in accordance with the best management practices, of these designated lands for the production of food, agricultural products, or timber, or for the extraction of minerals. WAC 365-196-815

Cluster zoning with remainder in Agricultural land, d) Large lot zoning with minimum lot sizes large enough to achieve successful farming practice, e) quarter/quarter zoning that allows for (1) one acre home site per 40 acres f) slide scale zoning<sup>6</sup> and g) TDRs. WAC 365-196-815(3).

FOCC asserts that Alternative #4 violates WAC 395-190-060(2) by allowing for a large scale reduction in large lot zoning with minimum lot sizes that would be large enough to achieve successful farming practices. Also, the more one allows the smaller developable lots in the rural area, the more pressure there is on other landowners with large lots to parcel them out. For example, under Alternative #4 as proposed, the county could have two AG 20 lots sitting side by side. If one of those AG-20 lots is currently divided into 20 non-legally developable one acre parcels, Alternative #4 would recognize those lots and allow 20 homesites. Once that occurs, by law the County would have to allow the adjoining AG 20 parcel to develop 20-one cre lots either under a Comprehensive plan amendment or an assertion of a change in circumstances. The “domino” effect would be real and sustained.

Washington State Supreme Court has held in the Soccer Fields decision that [t]he County was required to assure the conservation of agricultural lands and to assure that the use of adjacent lands does not interfere with their continued use for the production of food or agricultural products.<sup>7</sup> A ten acre minimum lot size and density will not meet this standard. Professor Arthur C. Nelson analyzed agricultural land preservation techniques and concluded that “[m]inimum lot sizing at up to forty-acre densities merely causes rural sprawl—a more insidious form of urban sprawl.”<sup>8</sup> Further, Clark County’s average farm size has increased from 37 acres in 2007 to 39 acres in 2012, an increase of 5.4 percent.<sup>9</sup> During the same time period, Washington’s average farm size increase by 4 percent.<sup>10</sup> The increase in average farm size does not support a reduction in the minimum lot size and density.

In conclusion, the comments that have been provided by proponents of Alternative #4 regarding agricultural lands seem to be a misplaced attempt at de-

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<sup>6</sup> I believe a good example of this would be the zoning in our Rural Centers.

<sup>7</sup> *King County v. Central Puget Sound Growth Management Hearings Bd. (Soccer Fields)*, 142 Wn.2d 543, 556, 14 P.3d 133, 140 (2000) emphasis in original.

<sup>8</sup> Arthur Nelson, *Preserving Prime Farmland in the Face of Urbanization: Lessons from Oregon* 58 JOURNAL OF THE AMERICAN PLANNING ASSOCIATION 467, 471 (1992). The Journal of the American Planning Association is a peer-reviewed journal.

<sup>9</sup> United States Department of Agriculture, National Agricultural Statistics Service, *2012 Census of Agriculture Washington State and County Data Volume 1 • Geographic Area Series • Part 47 AC-12-A-47 Chapter 2: County Level Data, Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2012 and 2007* p. 271 (May 2014) accessed on Aug. 2, 2015 at: [http://www.agcensus.usda.gov/Publications/2012/Full\\_Report/Volume\\_1\\_Chapter\\_2\\_County\\_Level/Washington/wav1.pdf](http://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1_Chapter_2_County_Level/Washington/wav1.pdf).

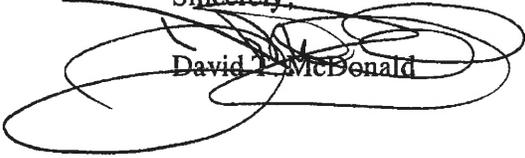
<sup>10</sup> *Id.*

Mr. Oliver Orjiako  
Page 7  
September 3, 2015

designation. These lands are designated and presumed valid. There is a specific process for de-designation that is not being undertaken. Therefore, the comments regarding soils and resource lands that appear to undermine the designations should not, and cannot be used as grounds for justifying reductions in the minimum lot sizes and, given that Clark County used the minimum lot sizes as one of the regulatory tools under WAC 365-196-815(3) to protect those resource lands, by embracing Alternative #4, the County is acting in contravention of the mandate to protect these previously designated, GMA compliant and presumptively valid agricultural lands.

Please submit these comments under both the DSEIS and the record on the Comprehensive Plan update to the extent that the records are different.

Sincerely,

  
David T. McDonald

1 is no substantial evidence in the record to support the designation of agri-forest lands as resource  
2 lands under the GMA.

3 Additionally, the failure to solicit meaningful public input for the agri-forest resource  
4 lands violated the public participation provisions of the GMA requiring early and continuous  
5 public participation in the development and adoption of comprehensive plans.

6 5. Agricultural Resource Lands. There is ~~not~~ substantial evidence in the record to  
7 support the County's designation of agricultural resource lands. ~~In particular, there is not~~  
8 ~~substantial evidence to demonstrate how those lands designated satisfy the GMA definitional~~  
9 ~~criteria; that is, that those lands are primarily devoted to agricultural production and are of long-~~  
10 ~~term commercial significance for the production of agricultural products. The only explanation~~  
11 ~~provided regarding the designation of agricultural resource lands is contained in a staff report~~  
12 ~~prepared after the RNRAC had completed its work which states, "soils was a critical factor."~~  
13 ~~This is not to suggest the County was incapable of analyzing the required statutory criteria: the~~  
14 ~~County undertook a comprehensive analysis of resource land designations in urban reserve areas~~  
15 ~~when it was compelled by the Board to re-examine these designations. The County should have~~  
16 ~~undertaken a similar analysis before designating any agricultural resource lands.~~

17 ~~Because there is not substantial evidence in the record that satisfies the GMA's~~  
18 ~~definitional criteria, the agricultural resource land designations are invalid.~~

19 6. Comprehensive Plan EIS. The Comprehensive Plan EIS issued by the County  
20 violates the State Environmental Policy Act ("SEPA"), RCW Ch. 43.21C. The agri-forest  
21 resource land designations were disclosed subsequent to the publication of the final Plan EIS and  
22 were not disclosed or discussed in any way in the EIS alternatives. The removal of rural activity  
23 centers also was not addressed in the EIS. The County did not require additional environmental  
24 review and did not solicit additional public comments. The County failed to comply with  
25 SEPA's requirement for additional environmental review when a proposal changes substantially  
26 from the one addressed in the initial EIS. The Board's decision to uphold the adequacy of the

## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 03, 2015 4:49 PM  
**To:** Euler, Gordon; Alvarez, Jose; Kamp, Jacqueline  
**Cc:** Schroader, Kathy  
**Subject:** FW: Joint PC/BOCC Hearing on draft SEIS

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI and for the record.

---

**From:** Robert Maul [mailto:RMaul@cityofcamas.us]  
**Sent:** Thursday, September 03, 2015 4:47 PM  
**To:** Orjiako, Oliver  
**Subject:** RE: Joint PC/BOCC Hearing on draft SEIS

Good afternoon, Oliver.

The City of Camas is still in support of Option 3. Please make sure our position is part of the record.

Regards,

**Robert Maul**  
Planning Manager  
City of Camas  
616 NE 4<sup>th</sup> Ave.  
Camas, WA 98607  
[rmaul@cityofcamas.us](mailto:rmaul@cityofcamas.us)  
(360) 817-1568 Ext. 4255



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**From:** Orjiako, Oliver [mailto:Oliver.Orjiako@clark.wa.gov]  
**Sent:** Tuesday, August 25, 2015 10:32 AM  
**To:** Euler, Gordon; 'Mitch Kneipp'; Anderson, Colete; Amanda Smeller-Woodland; Snodgrass, Bryan; Eiken, Chad; Elizabeth Decker-Consultant; Eric Eisemann-Consultant; Erin Erdman-Battle Ground; Jeff Niten-Ridgefield; Jeff Sarvis-La Center; Pete Roberts-Yacolt; Phil Bourquin; Ransom, Matt; Robert Maul; Sam Crummett-Battle Ground; Wisser, Sonja  
**Cc:** Anderson, Colete; Albrecht, Gary; Alvarez, Jose  
**Subject:** Joint PC/BOCC Hearing on draft SEIS

Good morning dear colleagues:

I hope you all had a good summer as it's about to end. I am back and have a lot of catch up to do. I thank you all for your support of Gordy and staff while I was out.

The Joint PC/BOCC hearing on the draft SEIS are scheduled for September 3 and 10 starting at 6:00 p.m. on the 6<sup>th</sup> floor. Our next meeting is on September 11, 2015 after the joint hearings. So we will not have opportunity to meet before the joint hearings. I believe you have read the DSEIS and are prepared to provide comment and/or testimony into the record. I am reading the document myself. If you have questions, please feel free to contact me or Gordy.

Again, thank you all for your continued support.

Best Regards,

Oliver

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**From:** Euler, Gordon  
**Sent:** Thursday, July 30, 2015 4:43 PM  
**To:** 'Mitch Kneipp'; Anderson, Colete; Amanda Smeller-Woodland; Snodgrass, Bryan; Eiken, Chad; Elizabeth Decker-Consultant; Eric Eisemann-Consultant; Erin Erdman-Battle Ground; Jeff Niten-Ridgefield; Jeff Sarvis-La Center; Pete Roberts-Yacolt; Phil Bourquin-Camas; Ransom, Matt; Robert Maul-Camas; Sam Crummett-Battle Ground; Orjiako, Oliver; Wisner, Sonja  
**Cc:** Orjiako, Oliver; Anderson, Colete; Albrecht, Gary; Alvarez, Jose  
**Subject:** RE: August 14 City/County Meeting

All:

Thank you all for responding. A few of you are on vacation that day (as will I be, and of course Oliver). A couple of you said they were available, and a couple said they would like to meet. We, of course, don't want to lose opportunity to get together, and we also need to be respectful of your time. So, based on the responses we got, we will *not* meet on August 14. The next meeting date looks to be September 11, and I think it's the county's turn to host.

We are still on schedule to release the draft SEIS on August 5 (Wednesday). Please let me know if you have any questions or concerns. Thanks.

Gordy

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**From:** Mitch Kneipp [<mailto:Mitch.Kneipp@cityofwashougal.us>]  
**Sent:** Wednesday, July 29, 2015 10:31 AM  
**To:** Anderson, Colete; Amanda Smeller-Woodland; Snodgrass, Bryan; Eiken, Chad; Elizabeth Decker-Consultant; Eric Eisemann-Consultant; Erin Erdman-Battle Ground; Jeff Niten-Ridgefield; Jeff Sarvis-La Center; Pete Roberts-Yacolt; Phil Bourquin-Camas; Ransom, Matt; Robert Maul-Camas; Sam Crummett-Battle Ground; Euler, Gordon; Orjiako, Oliver; Wisner, Sonja  
**Subject:** RE: August 14 City/County Meeting

I'd be happy to meet.

**Mitch Kneipp** | Community Development Director | City of Washougal  
City Hall | 1701 C Street | Washougal, WA 98671 | 360.835.8501 Ext.604 | FAX 360.835.8808



---

**From:** Anderson, Colete [<mailto:Colete.Anderson@clark.wa.gov>]  
**Sent:** Wednesday, July 29, 2015 8:27 AM

**To:** Amanda Smeller-Woodland; Snodgrass, Bryan; Eiken, Chad; Elizabeth Decker-Consultant; Eric Eisemann-Consultant; Erin Erdman-Battle Ground; Jeff Niten-Ridgefield; Jeff Sarvis-La Center; Mitch Kneipp; Pete Roberts-Yacolt; Phil Bourquin-Camas; Ransom, Matt; Robert Maul-Camas; Sam Crummett-Battle Ground; Euler, Gordon; Orjiako, Oliver; Wisner, Sonja  
**Subject:** August 14 City/County Meeting

Good Morning!

Our next City/County Meeting is scheduled for August 14... We're taking a poll to see if you would still like to meet? If yes, topic?

1. The BOCC rejected issue paper 6 at their July 15 work session and instructed us to cancel all PC and BOCC hearings.
2. The DSEIS will be released on Wednesday, August 5. We will post it on the web and have 1 hard copy delivered to city halls and libraries. Joint PC/BOCC hearings are scheduled for September 1 and 3.

Please reply all.... Thank you!!

Ps. Oliver is in Nigeria mourning the loss of his older brother while his Mom is in critical condition. We don't expect him back until the end of August.

Colete



Colete Anderson  
Clark County Community Planning  
1300 Franklin St., Vancouver, WA  
360-397-2280 ext.4516  
[www.clark.wa.gov/planning](http://www.clark.wa.gov/planning)

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419 E. Cedar Ave., Ste. A201 • La Center, WA 98629

September 3, 2015

Clark County Board of County Councilors  
1300 Franklin, 6<sup>th</sup> Floor  
Vancouver, WA 98666

Dear Councilors;

Thank you for the opportunity to provide La Center's comments on the Draft Supplemental Environmental Impact Statement. We appreciate the opportunity to coordinate with Clark County.

The City of La Center supports Alternative 3 because it will help us create local jobs at the I-5 Junction and because it will assist the La Center School District in building a new elementary school. Alternatives 1, 2 and 4 do not directly help La Center create new jobs and they alone will not prevent the City from falling short of the county-wide jobs to housing balance.

For the the record, The City of La Center offers the following technical comments to the Draft Supplemental Environmental Impact Statement (DSEIS):

- The DSEIS contains several mapping errors relating to La Center:
  - All of the jurisdiction maps within the draft SEIS use the La Center city limit boundaries for 2012 not 2015. Since the base map is wrong it should easy to fix the problem.
  - Figure 1-3a, Alterative 3 Comprehensive Plan and Zoning for UGA Expansion, the color on the La Center maps for the proposed 17-acre School District expansion is shown as Commercial rather than Public Facilities.
- Table 6-4, Land Use Designation Change by Area, states that La Center experienced a 500 acre change in its UGA due to a mapping 'discrepancy' relating to a changed water designation. We watched our UGA shrink significantly after 2007 because of a later court decision and because of a large annexation but are not aware of the water designation error.

We also offer the following substantive comments into the record on the DSEIS:

- Financial Burden. The draft DSEIS does not take a serious look at the financial cost of each alternative, particular infrastructure costs. The SEIS would be much stronger and would provide a better foundation for selecting a preferred alternative if it included at least a generalized



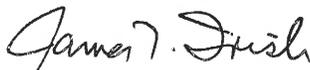


comparison of costs per alternative. Alternative 1 provides a starting point by using existing city/county CFPs. The DSEIS acknowledges Alternative 4 will produce more significant costs but unfortunately provides no insight into what those costs might be. For example, the DSEIS does not discuss in meaningful detail how any jurisdiction might respond to increased local transportation costs relating to the 120,000+ average daily trips 12,400 new homes in the rural area will generate.

- Groundwater. The ground water section (3.2), states that little has changed since 2007. How do we know that rural groundwater reserves are the same today? The DSEIS states that 95% of all potable water in Clark County comes from groundwater. If Alternative 4 will add 12,400 new homes outside of the UGAs where will that water come from, CPU and wells? The SEIS should examine the rural area's capacity for future ground water extraction. Given the anecdotal evidence that North County private wells are pumping deeper, Alternative 4 must consider groundwater extraction more thoroughly.
- Septic. Figure 2-3, page 2-6, illustrates clearly most county soils have "Very Limited" potential to accommodate septic systems. The ground water discussion says that there is a higher chance of groundwater contamination when you increase rural housing. This contamination could reasonably come from 12,400 new septic systems. The SEIS should take a deeper look at ground water sources, long term capacity and should measure that baseline against the greater risk of groundwater contamination that Alternative 4 will create.
- Soils. Section 2.1.1, page 2-2, states there has been little change in soil conditions since 2007. Figure 2-1, Soils Capabilities for agricultural use, depicts soils ranging from 'prime' to 'not prime'. Is this the same soil map that was used for the 2007? The SEIS should clearly state the source of evidence supporting this claim.
- Transportation. The transportation chapter does not provide any measurable data which might assist a city as it tries to calculate what the transportation impacts from rural development will be under Alternatives 2 or 4. It is not enough to say that Alternative 4 has the "highest potential for impacts". This is a common sense statement but is not supported by evidence and analysis. The cities need better information about how the creation of 12,400 new parcels will directly affect their local infrastructure. In our area, all County roads lead into and through La Center.

Thank you for the opportunity to comment on this iteration of the SEIS and we look forward to a more robust assessment of actual impacts in the next iteration.

Sincerely,



James T. Irish,  
Mayor, City of La Center





September 3, 2015

Clark County Councilors  
Clark County Planning Commission  
P.O. Box 9810  
Vancouver, WA 98666-9810

Oliver Orjiako  
Director, Clark County Community Planning  
P.O. Box 9810  
Vancouver, WA 98666-9810

**Comments submitted for the Record for the September 3, 2015 hearing on the Draft Supplemental Environmental Impact Statement.**

Dear Clark County Councilors, Planning Commissioners and Dr. Orjiako:

I am submitting these comments for the record as part of the September 3, 2015 hearing on the Draft Supplemental Environmental Impact Statement (DSEIS) for the Comprehensive Plan update. I am submitting these as a candidate for Clark County Council District 2, and as a resident of Clark County.

**Request that All Five Councilors Act on Preferred Alternative**

I will repeat my request made at the April 14, 2015 hearing on Alternative 4. The current Comprehensive Plan process, including SEPA Supplemental Environmental Impact Statement development, would have the current three-person Council making a preferred alternative decision before November 2015. That would prevent the two new Council positions, under the adopted Home Rule Charter, from having a part in such an important policy decision.

**As such, I am requesting that the Council postpone any decision on the Preferred Land Use Alternative until all five County Councilors are seated in office.**

**To implement this request and address State mandated deadlines, I recommend that the County Council adopt Alternative 1, the current Comprehensive Plan, as the "Interim Comprehensive Plan", for a period of two years. I am recommending the county undertake a value-based Comprehensive Planning process, which I outline later in this letter.**

Chuck Green Comments  
Comprehensive Plan Update September 3 Hearing

As the county's former Transportation Manager and as a professional with over 23 years of transportation experience in Clark County, I am focusing my comments on Transportation for the DSEIS. The DSEIS provides a good, qualitative assessment of the four land use alternatives. I am providing a quantitative assessment of each alternative.

A matrix containing my more detailed analysis is included as an attachment to this letter.

### **Alternatives 1 and 3**

Alternatives 1 and 3 have the least detrimental impacts on the county's transportation system. Additionally, they have the least impact on the affordability of the transportation capital facilities plans for each alternative, including roads/freight, C-TRAN, and bicycle/pedestrian facilities.

Both Alternatives 1 and 3 contain a balance of urban and rural residential development and jobs. There will be measurable increases in traffic congestion along major corridors as road and public transportation improvements will not keep up with increases in trips and traffic congestion. There will be some increase in traffic congestion along major rural arterials such as NW 31<sup>st</sup> Avenue, NE 72<sup>nd</sup> Avenue, and NE 182<sup>nd</sup> Avenue.

With continued non-residential fee waivers, the county will struggle to implement much-needed transportation improvements to NE 10<sup>th</sup> Avenue, NE 179<sup>th</sup> Street, NE 72<sup>nd</sup> Avenue, and other arterials.

### **Alternatives 2 and 4**

Alternatives 2 and 4 will both result in increased rural trip making and increased traffic on rural arterials. With a larger number of rural lots possible compared to Alternatives 1 and 3, without corresponding job creation, residents of the rural area will travel long distances to job markets in Ridgefield, Vancouver, Camas and Oregon. Several rural corridors will experience over-capacity conditions during peak periods.

These alternatives will have the highest negative impacts on public transportation (C-TRAN), pedestrian and bicycle travel and facilities, and safety.

These alternatives will increase traffic levels, and therefore expand the hours of over-capacity demand, on both I-5 and I-205 across the Columbia River compared to Alternatives 1 and 3. It is likely that with the amount of congestion and idling delays of vehicles on the I-5 and I-205 corridors, and the expanded hours of over-capacity congestion, the region's air quality could suffer to the point nearing being in non-attainment.

### **My Value-Based Planning Proposal**

After talking with a number of people across the political spectrum at and subsequent to the Hockinson open house as well as hundreds of people during my campaign, I recommend that the county hold off on further developing and assessing alternatives and instead, undertake a broad, value-based community discussion on

Chuck Green Comments  
Comprehensive Plan Update September 3 Hearing

what should go into the Comprehensive Plan. I believe there are components of Alternative 4 that could be incorporated to protect property rights and family investments while also being compliant with the Growth Management Act.

As a candidate for County Council, if elected, I would be happy to champion such an effort. I do not have any financial gain realized in any of this effort nor am I associated with anyone who does stand to gain financially.

**My Value-Based Plan process includes:**

- **Reaching community agreement or informed consent on values and performance measures with which to develop and evaluate the Plan.**
- **Inclusion, rather than exclusion, by involving a comprehensive variety of community groups, such as Clark County Citizens United, Friends of Clark County, land conservation as well as the building and development community, and others, to provide input and discuss trade-offs of various options.**
- **Bringing in a group such as WSU-Vancouver's Initiative for Public Deliberation to facilitate a series of forums to capture community input.**
- **Allowing County Planning staff to fairly and equitably develop and evaluate a plan for community review, before acted on by the FIVE County Councilors.**

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chuck Green', with a stylized flourish at the end.

Chuck Green

Ridgefield Resident

Candidate for Clark County Council District 2

**Attachment 1: Roadway Transportation Measures**

Measure	2014-2015	2035			
	Current	Alternative 1	Alternative 2	Alternative 3	Alternative 4
Cross-Columbia River Trips	284,327	356,700	Likely >380,000	Similar to Alternative 1	Likely >380,000
Hours/weekday over capacity, I-5 Bridge and approaches	4-5 hours	10-11	Likely 10-13	Similar to Alternative 1	Likely 10-13
Major Facilities at LOS E/F (Clark County only)	I-5, 2 miles I-205, 2.5 miles SR-14, 1.5 miles 4 <sup>th</sup> Plain, 2.5 mi. 18 <sup>th</sup> Street, 2 mi.	I-5, 5 miles I-205, 3 miles SR-14, 2 miles 4 <sup>th</sup> Plain, 3 miles 18 <sup>th</sup> Street, 4 mi. SR 503, 7 miles 134 <sup>th</sup> Street Andresen Road, SR 500 to 78 <sup>th</sup> Street  Mill Plain 162 <sup>nd</sup> /164 <sup>th</sup> La Center Road	I-5, 6 miles I-205, 3.5 miles SR-14, 2 miles 4 <sup>th</sup> Plain, 3 miles 18 <sup>th</sup> Street, 4 mi. SR 503, 7 mi. 134 <sup>th</sup> Street Andresen Road/72 <sup>nd</sup> Avenue, Dollars Corner to 78 <sup>th</sup> Street Mill Plain 162 <sup>nd</sup> /164 <sup>th</sup> La Center Road 182 <sup>nd</sup> Ave. Lakeshore/NW 36th	I-5, 5 miles I-205, 3 miles SR-14, 2 miles 4 <sup>th</sup> Plain, 3 miles 18 <sup>th</sup> Street, 4 mi. SR 503, 7 miles 134 <sup>th</sup> Street Andresen Road, SR 500 to 78 <sup>th</sup> Street  Mill Plain 162 <sup>nd</sup> /164 <sup>th</sup> La Center Road	I-5, 6 miles I-205, 3.5 miles SR-14, 2 miles 4 <sup>th</sup> Plain, 3 miles 18 <sup>th</sup> Street, 4 mi. SR 503, 7 miles 134 <sup>th</sup> Street Andresen Road/72 <sup>nd</sup> Avenue, Dollars Corner to 78 <sup>th</sup> Street Mill Plain 162 <sup>nd</sup> /164 <sup>th</sup> La Center Road 182 <sup>nd</sup> Ave. Lakeshore/NW 36th
Impacts to Roadway Capital Facilities Plan	---	Moderate, relatively financially constrained	Moderate-to-substantial. Rural improvements not funded.	Moderate, relatively financially constrained	Moderate-to-substantial. Rural improvements not funded.
Safety – High Accident Locations	23 intersections	Likely slight increase in collisions at high accident locations	Likely moderate increase in collisions at high accident locations; higher risk of increased vehicle & bike collisions on rural arterials	Likely slight increase in collisions at high accident locations	Likely moderate-to-high increase in collisions at high accident locations; higher risk of increased vehicle & bike collisions on rural arterials

Sources: RTC Traffic Counts, RTC Congestion Management Monitoring Report, RTC 2014 Safety Management Assessment, Current Clark County Comprehensive Growth Management Plan, DSEIS, ODOT reports by Cambridge Systematics, RTC Model runs (extrapolations by C. Green).

**Attachment 2: Other Transportation Measures**

Measure	2014-2015	2035			
	Current	Alternative 1	Alternative 2	Alternative 3	Alternative 4
C-TRAN accessibility (walk/bike access to bus routes)	Urban: Good  Rural: only selective service	Urban: Good  Rural: only selective service; 7,000 new lots not within transit access	Urban: Good  Rural: only selective service; 8,220 new lots not within transit access	Urban: Good  Rural: only selective service; 7,000 new lots not within transit access	Urban: Good  Rural: only selective service; 12,400 new lots not within transit access
C-TRAN operating costs	Balanced	Moderate budget impacts if rural service extended	Moderate-to-high impacts if rural service extended; may require tax increase	Moderate budget impacts if rural service extended	Moderate-to-high impacts if rural service extended; may require tax increase
Walk/Bike impacts		Moderate impacts on rural bike/walk	Higher traffic on rural bicycling corridors	Moderate impacts on rural bike/walk	Higher traffic on rural bicycling corridors
Freight	Substantial delays to regional and interstate freight on I-5 and I-205. Hanjin pulling out of Port of Portland has increased truck traffic on I-5 by as much as 400-500 per day.	Substantial delays to regional and interstate freight on I-5 and I-205. Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will double, increasing the cost of goods.	Substantial delays to regional and interstate freight on I-5 and I-205, even higher than Alternatives 1 and 3. Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will more than double, increasing the cost of goods over that of Alternatives 1 and 3.	Substantial delays to regional and interstate freight on I-5 and I-205. Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will double, increasing the cost of goods.	Substantial delays to regional and interstate freight on I-5 and I-205, even higher than Alternatives 1 and 3. Without improvements to I-5 or I-205 crossings of the Columbia River, truck/freight delays will more than double, increasing the cost of goods over that of Alternatives 1 and 3.

Sources: RTC Traffic Counts, RTC Congestion Management Monitoring Report, RTC 2014 Safety Management Assessment, Current Clark County Comprehensive Growth Management Plan, DSEIS, ODOT reports by Cambridge Systematics, RTC Model runs (extrapolations by C. Green).



## Schroader, Kathy

---

**From:** Brad Fresch <bradfresch@msn.com>  
**Sent:** Friday, September 04, 2015 7:38 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comprehensive Growth Management Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My preference is Alternative 4.

I don't like Alternative 3 at all.

Best Regards,

Brad Fresch



## Schroader, Kathy

---

**From:** Dave Campbell <dave@pcpower.net>  
**Sent:** Friday, September 04, 2015 10:27 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comp-plan comment

Having lived and worked in Clark county since 1962, I have seen many changes to the entire area over the years. As a fire commissioner for nearly 32 years I saw increasing population and pressures for more places to build homes, mainly in the "forest interface". Dangerous as these areas are to wildland fires, with proper remediation they can be made much safer. These homes, while many are needed for the increasing population from the influx of people migrating to our area, they are in a larger part needed for the families of our resident population as they married and started raising their own families. The question thus arises as to how can we leave land to our children so that they can continue to live here?

Large lots of 10, 20 to 40 acres or more prohibit many of our older residents from partitioning a few acres for our children or to utilize that long term investment in land to support us in our waning years. Those large lots are, in many cases taxed under one of the land use categories which would then under any subdividing would be withdrawn from the land use category. Recognizing that a strain on our infrastructure could occur, however, a great deal of the additional cost of improvement would be covered in the increased taxes under the new classification of the properties.

I do support Alternative 4 as proposed or Alternative 2 as a compromise.  
I do not support Alternate 1.

Dave Campbell  
15817 NE Boutelle Rd  
Battle Ground, WA 98604

[dave@pcpower.net](mailto:dave@pcpower.net)



**Schroader, Kathy**

---

**From:** susancolby45@comcast.net  
**Sent:** Friday, September 04, 2015 10:33 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** growth plan

As a citizen of Clark county, I am very much against Alternative 4, which breaks up our rural landscape -- a sure step towards destroying the livability and character of our county. If you seek an urban county, cross the river. We are not Portland North.

Thank you,  
Susan Colby, Ph.D.



**Schroader, Kathy**

---

**From:** Bobbie White <bobbielaurie@hotmail.com>  
**Sent:** Saturday, September 05, 2015 1:02 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comprehensive Growth Management Plan alternatives comment

To: Clark County Council

My husband and I moved to Clark County in mid-May this year after being away from the Portland/Vancouver area for twelve years. As you can imagine, we are shocked by the increased amount of traffic coming and going over both the Interstate bridge and the I 205 bridge. Therefore, Alternative #4 should not even be on this list until the WA/OR transportation plan is seriously addressed!

#3 looks like the best alternative at this point to create more area for the cities of Battle Ground, La Center, Ridgefield and Washougal to expand and promote business development since "no-action" would still create more lots without specifically addressing the needs of these towns.

*Thank you for this opportunity to comment prior to your decision.*

*Bobbie White  
4016 NW 77th Avenue  
Camas, WA 98607  
503-516-5880*



## Schroader, Kathy

---

**From:** RITA DIETRICH <billritadietrich@outlook.com>  
**Sent:** Friday, September 04, 2015 1:03 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** The Four Alternatives

Good Afternoon,

Due to family health problems, I have been unable to attend your meetings. After reading comments made, I realized some people are asking rural citizens to sacrifice another 20 years of not being able to do anything with their property. That is 40 years out of their lives. Those citizens who have acquired property for future retirement planning such as retirements homes, nursing home, etc. will not have that opportunity. Those who are in their later years will be the ones really affected by this action. Rural people moved or have lived for many years in the country will not be building 12,410 houses. That is not realistic and not how most rural folks want to live. There must be a way so the rural citizens do not have to bear all the burden.

Thank you for listening,  
Rita Dietrich  
Brush Prairie, WA  
360-892-3686



## Schroader, Kathy

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**From:** Mary Trostle <mary678966@yahoo.com>  
**Sent:** Friday, September 04, 2015 1:20 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Unincorporated but vital to our future

Please note I am a party of record,  
Residing at 17210 NE 26th Way  
Vancouver WA 98684.

I have watched in sadness and dismay that large farms are sold to developers who have no regard for the neighbors and citizens of Clark County.

We currently have a proposed development on NE 172nd - Cox Family Trust Subdivision.

The engineering firm submitted an inaccurate SEPA report, did not manage the logging/construction sites, and allowed subcontractors to break the conditions of logging permits.

The ability to effectively manage growth and development by county code enforcement is currently broken.

I am not in favor of the fourth proposal.

It will ruin our fragile environment, put our current and future water resources at huge risk of contamination, and will impact our infrastructure (schools, roads, services) negatively.

Sincerely,

Mary Trostle

17210 NE 26 Way

Vancouver, WA 98684

Sent from my iPhone



## Schroader, Kathy

---

**From:** prem\_indu@comcast.net  
**Sent:** Friday, September 04, 2015 1:34 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Our vote on Clark County Growth Plan

Kindly record our Vote on Alternatives for the Clark County Growth Plan as follows -

Alt. 1 - We vote for Alt. 1. Strongly Favor.

Alt. 3 - Next best alternative, but we don't vote for this alt.

Alt. 2 - Strongly against.

Alt. 4 - No way this alt. should be approved/implemented. We are most strongly against this alt.

Prem Sood  
Indu Sood  
6515 NE 192nd Avenue, 98682

Mailing address - PO Box 5744, Vancouver 98668.



## Schroader, Kathy

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**From:** Susan Saul <susan103saul@gmail.com>  
**Sent:** Saturday, September 05, 2015 9:12 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comp Plan Comments

Community Planning  
Comp Plan Comments  
P.O. Box 9810  
Vancouver WA 98666

Thank you for the opportunity to comment on the alternatives for the 2016 Comprehensive Growth Management Plan update. I have read the document online and, based on the available information and analysis, I support Alternative 1.

I do not think that Clark County should reduce the minimum lot size in the Agricultural zone from 20 acres to 10 acres or the minimum lot size and density in the Forest-40 zone from 40 acres to 20 acres. Alternatives 2, 3, and 4 do not protect the county's forests, agricultural industry or water resources.

We need to protect our working farm and forest lands through land use planning and policies that prevent waste and fragmentation, stop sprawl, and provide efficient transportation systems, affordable housing and local businesses. We need urban growth areas to save taxpayers and ratepayers money and protect our water resources and rural, agricultural and forest lands. Clark County does not have the water to support doubling the number of lots allowed in the forest and agricultural zones.

Reducing minimum lot sizes in alternatives 2, 3, and 4 would allow increased density of development leading to impacts on water resources through an increase in the number of new wells, reducing water supply, and increasing risks of contamination of aquifers, wetlands and streams from an increased number of septic systems. Changing hydrologic function through increased groundwater withdrawals and surface and stormwater runoff would impact wetlands and their buffers, in turn affecting our major watersheds. The East Fork Lewis River is a critical watershed for salmon and steelhead recovery and needs to be protected.

A 20-acre forest zone is too small to be economically feasible for forest management. It becomes too expensive to prepare, cut and replant a parcel smaller than 40 acres, so reducing the minimum lot size would effectively take current forest lands out of production. The county must also ensure that the use of adjacent lands does not interfere with working forest management and commodity production.

Reducing development in agricultural and forest lands also has significant environmental benefits, including protecting aquifers and fish and wildlife habitat, including streams and wetlands. Habitat fragmentation is among the most serious of threats to biological diversity, as determined by a consensus of conservation biologists. "Fragmentation" has been defined as the division of natural habitat into progressively smaller patches of smaller total area isolated from each other until the habitat is no longer able to sustain native plants and animals. Habitat fragmentation causes both immediate and time-delayed biodiversity loss. Fragmentation not only removes habitat but also isolates and fragments the lands and waters that fish and wildlife are trying to travel across. Isolation makes it harder for individuals to find mates, have enough nesting sites, and find enough food within a limited foraging area. Alternative 4 would potentially fragment 65,000 acres spread over the county.

Sprawling land development outside the urban growth areas would increase the need for expansion of public facilities, road improvements and additional transit routes. Alternative 4 would have significant impacts and the burden would fall on all residents in the county to pay for expanded fire and police protection, emergency medical services, public schools, parks and recreation, libraries, and solid waste, water, and power utilities. Property taxes and utility rates might be raised county-wide to support these expanded services.

Alternative 1 meets our county's needs for land for housing and jobs. We do not need to increase the number of lots in Clark County.

I urge the County Council to select Alternative 1 for the 2016 Comprehensive Growth Management Plan update.

Sincerely,

Susan Saul  
10102 NE 10th Street  
Vancouver, WA 98664

## Schroader, Kathy

---

**From:** dawn <majus@aracnet.com>  
**Sent:** Saturday, September 05, 2015 3:41 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** county plan

Part of this process started off with a "survey" from Clark County asking 20 acre parcel owners, "would you like choice" about how you develop your land. As a 20 acre parcel owner, rather than being asked "would you like choice", we should instead be asked "would you like to pay more in taxes"? Even if we don't want to subdivide, with Alternative 4 the county will split our acreage and if our contiguous neighbor wants to subdivide, our parcel will become "worth more" and we and our neighbors will be charged more in taxes. This is one of the ways people on fixed incomes are pushed off their land. They can no longer afford the taxes or are forced to develop, pushing the build and develop agenda rather than a sustainable, smart growth, or policies that value preservation of green spaces. We know that health is improved when we plan for growth and develop in ways that offer walkability, community, and green space.

When uncontrollable growth occurs in the body, we call it cancer. Having 12,000 new building sites (alternative 4) is an invitation to a malignant quality of life. We need land dedicated to agriculture, wetlands that offer fish and habitat health to birds and wildlife. This area is one of the most beautiful places in the world. We need to preserve this county and keep it a green, healthy, and livable place for ourselves and our children. For these reasons I support Alternative 1.

Sincerely, Dawn Doutrich, RN



**Schroader, Kathy**

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**From:** janine lamberg <janinelamberg@gmail.com>  
**Sent:** Sunday, September 06, 2015 11:32 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Growth plan

FOR THE PUBLIC RECORD

To David Madore, Jeanne Stewart, Tom Mielke

I urge you to adopt alternative 4 and return private property rights to the rural land owners who own and are paying taxes on that land.

I have 3 adult children who would like to buy acreage in the country to raise their children along with the space needed to have some cows, chickens etc, but there is a real shortage of land available here in the Battle Ground area.

This shortage has come about as a result of the overly restrictive growth plan that was previously adopted .

Where are our children and grandchildren going to live? Not everyone wants to live in an apartment in the city and as Americans we should have the right to choose.

Janine Lamberg



## Schroader, Kathy

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**From:** Michael and Dawn <majus@aracnet.com>  
**Sent:** Sunday, September 06, 2015 11:52 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** county plan comment

Agriculture and forest lands should not be degraded to R-10 lots, therefore I support alternative 1, although there are some common-sense adjustments that could be made.

Alternative 4, as presented by David Madore will cause great damage to the rural character and livability of Clark County for the following reasons:

- A large increase in property taxes. New roads, fire, police, schools and infrastructure will be required. Simply having your property divided into two buildable parcels will increase your tax, even if you have no desire to build.
- Having so many new buildable lots will result in "urban sprawl" with unmanageable, piece-meal development, spreading resources over the county.
- Quality of life will be adversely impacted. Growth, as would result from Alternative 4, brings an increase in traffic and more noise, light, and water pollution.
- There will be a net loss of farm and forest land, wildlife habitat and wetlands. Wildlife would also be affected by fragmentation of undeveloped land.

The 1999 Comprehensive Plan rezoned land into agriculture and forest land that had apparently been improperly zoned into small lots. Let's not reverse that correction. Land should be rezoned on a case-by case basis, not through a blanket rezone.

Mike Steigelman



**Schroader, Kathy**

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**From:** jim klinger <jjklinger@outlook.com>  
**Sent:** Monday, September 07, 2015 7:43 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** SEIS Comments

We have 30 acres in Ridgefield that we would be very interested in sub dividing into a min of 10 acre parcels if not 5 acre parcels. Our address is 4604 NW 289 st Ridgefield Wa 98642. So what I'm saying if this counts as a vote count us in as I won't be able to attend the Thursday Sept 10 meeting.

Sincerely,  
Jim Klinger/Debbie Roth Home owners of the address above.



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Tuesday, September 08, 2015 8:17 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Land Use forum letter

FYI, and Kathy for the index. Thanks.

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**From:** Jacqueline Freeman [mailto:FriendlyHaven@sisna.com]  
**Sent:** Sunday, September 06, 2015 2:36 PM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom; Alyssa.hoyt@gmail.com  
**Subject:** Land Use forum letter

David Madore  
Jeanne Stewart  
Tom Mielke

We have owned our farm in Battle Ground since 2002. Originally it was a family farm and we have been able to continue to work the land in sustainable agriculture.

Many people ask us what we grow, and they do that with the expectation that we're going to give them one answer -- like "apples" or "corn" or "sheep," but our answer is different. We are a family farm that is formed with the understanding that a farm works best when it has **DIVERSITY**. The entire system works to support itself with plenty of overlap of resources within the farm.

We have a ten acre farm and we lease eight more acres nearby for livestock pasture. On our land we have dairy and beef cows, dairy goats, broiler chickens, laying hens, seasonal turkeys and many honeybees. We grow orchard fruit -- apples, pears, peaches, plums, grapes, gouda, seaberrys, thornless blackberries, currants, melons and cantaloupe, yellow and red raspberries. We raise squash, peppers, cucumbers, salad greens, beets, potatoes, carrots, broccoli, cauliflower and 44 varieties of tomatoes. We also grow a wide variety of herbs and flowers, and always try a few interesting things (this year we are growing peanuts!) to see how far we can expand our farm.

We have plenty of fruit shrubs and flowering bushes to provide forage for our very healthy honeybees. This last is a challenge for many beekeepers in Clark County who often rely on nature to feed the bees. We are proactive and plant heavily in the summer and fall so our bees have food when the season goes dry.

We make our own compost from animal manures and vegetation we cull from the land. We use this finished product to enrich the gardens and animal pastures. These days many people don't understand the value of composted manure and choose instead to use chemical fertilizers which leach into our local water with dire effects. Compost is more natural way which makes the soil stronger and the fruits and vegetables more resistant to pests and diseases.

Our system is successful and we have a bounty. We sell our food in Clark County and donate surplus to the Food Bank. Our system works because we have enough land to access each crop or livestock's unique aspects. The cows and goats provide milk, cheese and beef, and we feed the surplus to our chickens for extra protein.

The goats are voracious browsers who keep the blackberries down. The cows and all our livestock donate tons of manure that is the primary ingredient in our soil enriching compost. Even apple trees are multi-faceted: they provide fruit, cider, shelter and food for our turkeys who in turn keep the trees free of bugs. Even damaged fruit gets re-purposed to livestock treats and then into compost piles.

**With a small piece of land, we would not be able to engage each of these farm components to their maximum use.** Animals take up a lot of space, especially when we rotate them through different pastures using principles of sound pasture management. The animals are a very important part of making sure we have nutrient dense soil for the food that we grow, which makes it healthier than conventional or imported food.

If larger parcels are broken down into smaller pieces, you won't find many people raising animals, yet animals are important to the health of the soil. Without animals on the land, the only choices are to supplement the ever-weakening soils with imported fertilizers and to put the water supply at risk.

We also want to point out something that needs to be at the front of your minds as you make these choices about which plan to follow. As part of the ancient Willamette Valley floodplain, the lands that are here are some of the richest and best growing soils in the world. Every time some of this soil is turned into residential or commercial areas, that incredible soil is lost to agriculture forever.

We know you aren't farmers and that it's hard for you to understand what that loss of perfect soil means, but it makes a grown farmer cry to know this land will never again grow food for anyone, man or animal. In some parts of Clark County we have topsoil that is a dozen, even twenty feet deep. This is highly unusual and a tremendous resource for Clark County and should be protected to the hilt.

Alternatives 4 and 2 may look like good ideas but they will have a devastating effect on local agriculture because they will break up agricultural land into parcels too small to sustain a healthy and productive food system. Please look instead to ways that will allow MORE sustainable farming in Clark County and increase our access to healthy land and healthy food.

Jacqueline & Joseph Freeman

**Friendly Haven Rise Farm**  
20309 NE 242nd Ave  
Battle Ground, WA  
360-687-8384

*"Where Spirit and Nature Meet"*  
<http://www.FriendlyHaven.com>

## Schroader, Kathy

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**From:** Linda Nielsen <lindanielsenrealestate@gmail.com>  
**Sent:** Tuesday, September 08, 2015 1:01 PM  
**To:** Cnty 2016 Comp Plan  
**Cc:** Madore, David; Silliman, Peter  
**Subject:** Zonwe Change  
**Attachments:** NIELSEN LLC ZONE CHANGE.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This letter was previously sent.



***Linda Nielsen***

*President for the Association of Realtors  
Realtor of the Year 2008  
Graduate of Northwest Leadership Institute (7 chosen from each state)  
Outstanding Professionalism Award  
Managing Brokers License*

**360-910-7100  
Realty Pro inc.  
Vancouver, WA**



August 23, 2015

To Whom It May Concern:

Please consider this a formal request to change the zoning on parcel #198098000 and #198090000 to a C-3 zone as part of the comp plan update. The address of the house is 12508 NE 117<sup>th</sup> Avenue and the Property is in the name of Nielsen Family Properties LLC and Nielsen Harry and Nielsen Mary trustee.

Please forward any correspondence to.

Jim Nielsen  
P.O. Box 182  
Brush Prairie, WA. 98606

Our phone numbers are

Linda 360-910-7100

Jim 360-521-4118

House 360-256-3331

Sincerely;

  
Jim and Linda Nielsen



## Schroader, Kathy

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**From:** Jennifer Kuoppala <slamborgini@gmail.com>  
**Sent:** Tuesday, September 08, 2015 2:50 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** FOR THE PUBLIC RECORD

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FOR THE PUBLIC RECORD

To David Madore, Jeanne Stewart, Tom Mielke

I want to take a minute to strongly request that the Alternative 4 growth plan option be implemented.

I grew up in Battle Ground and have recently moved back to the area, from Southern British Columbia where I was living for 5 years. Never before have I heard of so many peers of mine having difficulty finding housing, whether it be rental or ownership. Due to the gridlock of not enough land available for purchase, many families are having to double up or live with parents and inlaws while searching for housing. Something has to change and I feel that Alternative 4 is the wisest choice to alleviate this problem. Many many people that I talk to are moving away from this area due to the lack of available property to raise their families. Some are moving to the area and running into this problem and deciding to move elsewhere in Washington. In order to serve the growing Portland/Vancouver metropolitan area that is currently drawing relocatees here with work, there needs to be available property to house them and their families.

Not everyone wants to live in a highrise- my family included. We will need to move elsewhere if property is not available to purchase here.

Thank you for your time.  
Jennifer Kuoppala



HHF, LLC

210 S.W. MORRISON, SUITE 600  
PORTLAND, OREGON 97204-3150  
TELE: 503/225-0701 FAX: 503/273-8591

RECEIVED

SEP 08 2015

September 4, 2015

Oliver Orjiako  
Community Planning Director  
1300 Franklin St., Third floor  
Vancouver, WA 98660

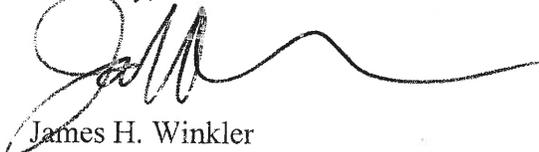
RE:            Objection to Rezoning

Dear Mr. Orjiako:

I am the managing member of HHF, LLC that owns tax parcel 215139-002, which is a 43.14 acre parcel immediately south of the existing urban growth area on the east side of the City of Ridgefield. The property is currently zoned AG-20 and located on the south side of 259<sup>th</sup> Street at 1613 NE 259<sup>th</sup> Street.

We object to Alternatives 2 and 4 to the extent that those alternatives would rezone our property and the surrounding property to AG-10. We believe larger parcel sizes are necessary near the urban growth boundary to preserve future development options once the area is urbanized. We therefore request that our property and the surrounding property retain its AG-20 zoning.

Sincerely,



James H. Winkler  
Managing Member

JHW/115-029

1613 NE 259<sup>th</sup> Street  
Ridgefield, Oregon 97137  
The property is currently zoned AG-20 and located on the south side of 259<sup>th</sup> Street, east to the existing urban growth area on the east side of the City of Ridgefield. The property is currently zoned AG-20 and located on the south side of 259<sup>th</sup> Street at 1613 NE 259<sup>th</sup> Street.



**HHF, LLC**

--

210 S.W. MORRISON, SUITE 600  
PORTLAND, OREGON 97204-3150  
TELE: 503/225-0701 FAX: 503/273-8591

RECEIVED BY ALL COUNCILORS

September 4, 2015

RECEIVED  
SEP - 8 2015  
BOARD OF  
COUNTY COUNCILORS

Jeanne E. Stewart  
Board of County Councilors. District 3  
P.O. Box 5000  
Vancouver, WA 98666-5000

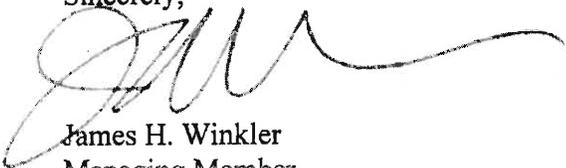
RE:           Objection to Rezoning

Dear Ms. Stewart:

I am the managing member of HHF, LLC that owns tax parcel 215139-002, which is a 43.14 acre parcel immediately south of the existing urban growth area on the east side of the City of Ridgefield. The property is currently zoned AG-20 and located on the south side of 259<sup>th</sup> Street at 1613 NE 259<sup>th</sup> Street.

We object to Alternatives 2 and 4 to the extent that those alternatives would rezone our property and the surrounding property to AG-10. We believe larger parcel sizes are necessary near the urban growth boundary to preserve future development options once the area is urbanized. We therefore request that our property and the surrounding property retain its AG-20 zoning.

Sincerely,



James H. Winkler  
Managing Member

JHW/115-029

2015 SEP 04 10:00 AM  
CLERK OF BOARD OF COUNTY COUNCILORS  
COUNTY OF WASHINGTON  
1613 NE 259th Street  
Ridgefield, OR 97137  
503-338-2200



12706 NE 7<sup>th</sup> Avenue  
Salmon Creek, WA 98685-3019

RECEIVED

SEP 08 2015

TO: Clark County Planning  
ATTN: 2016 Comp Plan Record  
P. O. Box 9810  
Vancouver, WA 98660-9810

Dear People:

I am not a city or county planner, but I know that any change in density increases strain on our county's already stressed resources. We should not reduce allowable lot sizes in our rural areas, as doing so means more traffic, more draw on water, increased needs for school, fire and police protection. We cannot afford this.

Also, we need our farm land. We want to buy local as much as possible, and we will not be able to do so if we have turned our farm land into McMansions.

Please, keep the plan the way it is. Make sure we have adequate farm and park land. Only a fool would want us to follow a path to looking more and more like California.

Yours truly



Marjorie Casswell



**Schroader, Kathy**

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**From:** Mary Kuoppala <marykuoppala@gmail.com>  
**Sent:** Tuesday, September 08, 2015 6:47 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** FOR THE PUBLIC RECORD

To David Madore, Jeanne Steward and Tom Mielke,

We would like to voice our support for Clark County Alternative plan #4. As we are a young family with children, we feel the need and see the benefits of having affordable land available for purchase in Clark County. Thank you for your consideration.

Sincerely,

Karl & Mary Kuoppala

360.702.9274



**Schroader, Kathy**

---

**From:** Bill Baumann <baumann@pacifier.com>  
**Sent:** Wednesday, September 09, 2015 7:39 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comprehensive planning

Dear Board of Clark County Commissioners,

I want Clark County to be farmer friendly and have policies that help increase the amount of Clark County grown food.

I do not support Alt 2 or Alt 4's removing AG-20 or the creation of R-1 and R2.5 outside of the Rural Centers.

Please consider Slow Food Southwest Washington's position statement on the Comprehensive Plan and conserve farm land and strengthen the farm economy.

Sincerely,

Bill Baumann  
Box 817  
Ridgefield WA 98642



## Schroader, Kathy

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**From:** KJWproperties@aol.com  
**Sent:** Wednesday, September 09, 2015 3:46 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comprehensive Plan

As a property owner in Clark County I would like for my opinion to be part of the record for the upcoming change in zoning boundaries. I do believe that the more than twenty year old Comprehensive Plan did cause some hardship for several property owners. Alternative Four may resolve this issue and make them whole. Alternative Four also does more harm than good. It creates far too many potential parcels of land within the county and is only good for developers and investors. Prime parcels would be picked and everyone would pay for the infrastructure needed for these few prime properties.

Alternative Two seems to offer some of the same problems as Four and should not be considered.

Alternative Three does offer the best solution as it allows cities to expand their boundaries to accommodate growth. It would encourage businesses to open in small towns and therefore keep local citizens spending money on products and services in their local community without having to travel to other larger towns. LaCenter would hopefully take advantage of this and allow some limited commercial zone along Pacific Highway north of town.

If all else fails, go with Alternative One. Some folks are unhappy but no change is better than going in the wrong direction. Thank you for reading and including my opinion in the Comprehensive Plan.

MY NUMBER ONE CHOICE IS ALTERNATIVE THREE. THANK YOU.

Kurt Wohlers  
PO Box 654  
Kalama, Wa. 98625  
360-904-6761



# 2016 Comprehensive Plan Proposed Alternatives Analysis

*What are your thoughts on the 2016 Comprehensive Plan proposed alternatives analysis?*

All Statements sorted chronologically

As of September 9, 2015, 4:09 PM



*As with any public comment process, participation in Engage Clark County is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.*

# 2016 Comprehensive Plan Proposed Alternatives Analysis

*What are your thoughts on the 2016 Comprehensive Plan proposed alternatives analysis?*

As of September 9, 2015, 4:09 PM, this forum had:

Attendees: 66

All Statements: 5

Minutes of Public Comment: 15

This topic started on August 4, 2015, 3:52 PM.

## 2016 Comprehensive Plan Proposed Alternatives Analysis

What are your thoughts on the 2016 Comprehensive Plan proposed alternatives analysis?

Name not available (unclaimed)

September 4, 2015, 6:37 AM

Alternative 4 please.

---

mike yancey inside Clark County (on forum)

September 3, 2015, 11:58 PM

This is another power play by David Madore to get what he wants in this county ,total control over the county.

---

Name not available (unclaimed)

August 11, 2015, 7:17 AM

Well I certainly think Alternative four is not a good choice at all. It would certainly create rural sprawl. This is not a viable alternative in any way, shape, or form. There is not enough Infrastructure to support it. Property owners may think they want it, but wait until it happens and see who the first people to complain are. You like your peace and wide open space don't you?....that will be all gone people....Really a bad bad idea...

---

Name not available (unclaimed)

August 6, 2015, 7:52 AM

Table the entire Plan until a THOROUGH study has been done on long term effects of URBAN SPRAWL in rural Clark County. (Environmental is only a small part of the total effect on the land and resources!)

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Name not shown inside Clark County (on forum)

August 6, 2015, 7:15 AM

Alt 4 should be tossed. It was drafted by a non-union employee which is in violation of contracts. Otherwise Alt 2 appears to have a good balance and the biggest concern we have is ground water protection of small personal wells due to sprawl.

1 Supporter

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## Schroader, Kathy

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**From:** NoReply@Clark.Wa.Gov  
**Sent:** Wednesday, September 09, 2015 6:48 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** 2016 Comp Plan comments submitted

Following comments were submitted online:

Parcel No:

Subject: New resident input

Comments:

After lengthy research and a two-month road trip across the country to find a place to put down roots, my partner and I made the decision to move to the Pacific Northwest. A year ago we landed in Clark County, believing it to fit a majority of our criteria for our new home. Our goal and dream is to purchase 20 or more acres to homestead, sustainably harvest firewood, and potentially small-scale farm. We value local food - grown by us, from our weekly CSA share, and from farmers markets. Thinking the area to be rural and agricultural enough to our liking, we have been disappointed. There certainly are farmers and we have been delighted to meet them and hear their stories and struggles. But we fear for the future because there are also ugly subdivision-type neighborhoods that seem to crop up out of nowhere throughout the county with cheap-looking, slapped up houses with cutesy development names souring the landscape. Not to mention the Mc-mansions on five acre properties; what a waste of space and resources.

We have also been disappointed by the availability of properties we deem suitable. This has changed since we initially looked 2 years ago before relocating. Not only are there hardly any listed properties with the acreage we want, we would be looking at spending a half million dollars for that amount of acreage and some sort of house on it- not what we had in mind!

As we follow the looming update to the Comprehensive Growth Management Plan and all the debate surrounding it, we are further disheartened. Will more ugly housing be allowed to encroach on prime farmland? Will further parcelization mean that our ideal property will never exist? Larger acreages for sale will be even fewer and farther between and likely climbing higher out of our price range as developers look to grab land, subdivide and build. And for who? Walking around the "newly" developed Battle Ground Village, there are very many lots left undeveloped save for a utilities box. It's like a ghost town that never was a town to begin with. While we have been putting down roots in terms of community building and making friends, at this point, we are unsure of our ability and desire to stay in the area. I doubt our story is unique and feel other potential residents will be prohibited from settling here, too.

We understand that cities and counties want growth, it's good for jobs and the local economy. People need places to live. However, growth and urban sprawl should entail well connected communities that are also well planned, with sustainability, longevity, and responsible stewardship of natural resources in mind. We don't support any changes to the existing Comp Plan.

Submitted by:  
Roozbeh Nazari

Email: [roozbehjoon@gmail.com](mailto:roozbehjoon@gmail.com)

Address:



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 8:01 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Alternate 4

FYI and for the record. Thanks.

Oliver

---

**From:** RITA DIETRICH [<mailto:billritadietrich@outlook.com>]  
**Sent:** Wednesday, September 09, 2015 8:35 PM  
**To:** Madore, David; Mielke, Tom; Stewart, Jeanne; Orjiako, Oliver; Euler, Gordon  
**Subject:** Alternate 4

Dear Councilors and Planning Commission,

Due to family health problems, I have been unable to attend your meetings. I am asking to go on record at your meeting on September 10th, 2015 as a supporter of Alternate 4. It seems like having property tied up for 20 years and then another 20 years is too long. This is 40 years out of a lot of rural property owner's life. Alternate 4 would solve that problem. Rural people moved or have lived for many years in the country and they will continue to want their land to remain rural, but still would like to be able to sell a few acres if they desire to do so. I see Alternate 4 as a fair way to treat the rural citizens of this county.

Thank you,

Rita Dietrich  
16000 NE 159th Street  
P.O. Box 1055  
Brush Prairie, WA 998606  
360-892-3686



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 8:01 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: support of Alternative 4

FYI and for the record. Thanks.

**From:** [syverj99@aol.com](mailto:syverj99@aol.com) [<mailto:syverj99@aol.com>]  
**Sent:** Wednesday, September 09, 2015 7:10 PM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom; Orjiako, Oliver  
**Subject:** support of Alternative 4

Dear Councilors, I want to show my support for Alternative 4.

Sincerely

Julie Syverson



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 8:15 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Comp plan Alt 4

FYI and for the record. Thanks

-----Original Message-----

**From:** Rick Dunning [<mailto:ralan1953@gmail.com>]  
**Sent:** Thursday, September 10, 2015 7:50 AM  
**To:** Orjiako, Oliver; Madore, David; Mielke, Tom; Stewart, Jeanne  
**Subject:** Comp plan Alt 4

Dear Councilors,

As a life long member of rural Clark County and a small timberland owner for the past 25 years, I ask for your support of Alternate 4.

I have done everything in my ability, against many odds, to develop a successful multi-generational business plan for this 130 acre parcel near Yacolt. Allowing a small building lot for a family member will help maintain this property as a working forest. The original GMA up-zoning to 40 acres is not the needed tool for those who chose to maintain large lot Ag or forestland.

The county's supposition that passing Alt 4 will cost the county in additional services and infrastructure is not factual and I can logically explain the errors of those sensational comments.

Alt. 4 lots, when developed through the next 20 years, would be 5-10 acre lots scattered among 250,000 acres of north and east Clark County. Rural lifestyle is valuable to Clark County economically, ecologically, and socially.

Help preserve the rural character of Clark County and adopt Alternative Four.

Sincerely,

Rick Dunning  
606-5511

Sent from my iPad



## Schroader, Kathy

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**From:** Tilton, Rebecca  
**Sent:** Thursday, September 10, 2015 8:39 AM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom; Silliman, Peter; Orjiako, Oliver; Schroader, Kathy  
**Subject:** Comments RE: Comp Plan Update (9/8/15 BOCC Hearing)  
**Attachments:** Sydney Reisbeck\_090815.pdf

The attached written testimony was received from Sydney Reisbick during the public comment portion of the 9/08/15 BOCC hearing.

Thank you,  
Rebecca

Rebecca Tilton, Clerk of the Council  
Board of County Councilors  
1300 Franklin Street  
PO Box 5000  
Vancouver, WA 98666-5000  
PHONE: 360-397-2232, ext. 4305 | E-MAIL: [Rebecca.Tilton@clark.wa.gov](mailto:Rebecca.Tilton@clark.wa.gov)



9/8 Rec'd by BOCC  
CUD = Orjako  
Schroader

Board of County Councilors  
Community Planning Staff  
1300 Franklin St  
Vancouver WA 98660  
For Comprehensive Plan Record

Sydney Reisbick (personal hat)  
PO Box 339  
Ridgefield, WA 98642  
9/8/15

For the 9/8/15 BOCC Hearing, citizen comment period.  
Input on the Comprehensive Plan process re the Goals of the Growth  
Management Act (GMW) related to the proposed Alternatives for the  
Comprehensive Plan.

Alternative 1 is my preferred Alternative for many reasons. I will only cover  
one today, as it relates to one Goal of the Growth Management Act.

Goal (8) Natural Resource Industries

Maintain and enhance natural resource-based industries, including  
productive timber, agriculture and fisheries industries. Encourage the  
conservation of productive forestlands (read soils) and productive  
agricultural lands (read soils), and discourage incompatible uses. For Clark  
County, this also includes mineral lands, such as gravel mines.

I will start with mineral lands, because that makes a good example of the  
problems that occur when "discouragement of incompatible uses" has failed.  
There was opposition to the houses on Livingston Mountain, right on the  
borders of the mining resource, but the developers and property rights  
people won. There is now an unfortunate conflict between houses and gravel  
mining, both mining operations and gravel trucks. Frustration and misery  
abound. There are reasons for protecting resource lands from encroachment  
by incompatible uses. (This does not mean that I agree with law-breaking  
mining operations and law-breaking trucks.)

The same is true of forestry. There is noise and there are trucks. A rural  
buffer between the active timberlands and houses is important to "quality of  
life" for both forests and houses. Houses scattered in forest also increase  
danger of forest fire, which does not protect the forestland. If a wildfire  
should occur because of a house resident, the forester is not protected from  
an increase in fire insurance rates and the ratepayer for fire fighting is not  
protected. Houses do not enhance the forestlands.

The same is true of agriculture, which makes noise early in the morning, puts smells in different directions, depending on the wind, and takes large machines over the roads. Surrounding the farm with houses sets up untenable tension and the farmer stays farming only while he can put up with the complaining. The "right to farm" helps, but the best solution is to give the farm a mostly undeveloped rural land buffer.

Alternative 1 leaves the minimally developed rural buffers on the resource lands. Alternative 4 does not.

That is how one goal of the GMA is affected by two of the Alternatives.

Thank you for allowing my input.

Sydney Reisbick

## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 8:57 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Alternative 4

FYI, and for the record. Thanks.

**From:** Sharon Lindberg [<mailto:sharonjml@gmail.com>]  
**Sent:** Thursday, September 10, 2015 8:57 AM  
**To:** Orjiako, Oliver  
**Subject:** Alternative 4

I support Alternative 4 for rural landowners.

Sharon Lindberg



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 8:57 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Alternative 4

FYI, and for the record and tonight's packet for PC and BOCC. Thanks.

Oliver

**From:** Tapani Builders [<mailto:tapanibuilders@gmail.com>]  
**Sent:** Thursday, September 10, 2015 8:47 AM  
**To:** Orjiako, Oliver  
**Subject:** Alternative 4

I support Alternative 4! Please give back our property rights!  
CharLynn Tapani



## Schroader, Kathy

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**From:** Tim Trohimovich <Tim@futurewise.org>  
**Sent:** Thursday, September 10, 2015 10:51 AM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Comments on the DSEIS on the Comp Plan Update  
**Attachments:** Futurewise Comments on Comp Plan DSEIS Sept 10 2015 Final.pdf

Dear Sirs and Madams:

Enclosed please find Futurewise's comments on the *Draft Supplemental Environmental Impact Statement (Draft SEIS) for the Clark County 2016 Comprehensive Growth Management Plan Update*. We are also including our recommendation for a preferred alternative. We recommend that Alternative 1 be the preferred alternative for the reasons explained in the enclosed letter.

We are also mailing a paper original of the letter with the referenced enclosures. Please contact me if you require anything else.

Thank you for the opportunity to comment.

**Tim Trohimovich, AICP**  
Futurewise | Director of Planning & Law  
816 Second Avenue, Suite 200 | Seattle, Washington 98104  
p. 206.343.0681 Ext. 118  
Email: [tim@futurewise.org](mailto:tim@futurewise.org)

**25** YEARS futurewise

Building Communities & Protecting the Land





September 10, 2015

Clark County Community Planning  
Attn: 2016 Comp Plan Record  
PO Box 9810  
Vancouver, Washington 98666-9810

Dear Sirs and Madams:

**Subject: Comments on the Draft Supplemental Environmental Impact Statement for the Clark County 2016 Comprehensive Growth Management Plan Update (August 2015).**

Sent via U.S. Mail with enclosures and via email to: [comp.plan@clark.wa.gov](mailto:comp.plan@clark.wa.gov)

Thank you for the opportunity to comment on the *Draft Supplemental Environmental Impact Statement (Draft SEIS) for the Clark County 2016 Comprehensive Growth Management Plan Update*. We agree with Clark County that the preparation of an environmental impact statement was necessary to comply with the Washington State Environmental Policy Act (SEPA) given the level of the changes being considered to the comprehensive plan.<sup>1</sup> We also recommend that Alternative 1 be identified as the preferred alternative because it meets community needs with the lowest cost and the lowest environmental impact. While we believe the *Draft SEIS* overall is well done, we do identify some impacts that were not adequately addressed in the *Draft SEIS* and should be addressed in the *Final SEIS*. The last two points are all discussed in greater detail below.

Futurewise is working throughout Washington State to create livable communities, protect our working farmlands, forests, and waterways, and ensure a better quality of life for present and future generations. We work with communities to implement effective land use planning and policies that prevent waste and stop sprawl, provide efficient transportation choices, create affordable housing and strong local businesses, and ensure healthy natural systems. We are creating a better quality of life in Washington State together. We have members across Washington State including Clark County.

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<sup>1</sup> See for example *Spokane County v. Eastern Washington Growth Management Hearings Bd.*, 176 Wn. App. 555, 580 – 81, 309 P.3d 673, 685 (2013) *review denied Spokane County v. Eastern Washington Growth Management Hearings Bd.*, 179 Wn.2d 1015, 318 P.3d 279 (2014).

**While the *Draft SEIS* overall is well done, several important environmental impacts were not adequately addressed in the draft and need to be addressed in the Final SEIS**

***Alternative 4's smaller lots rural sizes will contribute to the failure of onsite waste disposal systems polluting ground water and causing disease. The SEIS must disclose this serious adverse impact, but does not do so violating SEPA***

The *Draft SEIS*, in Figure 2-3: Soil Limitations to Septic Sewer Systems on page 2-6, documents that most of Clark County is “very limited” for the use of onsite sewer systems. Alternative 4 would eliminate the R-10 and R-20 zones and R-1 and R-2.5 zones would be added and the R-5 zone retained.<sup>2</sup> Marylynn Yates, in a peer reviewed scientific journal, analyzed ground water pollution from septic tanks. She concluded that septic tanks are major contributors of waste water, septic tanks are the most frequently reported cause of ground water contamination, and the most important factor influencing ground water contamination from septic tanks is the density of the systems.<sup>3</sup> Lot sizes associated with ground water contamination cases ranged from less than a quarter acre to three acres.<sup>4</sup> More recent studies support these conclusions. For example, an “observational study identified septic system density as a risk factor for sporadic cases of viral and bacterial diarrhea in central Wisconsin children.”<sup>5</sup> The greater the density of septic tanks the greater the likelihood of diarrheal disease.<sup>6</sup> And the highest septic tank densities studied were one septic tank per 11 acres.<sup>7</sup>

Given the large areas of the county that are “very limited” for the use of onsite septic systems and that most of the rest of the county is “somewhat limited,” onsite waste disposal systems serving the new R-1 and R-2.5 zones allowed by Alternative 4 are

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<sup>2</sup> Clark County Community Planning with assistance from: Environmental Science Associates (ESA), *Clark County 2016 Comprehensive Growth Management Plan Update Draft Supplemental Environmental Impact Statement (SEIS)* p. 1-14 (Aug. 2015).

<sup>3</sup> Marylynn V. Yates, *Septic Tank Density and Ground-Water Contamination* 23 GROUND WATER 586, p. 590 (1985) accessed most recently on Sept. 9, 2015 at: <http://info.ngwa.org/gwol/pdf/852537546.PDF> and enclosed with the paper original of this letter. Ground Water is a peer reviewed scientific journal. See the Ground Water Peer Review enclosed with the paper original of this letter.

<sup>4</sup> Marylynn V. Yates, *Septic Tank Density and Ground-Water Contamination* 23 GROUND WATER 586, p. 590 (1985).

<sup>5</sup> Mark A. Borchardt, Po-Huang Chyou, Edna O. DeVries, and Edward A. Belongia, *Septic System Density and Infectious Diarrhea in a Defined Population of Children* 111 ENVIRONMENTAL HEALTH PERSPECTIVES 742, p. 745 (2003) accessed most recently on Sept. 9, 2015 at: <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1241485/pdf/ehp0111-000742.pdf> and enclosed with the paper original of this letter. Environmental Health Perspectives is a peer reviewed scientific journal. See the Environmental Health Perspectives Journal Information accessed on Sept. 9, 2015 at: <http://ehp.niehs.nih.gov/journal-information/> and enclosed with the paper original of this letter.

<sup>6</sup> Mark A. Borchardt, Po-Huang Chyou, Edna O. DeVries, and Edward A. Belongia, *Septic System Density and Infectious Diarrhea in a Defined Population of Children* 111 ENVIRONMENTAL HEALTH PERSPECTIVES 742, pp. 745 – 47 (2003).

<sup>7</sup> *Id.* at 747.

very likely to fail, pollute ground water, and cause disease in humans, especially in children. The SEIS on page 2-2 very briefly mentioned the fact that most of the county is limited for the use of onsite septic systems, but does not identify the scientific fact that Alternative 4 will increase septic failures, ground water contamination, and disease in children. The SEIS must disclose these impacts to comply with the Washington State Environmental Policy Act (SEPA).<sup>8</sup>

***Alternative 4's smaller lots sizes for agriculture and forest lands will not protect farm and forest land and will likely result in smaller lots and therefore increase the per acre price of farmland, hastening the conversion of farmland to vacant land or other uses***

Alternative 2 will "change parcels zoned FR-40 to FR-20, thus reducing the minimum lot area in that zone. An estimated 460 new parcels could be created under full build-out conditions with this proposed zoning change."<sup>9</sup> Alternative 2 also proposes to "change areas zoned AG- 20 to AG-10, reducing the minimum lot area in that zone. An estimated 1,937 new parcels could be created under full build-out conditions."<sup>10</sup>

The *Draft SEIS* on page 2-5 in discussing the Alternative 2 states:

However, the reduced minimum lot areas under the revised zoning requirements create more divisible areas. Regardless, the GMA would still require local jurisdictions to identify and protect agricultural and timber lands of long-term commercial significance. Therefore, provided the reduced lot sizes do not result in conversions to other uses, there would be no additional impacts related to soils under this Alternative.

Alternative 4 "would add FR-10 and FR-20 to the existing FR-40 and FR-80 zones. It would reduce the minimum lot area in some forest zones even further than Alternative 2. Approximately 563 new parcels could be created at full build-out with this zoning change."<sup>11</sup> Alternative 4 would also "eliminate the AG-20 zone and replace it with AG-5 and AG-10 zones. Approximately 1,958 new parcels could be created at full build-out with this zoning change."<sup>12</sup>

The *Draft SEIS* on page 2-7 in discussing the Alternative 4 states:

Both agricultural and forest lot areas would have reductions in minimum lot size areas even further than that of Alternative 2. More divisible areas could potentially result in increased activities on these

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<sup>8</sup> WAC 197-11-440 & WAC 197-11-442.

<sup>9</sup> *Draft SEIS* p. 1-6.

<sup>10</sup> *Id.*

<sup>11</sup> *Id.* at p. 1-17.

<sup>12</sup> *Id.*

lots but provided that reduced lot sizes do not result in conversions to other uses there should be no substantive changes or impacts related to soils under this Alternative.

However, the reduced minimum lot sizes and densities in Alternatives 2 and 4 will not conserve agricultural and forest land as the Growth Management Act requires. In the *Soccer Fields* decision, the Washington State Supreme Court has held that [t]he County was required to assure the conservation of agricultural lands and to assure that the use of adjacent lands does not interfere with their continued use for the production of food or agricultural products.<sup>13</sup> A ten acre or five acre minimum lot size and density will not meet this standard. Professor Arthur C. Nelson analyzed agricultural land preservation techniques and concluded that “[m]inimum lot sizing at up to forty-acre densities merely causes rural sprawl—a more insidious form of urban sprawl.”<sup>14</sup> In 2012, the American Farmland Trust identified the land use regulations necessary to protect farmland and concluded that to “make substantial progress protecting farmland in the Puget Sound region, minimum parcel size would be at least 40 acres and preferably larger.”<sup>15</sup> This recommendation is consistent with Professor Nelson’s recommendation and would apply to Clark County. Clark County’s average farm size has increased from 37 acres in 2007 to 39 acres in 2012, an increase of 5.4 percent.<sup>16</sup> During the same time period, Washington’s average farm size increase by 4 percent.<sup>17</sup> The increase in average farm size does not support a reduction in the minimum lot size or an increase in density.

Rather than reducing the minimum lot size, which will not protect agricultural land from incompatible development as Professor Nelson’s analysis shows, the county

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<sup>13</sup> *King County v. Central Puget Sound Growth Management Hearings Bd. (Soccer Fields)*, 142 Wn.2d 543, 556, 14 P.3d 133, 140 (2000) emphasis in original.

<sup>14</sup> Arthur Nelson, *Preserving Prime Farmland in the Face of Urbanization: Lessons from Oregon* 58 JOURNAL OF THE AMERICAN PLANNING ASSOCIATION 467, 471 (1992) copy enclosed with the paper original of this letter. The Journal of the American Planning Association is a peer-reviewed journal. See the Journal of the American Planning Association Aims and Scope webpage accessed on Sept. 9, 2015 at: <http://www.tandfonline.com/action/journalInformation?show=aimsScope&journalCode=rjpa20#.VfCuwk2FN9A> and enclosed with the paper original of this letter.

<sup>15</sup> Dennis Canty, Alex Martinsons, and Anshika Kumar, *Losing Ground: Farmland Protection in the Puget Sound Region* p. 9 (American Farmland Trust, Seattle Washington Jan. 2012) accessed on Sept. 9, 2015 at: <https://4aa2dc132bb150caf1aa-7bb737f4349b47aa42dce777a72d5264.ssl.cf5.rackcdn.com/Losing-Ground-Farmland-Protection-in-the-Puget-Sound-Region.pdf> and enclosed with the paper original of this letter.

<sup>16</sup> United States Department of Agriculture, National Agricultural Statistics Service, *2012 Census of Agriculture Washington State and County Data Volume 1 • Geographic Area Series • Part 47 AC-12-A-47 Chapter 2: County Level Data, Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2012 and 2007* p. 271 (May 2014) accessed on Sept. 9, 2015 at: [http://www.agcensus.usda.gov/Publications/2012/Full\\_Report/Volume\\_1\\_Chapter\\_2\\_County\\_Level/Washington/wav1.pdf](http://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1_Chapter_2_County_Level/Washington/wav1.pdf) and a copy of *2012 Census of Agriculture Washington State and County Data Volume 1* is enclosed with the paper original of this letter.

<sup>17</sup> *Id.*

should maintain or increase the minimum lot size and adopt exclusive farm use zoning.<sup>18</sup> This is the path that Skagit County is taking to protect its farmland.<sup>19</sup>

Like agricultural lands, Clark County must also assure the conservation of forest lands and assure that the use of adjacent lands does not interfere with their continued use for the production forest products.<sup>20</sup> A ten or twenty acre forest zone will not meet these requirements.

Parcels smaller than 40 acres have much lower timber harvest rates and are more likely to be converted to residential land uses.<sup>21</sup> Parcels smaller than 50 acres have higher than average costs for preparing timber sales, harvesting trees, and reforesting the site.<sup>22</sup> So reducing the minimum lot size and density below 40 or 50 acres will not protect forest land as the Growth Management Act requires. Rather the minimum lot size should be retained. Further, we recommend that Clark County follow Whatcom County's example and prohibit residential uses in its zone that applies to forest land of long-term commercial significance except for living quarters for those who are engaged in forest management activities on the property, such as fire crews and logging crews, and watchpersons. These uses are reviewed as conditional uses.<sup>23</sup>

In addition, research shows that the smaller the parcel of land, the higher the per acre cost of the land.<sup>24</sup> So by reducing the agricultural and forest minimum lot sizes and allowing the subdivision of agricultural and forest land into smaller lots, Alternatives 2 and 4 will increase the per acre cost of forest and farm land. This changes may well

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<sup>18</sup> Arthur Nelson, *Preserving Prime Farmland in the Face of Urbanization: Lessons from Oregon* 58 JOURNAL OF THE AMERICAN PLANNING ASSOCIATION 467, 471 – 72 (1992).

<sup>19</sup> Skagit County Department of Planning and Development Services, *Administrative Official Interpretation pertaining to implementation procedures for Skagit County Code (SCC) 14.16.400(6) Siting Criteria in the Agricultural-NRL zoning district* pp. 2 – 4 (May 14, 2010) accessed on Sept. 10, 2015 at: <http://www.skagitcounty.net/PlanningAndPermit/Documents/Siting%20of%20Non-Ag%20Buildings%20in%20Ag-NRL%20zone.pdf> and enclosed with the paper original of this letter.

<sup>20</sup> RCW 36.70A.060(1)(a).

<sup>21</sup> Eric J. Gustafson & Craig Loehle, *Effects of Parcelization and Land Divestiture on Forest Sustainability in Simulated Forest Landscapes* 236 FOREST ECOLOGY and MANAGEMENT 305, 313 (2006). Accessed on Sept. 10, 2015 at: [http://nrs.fs.fed.us/pubs/jrnl/2006/nrs\\_2006\\_gustafson\\_001.pdf](http://nrs.fs.fed.us/pubs/jrnl/2006/nrs_2006_gustafson_001.pdf) and enclosed with the paper original of this letter. Forest Ecology and Management is a refereed scientific journal, see the Forest Ecology and Management webpage enclosed with the paper original of this letter and available at: <http://www.journals.elsevier.com/forest-ecology-and-management/>

<sup>22</sup> R. Neil Sampson, *Implication for Forest Production in Responses to "America's Family Forest Owners"* 102 JOURNAL OF FORESTRY 4, 12 (October/November 2004). Enclosed with the paper original of this letter. The Journal of Forestry is a peer-reviewed scientific journal. See the Journal of Forestry Guide for Authors webpage available at: <https://www.safnet.org/publications/jof/guideforauthors.cfm> and enclosed with the paper original of this letter.

<sup>23</sup> Whatcom County Code (WCC) § 20.43.158; 159. Accessed on Sept. 10, 2015 at: <http://www.codepublishing.com/wa/whatcomcounty/> and enclosed with the paper original of this letter.

<sup>24</sup> Cynthia J. Nickerson and Lori Lynch, *The Effect of Farmland Preservation Programs on Farmland Prices* 83 AMER. J. AGR. ECON. 341 p. 347 (May 2001) accessed on Sept. 8, 2015 at: <http://pubag.nal.usda.gov/pubag/downloadPDF.xhtml?id=43517&content=PDF> and enclosed with the paper original of this letter. This article was peer-reviewed. *Id.* at 341.

increase the costs above what farmers and foresters can pay for resource lands, resulting in the conversion of farm and forest land to other uses. Unfortunately, “[o]ne of the key obstacles [to agriculture] in Clark County is the limited access to high quality agricultural land at an affordable cost.”<sup>25</sup> This is one of the reasons why the Washington State Department of Agriculture’s *Washington Agriculture Strategic Plan 2020 and Beyond* documents the need to conserve existing agricultural lands to maintain the agricultural industry and the jobs and incomes the industry provides.<sup>26</sup> As the strategic plan concludes “[t]he future of farming in Washington is heavily dependent on agriculture’s ability to maintain the land resource that is currently available to it.”<sup>27</sup>

So the SEIS should state that the reduced minimum lot sizes and increased densities in Alternatives 2 and 4 will lead to the conversion of agricultural and forest land. The SEIS should also note that this violates the Growth Management Act requirement that Clark County must conserve these lands.

***The SEIS must identify as the adverse impacts of development on landslide hazards the loss of property and human life***

Also on page 2-7, the *Draft SEIS* states:

High landslide areas are found in all UGAs but mostly within the La Center and Ridgefield UGAs. Implementation of grading and building code requirements are typically sufficient to provide foundation design that can minimize any damage that may occur as a result of the presence of these hazards.

However, the adverse impacts of most landslide hazards cannot be mitigated through foundation design, or really any form of mitigation other than avoidance.<sup>28</sup> In fact, the Aldercrest-Banyon landslide of February 1998, in nearby Kelso, Washington, was the “[s]econd costliest landslide disaster in U.S. history[.]”<sup>29</sup> After that landslide, the

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<sup>25</sup> Globalwise, Inc., *Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington* Preliminary Report p. 48 (Prepared for Clark County, Washington: April 16, 2007) accessed on Sept. 10, 2015 at: [http://www.clark.wa.gov/planning/comp\\_plan/documents/final\\_ag\\_analysis\\_prelim\\_report.pdf](http://www.clark.wa.gov/planning/comp_plan/documents/final_ag_analysis_prelim_report.pdf) and cited pages enclosed with the paper original of this letter.

<sup>26</sup> Washington State Department of Agriculture, *Washington Agriculture Strategic Plan 2020 and Beyond* pp. 50 – 52 (2009) accessed on Sept. 10, 2015 at: <http://agr.wa.gov/fofi/> and cited excerpts enclosed with the paper original of this letter.

<sup>27</sup> *Id.* at p. 50.

<sup>28</sup> Lynn M. Highland and Peter Bobrowsky, *The Landslide Handbook—A Guide to Understanding Landslides* pp. 14 – 24 (U.S. Geological Survey Circular 1325, Reston, Virginia: 2008) accessed Oct. 8, 2015 at: <http://pubs.usgs.gov/circ/1325/> and enclosed with the paper original of this letter.

<sup>29</sup> Washington State Department of Natural Resources, *Significant Deep-Seated Landslides in Washington State* p. 2 of 5 (Feb. 10, 2015) accessed on April 3, 2015 at:

President approved a federal disaster declaration for the 138 homes damaged by the landslide. The damage “exceeded \$70 million, but the buyout for the houses was 30 cents on the dollar and totaled around \$30-\$40 million.”<sup>30</sup> Insurance typically does not cover landside damage.<sup>31</sup> Now with the Oso tragedy the state had the deadliest landslide in United States history.<sup>32</sup> So property owners will lose much of their investment in their homes even in the unlikely event of a federal buyout. And in the worst case they will lose their lives and the lives of their family members.<sup>33</sup> So the *Final SEIS* must identify the potential loss of life and property as one of the potential adverse impacts of the proposed alternatives that allow construction on landslide hazards.

***The Draft SEIS in Section 3.3.2 on pages 3-3 to 3-15 does not adequately address the impacts of the proposed alternatives on surface and ground water resources and the identified mitigation is inadequate***

The *Clark County Coordinated Water System Plan Update: Regional Supplement*, which was adopted after the 2007 comprehensive plan, will serve rural development outside of “rural centers” with private wells.<sup>34</sup> The *Clark County Coordinated Water System Plan Update* states that the rural areas “are not expected to accommodate large amounts of population growth.”<sup>35</sup> The *Clark County Coordinated Water System Plan Update* should be identified on as one of the changes since page 2007 on page 3-3 of the *Draft SEIS*.

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[http://www.dnr.wa.gov/Publications/ger\\_list\\_large\\_landslides.pdf](http://www.dnr.wa.gov/Publications/ger_list_large_landslides.pdf) and enclosed with the paper original of this letter.

<sup>30</sup> Isabelle Sarikhan, *Sliding Thought Blog, Washington's Landslide Blog* Landslide of the Week – Aldercrest Banyon Landslide July 29, 2009 accessed on April 3, 2015 at:

<https://slidingthought.wordpress.com/2009/07/29/landslide-of-the-week-aldercrest-banyon-landslide/> and enclosed with the paper original of this letter.

<sup>31</sup> Robert L. Schuster & Lynn M. Highland, *The Third Hans Cloos Lecture: Urban landslides: socioeconomic impacts and overview of mitigative strategies* 66 BULLETIN OF ENGINEERING GEOLOGY AND THE ENVIRONMENT 1, p. 22 (2007) accessed on Sept. 15, 2015 at:

[ftp://193.134.202.10/pub/TRAMM/Workshop\\_EWS/Literature/Schuster\\_and\\_Highland\\_2007\\_Bulletin\\_of\\_Engineering\\_Geology\\_and\\_the\\_Environment.pdf](ftp://193.134.202.10/pub/TRAMM/Workshop_EWS/Literature/Schuster_and_Highland_2007_Bulletin_of_Engineering_Geology_and_the_Environment.pdf) and enclosed with the paper original of this letter.

The Bulletin of Engineering Geology and the Environment is peer-reviewed, see the webpage <https://www.editorialmanager.com/boeg/default.aspx> enclosed with the paper original of this letter.

<sup>32</sup> Jeffrey R. Keaton, Joseph Wartman, Scott Anderson, Jean Benoit, John deLaChapelle, Robert Gilbert, David R. Montgomery, *The 22 March 2014 Oso Landslide, Snohomish County, Washington* p. 144 (Geotechnical Extreme Events Reconnaissance (GEER): July 22, 2014) accessed on April 27, 2015 at: [http://www.geerassociation.org/GEER\\_Post%20EO%20Reports/Oso\\_WA\\_2014/index.html](http://www.geerassociation.org/GEER_Post%20EO%20Reports/Oso_WA_2014/index.html) and enclosed with the paper original of this letter.

<sup>33</sup> *Id.*

<sup>34</sup> Clark County Water Utility Coordinating Committee, *Clark County Coordinated Water System Plan Update: Regional Supplement* p. 25 & p. 36 (Nov. 2011) accessed on Sept. 4, 2015 at:

[http://www.clark.wa.gov/planning/comp\\_plan/documents/Final\\_2011CWSP-optimized.pdf](http://www.clark.wa.gov/planning/comp_plan/documents/Final_2011CWSP-optimized.pdf) and enclosed with the paper original of this letter.

<sup>35</sup> *Id.* at p. 15.

Another change is that the Washington State Department of Ecology has determined that “[t]here is limited water available for new uses in WRIA 27” and “much of the water in the Lewis River Watershed has already been spoken for.”<sup>36</sup> The situation is the same in the Salmon-Washougal Watershed. “There is limited water available for new uses ...” and “much of the water in this watershed has already been spoken for.”<sup>37</sup> But the *Draft SEIS* does not disclose that there is very limited water in the two watersheds and does not analyze whether the new lots on rural and resource lands allowed by the four alternatives can be supported by this very limited water supply.

When the Washington State Department of Ecology adopted the instream flow rules for the two watersheds, Ecology established reserves for future domestic uses.<sup>38</sup> But the *Draft SEIS* does not mention the reserves, does not disclose how much of the reserves remain, and does not disclose whether the remaining reserves can serve the lots that can be created under the four alternatives. This information and analysis must be included in the Final SEIS to comply with SEPA.<sup>39</sup>

There is already evidence that the overdevelopment of rural and resource lands has caused wells to run dry.<sup>40</sup> This impact is a serious environmental impact of the overdevelopment of rural and resource lands and is not mentioned in the *Draft SEIS*. This problem will be made worse by all of the new lots the four alternatives allow and the very limited water supplies in the two watersheds in Clark County. Again, this impact should have been analyzed and disclosed in the SEIS.<sup>41</sup>

Allowing the continued subdivision of rural and resource lands without adequate water supplies will adversely impact property owners in two ways. First, it will adversely impact senior water rights holders whose wells go dry.

Second, people will buy lots on rural and resource lands that do not have a legal and actual water supply. This will prevent them from being able to build on those lots or potentially subject them to curtailment during low water periods. Preventing these adverse environmental impacts is nothing but basic consumer protection.

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<sup>36</sup> Washington State Department of Ecology Water Resources Program, *Focus on Water Availability Lewis River Watershed, WRIA 27* p. 1 (Publication Number: 11-11-031 August 2012) accessed on Sept. 8, 2015 at: <https://fortress.wa.gov/ecy/publications/summarypages/1111031.html> and enclosed with the paper original of this letter.

<sup>37</sup> Washington State Department of Ecology Water Resources Program, *Focus on Water Availability Salmon-Washougal Watershed, WRIA 28* p. 1 (Publication Number: 11-11-032 August 2012) accessed on Sept. 8, 2015 at: <https://fortress.wa.gov/ecy/publications/summarypages/1111032.html> and enclosed with the paper original of this letter.

<sup>38</sup> Washington State Department of Ecology Water Resources Program, *Focus on Water Availability Lewis River Watershed, WRIA 27* p. 1 (Publication Number: 11-11-031 August 2012); Washington State Department of Ecology Water Resources Program, *Focus on Water Availability Salmon-Washougal Watershed, WRIA 28* p. 2 (Publication Number: 11-11-032 August 2012).

<sup>39</sup> WAC 197-11-440 & WAC 197-11-442.

<sup>40</sup> Personal Communication from Coyote Ridge Ranch to Tim Trohimovich (April 02, 2015) enclosed with the paper original of this letter.

<sup>41</sup> WAC 197-11-440 & WAC 197-11-442.

The *Draft SEIS*, on page 3-15, identifies clustering as a mitigation measure that reduces the number of wells. But clustering will not reduce the demand for ground water, the same number of lots will require a similar amount of water at rural cluster densities. We suggest more effective mitigation. The growth planned for the rural and resource lands of Clark County should be consistent with the available water resources. New subdivisions and building permits should not be approved unless the applicant shows that they have adequate water supplies that meet drinking water standards and the legal right to use that water. These measures will mitigate impacts on surface and ground water.

We believe that these failures to disclose and analyze the environmental impacts on surface and ground water violates the Washington State Environmental Policy Act. It is also the most serious deficiency of the SEIS.

***The analysis in Section 4.1 Fish and Wildlife Habitats is well done and scientifically defensible, but some of the proposed mitigation measures are not***

The analysis in Section 4.1 accurately and fairly summarizes the impacts on fish and wildlife of the alternatives. The *Draft SEIS*, on page 4-14, recommends as a mitigation measure for alternatives 2 or 4 to include requirements to cluster residential lots when considering applications for subdivisions. However, cluster subdivisions can actually encourage the urbanization of resource lands and rural areas because they create open space amenities that encourage the development of neighboring properties.<sup>42</sup> So typically cluster subdivisions are not effective mitigation.

Instead of ordinary clustering, we recommend the mitigation measures identified in the Washington State Department of Fish and Wildlife's *Landscape Planning for Washington's Wildlife: Managing For Biodiversity In Developing Areas*<sup>43</sup> and *Land Use Planning for Salmon, Steelhead and Trout: A land use planner's guide to salmonid habitat protection and recovery*.<sup>44</sup> Both of those reports include methodologies that can be incorporated into comprehensive planning and development review to protect fish and wildlife. Both of those reports are also enclosed with the paper original of this letter. Unfortunately, those measures are largely incompatible with Alternatives 2, 3, and, especially, 4.

***Please clarify the statement on bottom of page 5-3 and the top of page 5-4***

On pages 5-3 and 5-4, the *Draft SEIS* states:

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<sup>42</sup> Elena G. Irwina and Nancy E. Bockstael, *Land use externalities, open space preservation, and urban sprawl* 34 REGIONAL SCIENCE AND URBAN ECONOMICS 705, pp. 723- 24 (2004) enclosed with the paper original of this letter. Regional Science and Urban Economics in a peer-reviewed journal. See the Regional Science and Urban Economics Author Information Pack p. 6 enclosed with the paper original of this letter and accessed on Sept. 9, 2015 at: <http://www.elsevier.com/journals/regional-science-and-urban-economics/0166-0462?generatepdf=true>.

<sup>43</sup> Accessed on Sept. 9, 2015 at: <http://wdfw.wa.gov/publications/00023/>

<sup>44</sup> Accessed on Sept. 9, 2015 at: <http://wdfw.wa.gov/publications/00033/wdfw00033.pdf>

Alternatives 2 and 4 would likely have greater effects on transportation fuel consumption because of the potential for an increased number of new parcels in the resource zones. However with those new parcels there is optimism that resource production will be actualized.

We agree with the first sentence quoted above, but do not understand the second sentence. If the second sentence means that adopting higher density zoning for forest and agricultural land will make it more likely that it will be used for forestry and agriculture, that is wrong as is documented starting on page 3 of this letter. Instead it will increase the conversion of those lands to other uses, most likely low density, poorly planned sprawl.

On a related note, Alternatives 2 and 4 would likely have greater effects on transportation fuel consumption because of the potential for an increased number of new parcels in the rural zones too. Alternative 3, by expanding the La Center urban growth area for a school will also increase transportation fuel consumption. *Travel and Environmental Implications of School Siting* reported one of the first studies of the “relationship between school location, the built environment around schools, mode choices for trips to school, and air emissions impacts of those choices.”<sup>45</sup> The study found that:

1. School proximity to students matters. Students with shorter walk and bike times to or from school are more likely to walk and bike.
2. The built environment influences travel choices. Students traveling through higher-quality environments are more likely to bicycle and walk.
3. Because of travel behavior differences, school location has an impact on air emissions. Centrally located schools that can be reached by walking and bicycling reduce air pollution.

The results suggest that actions to improve students’ walking environments, and to support communities that wish to locate schools in neighborhoods, will result in increases in student walking and biking to school. Increased walking and biking can reduce emissions related to auto travel and improve environmental quality.<sup>46</sup>

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<sup>45</sup> U.S. Environmental Protection Agency, *Travel and Environmental Implications of School Siting* p. 1 (EPA231-R-03-004: October 2003) accessed on Sept. 9, 2015 at: <http://www2.epa.gov/smart-growth/travel-and-environmental-implications-school-siting>. A copy is enclosed with the paper original of this letter.

<sup>46</sup> U.S. Environmental Protection Agency, *Travel and Environmental Implications of School Siting* p. 1 (EPA231-R-03-004: October 2003).

***Please correct statements on natural resource production impacts***

The *Draft SEIS* on page 5-5 claims that “Alternative 4 would not likely have significant impacts on energy use and natural resource production.” But as was documented beginning on page 3, Alternative 4 will have a significant effect on agricultural production long-term and perhaps even forest products production. Localized impacts will be significant.

Further, on page 5-6 the *Draft SEIS* claims that mitigation would minimize the impacts of the alternatives. But no mitigation is proposed for paving over farmland or forest land as Alternatives 2, 3, and 4 specifically allow. The transportation impacts of Alternatives 2 and 4 are not going to be addressed effectively by transit, for example, given their low densities and remote locations. The statement that mitigation would minimize the impacts of the alternatives should be retracted in the *Final SEIS*.

***Alternative 2's and 4's single “Rural Lands designation” violates the Growth Management Act***

The Growth Management Act requires and the Washington State Supreme Court has held that the rural element of the comprehensive plan must include a variety of rural densities.<sup>47</sup> In *Kittitas County v. Eastern Washington Growth Management Hearings Board*, the Kittitas County Comprehensive Plan had a single rural comprehensive plan designation similar to what as Alternatives 2 and 4 propose. The Limited Areas of More Intense Rural Development also had separate comprehensive plan designations. The county argued that the reference in the comprehensive plan to “zoning regulations that have included six possible designations (with three possible densities) and innovative zoning techniques” complied with the Growth Management Act requirement for a variety of rural densities.<sup>48</sup> Based on the plain language of the Growth Management Act, the Washington State Supreme Court held that the comprehensive plan itself must include a variety of rural densities and the Kittitas County Comprehensive Plan violated this requirement.<sup>49</sup>

The Washington State Supreme Court identified a practical reason for this requirement:

¶ 40 We also note a practical concern raised by RIDGE and CTED. They argue that reading the GMA to not require that the Plan itself provide for a variety of rural densities will result in the evasion of

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<sup>47</sup> RCW 36.70A.070(5); *Thurston County v. Western Washington Growth Management Hearings Board*, 164 Wn.2d 329, 357, 190 P.3d 38 (2008).

<sup>48</sup> *Kittitas Cnty. v. E. Washington Growth Mgmt. Hearings Bd.*, 172 Wn. 2d 144, 167, 256 P.3d 1193, 1204 (2011).

<sup>49</sup> *Kittitas Cnty.*, 172 Wn. 2d at 169, 256 P.3d at 1205 “A plain reading of the statute indicates that the Plan itself must include something to assure the provision of a variety of rural densities.”

GMA requirements through site-specific rezones. This is not the first time this court has recognized this potential problem. See *Woods v. Kittitas County*, 162 Wn. 2d 597, 629–32, 174 P.3d 25 (2007) (Becker, J., concurring). Because interested parties cannot raise GMA compliance issues in Land Use Petition Act (chapter 36.70C RCW) petitions, *id.* at 616, 174 P.3d 25 (majority opinion), site-specific rezones are only evaluated for compliance with the GMA through evaluation of their consistency with the existing Plan. A comprehensive plan that is silent on the provision of a variety of rural densities (and other protective measures for rural areas) effectively allows rezones that circumvent the GMA. This argument may prove too much, as rezones must also comply with development regulations, which can be challenged for compliance with the GMA. *Id.* at 615–16, 174 P.3d 25. However, in *Woods*, the petitioner’s land was designated at one dwelling unit per 20 acres, and the County later approved a 3–acre rezone after it was too late for her to challenge the development regulations for compliance with the GMA. *Id.* at 629–30, 174 P.3d 25 (Becker, J., concurring) (“The rezone was the first and only time that the actual change of density on the subject site could have been challenged ... as violating the GMA.”); RCW 36.70A.290(2) (stating that petitions challenging a comprehensive plan or development regulation as noncompliant with the GMA “must be filed within sixty days after publication”). While we decide this question on the basis of the plain statutory language, we recognize that reading out the requirement that counties include certain protections in the Plan itself, including to provide for a variety of rural densities, could result in the evasion of GMA requirements through site-specific rezoning.<sup>50</sup>

Alternatives 2 and 4 propose a single rural comprehensive plan designation, just like Kittitas County. Like Kittitas County, that violates the Growth Management Act. This violation should be disclosed in an appropriate part of Section 6 Land and Shoreline Use in the SEIS.

***The Draft SEIS does not disclose that including in the urban growth area land that meets the requirements for agricultural lands of long-term commercial significance violates the Growth Management Act. The SEIS should include this important decision for decision makers.***

The *Draft SEIS*, on page 6-19, describes a proposal to include 111 acres of agricultural land of long-term commercial significance on the north side of the City of Ridgefield in the Ridgefield urban growth area. The *Draft SEIS* does not document that this land no longer meets the definition of agricultural lands of long-term commercial significance nor does it disclose that including land that continues to meeting the criteria for agricultural land of long-term commercial significance in an urban growth

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<sup>50</sup> *Kittitas Cnty.*, 172 Wn. 2d at 169, 256 P.3d at 1205.

are violates the Growth Management Act.<sup>51</sup> These disclosures should be included in the SEIS.

***Farm and forest land saves taxpayers money***

The *Draft SEIS* identifies the difficulty of providing the transportation and public facilities and services to pay for several of the alternatives. One way of saving taxpayers and ratepayers money is to conserve farm and forest land. Farm and forest land pays more in taxes than it requires in public services. In contrast, when farm or forest land is paved over for housing, the housing pays less in taxes than it requires in public services.<sup>52</sup> For every dollar farm or forest land pays in taxes it only requires 35 cents in public services. For every dollar residential development pays in taxes, it requires \$1.16 in public services.<sup>53</sup>

**We recommend that Alternative 1: No Action be identified as the preferred alternative because it meets community needs**

The *Population and Jobs Projections – Issue Paper 2* shows that Alternative 1 meets the community's needs for land for housing and jobs.<sup>54</sup> Because it will result in the most compact urban growth areas, it will also help bring Clark County, its cities, its taxpayers, and its residents the benefits of compact urban growth areas while protecting working farms and forests. These benefits include the following.

***Alternative 1 will save taxpayers and ratepayers money***

The Growth Management Act (GMA) requires urban growth areas and limits their size for many reasons. One of the most important is that compact urban growth areas (UGAs) save taxpayers and ratepayers money. In a study published in a peer reviewed journal, John Carruthers and Gudmaundur Ulfarsson analyzed urban areas throughout the United States including Clark County.<sup>55</sup> They found that the per capita costs of most public services declined with density and increased where urban areas were

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<sup>51</sup> *Clark Cnty. Washington v. W. Washington Growth Mgmt. Hearings Review Bd.*, 161 Wn. App. 204, 238, 254 P.3d 862, 877-78 (2011) *vacated in part Clark Cnty. v. W. Washington Growth Mgmt. Hearings Review Bd.*, 177 Wn. 2d 136, 298 P.3d 704 (2013). The cited part of the court's decision was not vacated by the Washington State Supreme Court.

<sup>52</sup> American Farmland Trust Farmland Information Center, *Cost of Community Services Studies* p. 6 (August 2010) accessed on Sept. 9, 2015 at: [http://www.farmlandinfo.org/sites/default/files/COCS\\_08-2010\\_1.pdf](http://www.farmlandinfo.org/sites/default/files/COCS_08-2010_1.pdf) and enclosed with this letter.

<sup>53</sup> *Id.* These numbers are median values and include Cost of Community Services Studies in Skagit and Okanogan Counties. *Id.* at p. 5.

<sup>54</sup> Clark County Comprehensive Plan 2016 Update Planning for Growth 2015 – 2035 *Population and Jobs Projections – Issue Paper 2* p. 5 (1/16/2014) accessed on Sept. 9, 2015 at: [http://www.clark.wa.gov/planning/documents/02-Issue\\_Paper\\_2\\_Pop-Job\\_Projections\\_PC01-16-2014.pdf](http://www.clark.wa.gov/planning/documents/02-Issue_Paper_2_Pop-Job_Projections_PC01-16-2014.pdf) and enclosed with the paper original of this letter.

<sup>55</sup> John Carruthers and Gudmaundur Ulfarsson, *Urban Sprawl and the Cost of Public Services* 30 ENVIRONMENT AND PLANNING B: PLANNING AND DESIGN 503, 511 (2003). Enclosed with the paper original of this letter.

large.<sup>56</sup> Compact urban growth areas save taxpayers and ratepayers money. This study was published in a peer reviewed journal.<sup>57</sup>

*Alternative 1 will encourage housing growth in cities and towns, protect rural and resource lands, and help make healthy local food available for Clark County residents*

Urban growth areas work to encourage development in urban areas and protect farms and forests. For example, to examine the effect of Washington's urban growth areas on the timing of land development, Cunningham looked at real property data, property sales data, and geographic information systems (GIS) data. These records include 500,000 home sales and 163,000 parcels that had the potential to be developed from 1984 through 2001.<sup>58</sup> Cunningham concluded that "[t]his paper presents compelling evidence that the enactment of a growth boundary reduced development in designated rural areas and increased construction in urban areas, which suggests that the Growth Management Act is achieving its intended effect of concentrating housing growth."<sup>59</sup> He also concluded that by removing uncertainty as to the highest and best use of the land that it accelerated housing development in King County.<sup>60</sup> This study was published in a peer reviewed journal.<sup>61</sup>

Reducing development in rural areas and natural resource lands can also have significant environmental benefits, such as protecting water quality and working farms and forests. For example, Lin Robinson, Joshua P. Newell, and John M. Marzluff compared geo-referenced aerial photos and building permit data to determine land use changes on the fringe of the King County urban growth along I-90 east of Seattle. This area includes suburban cities, rural areas, and natural resource lands.<sup>62</sup> They concluded that King County's urban growth areas were accommodating growth and the

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<sup>56</sup> *Id.* at 518.

<sup>57</sup> ENVIRONMENT AND PLANNING B: PLANNING AND DESIGN is a peer reviewed or refereed journal, see the ENVIRONMENT AND PLANNING B "Guidelines for authors: EPB" webpage accessed on Nov. 12, 2014 at: <http://www.envplan.com/bauthors.html> and enclosed with the paper original of this letter.

<sup>58</sup> Christopher R. Cunningham, *Growth Controls, Real Options, and Land Development*, 89 THE REVIEW OF ECONOMICS AND STATISTICS 343, 343 (2007). Enclosed with the paper original of this letter.

<sup>59</sup> *Id.* at 356.

<sup>60</sup> *Id.* at 356 – 57.

<sup>61</sup> Thomson Reuters, *Top Peer Reviewed Journals – Economics & Business* p. \*3 enclosed with the paper original of this letter.

<sup>62</sup> Lin Robinson, Joshua P. Newell, & John M. Marzluff, *Twenty-five years of sprawl in the Seattle Region: growth management responses and implications for conservation*, 71 LANDSCAPE AND URBAN PLANNING 51, 54 (2005) enclosed with the paper original of this letter. LANDSCAPE AND URBAN PLANNING is a peer reviewed journal. See the LANDSCAPE AND URBAN PLANNING Guide for Authors webpage accessed on Dec. 30, 2013 at: <http://www.elsevier.com/journals/landscape-and-urban-planning/0169-2046/guide-for-authors> and enclosed with the paper original of this letter.

designated agricultural lands and forest lands of long-term commercial significance were being maintained as farm and forest land.<sup>63</sup>

One of the most controversial issues related to urban growth areas is whether the restricted land supply causes increases in housing costs. Carruthers, in another peer reviewed study, examined the evidence for the Portland urban growth area and concluded that it was not increasing housing costs because the city's high density zoning allowed the construction of an abundant housing supply.<sup>64</sup>

***Alternative 1 will help keep our existing cities and towns vibrant and economically desirable***

In a peer reviewed study, Dawkins and Nelson found that the city of Yakima's share of the metropolitan housing market increased after adoption of the GMA.<sup>65</sup> This and other measures showed that center cities in states with growth management laws attract greater shares of the metropolitan area's housing market than center cities in states without growth management aiding center city revitalization.<sup>66</sup> This reduces the tendency to move out of existing center cities.

***Alternative 1 will help promote healthy lifestyles***

Aytur, Rodriguez, Evenson, and Catellier conducted a statistical analysis of leisure and transportation-related physical activity in 63 large metropolitan statistical areas, including Seattle, Tacoma, and Spokane from 1990 to 2002.<sup>67</sup> Their peer reviewed study found a positive association between residents' leisure time physical activity and walking and bicycling to work and "strong" urban containment policies such as those

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<sup>63</sup> Lin Robinson, Joshua P. Newell, & John M. Marzluff, *Twenty-five years of sprawl in the Seattle Region: growth management responses and implications for conservation*, 71 *LANDSCAPE AND URBAN PLANNING* 51, 67 – 69 (2005).

<sup>64</sup> John I. Carruthers, *The Impacts of State Growth Management Programmes: A Comparative Analysis* 39 *URBAN STUDIES* 1959, 1976 (2002). Carruthers included Washington's GMA in his analysis, but concluded that it was too early to tell if it was successful since it had only been in place for seven years in the data he analyzed, but he believed the GMA had promise if "consistently enforced." *Id.* at 1977. *Urban Studies* is a peer reviewed journal. Manuscript Submission Process p. \*2 enclosed with the paper original of this letter and accessed on Nov. 13, 2014 at: <http://www.uk.sagepub.com/repository/binaries/pdf/usj-msgprocess.pdf>.

<sup>65</sup> Casey J. Dawkins & Arthur C. Nelson, *State Growth Management Programs and Central-City Revitalization*, 69 *JOURNAL OF THE AMERICAN PLANNING ASSOCIATION* 381, 386 (2003) enclosed with the paper original of this letter. The *Journal of American Planning Association* is peer reviewed. *Journal of American Planning Association Instructions for authors* p. 1 of 3 enclosed with the paper original of this letter.

<sup>66</sup> Casey J. Dawkins & Arthur C. Nelson, *State Growth Management Programs and Central-City Revitalization*, 69 *JOURNAL OF THE AMERICAN PLANNING ASSOCIATION* 381, 392 – 93 (2003).

<sup>67</sup> Semra A. Aytur, Daniel A. Rodriguez, Kelly R. Evenson, & Diane J. Catellier, *Urban Containment Policies and Physical Activity: A Time-Series Analysis of Metropolitan Areas, 1990-2002* 34 *AMERICAN JOURNAL OF PREVENTIVE MEDICINE* 320, 325 (2008) enclosed with this letter.

Attn: 2016 Comp Plan Record Comments on SEIS  
September 10, 2015  
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in Washington State.<sup>68</sup> This article was published in a peer reviewed scientific journal.<sup>69</sup>

Thank you for considering our comments. If you require additional information please contact me at telephone 206-343-0681 Ext. 118 and email [tim@futurewise.org](mailto:tim@futurewise.org)

Very Truly Yours,

A handwritten signature in black ink, consisting of two stylized, overlapping 'S' shapes. The top 'S' is larger and more defined, while the bottom 'S' is smaller and more fluid, appearing to be a continuation or a second stroke of the same character.

Tim Trohimovich, AICP  
Director of Planning & Law

Enclosures

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<sup>68</sup> *Id.* at 330.

<sup>69</sup> American Journal of Preventive Medicine "Reviewer Information" p. 1 accessed on Sept. 9, 2015 at: [http://cdn.elsevier.com/promis\\_misc/AMEPRE\\_reviewer\\_info\\_oct2014.pdf](http://cdn.elsevier.com/promis_misc/AMEPRE_reviewer_info_oct2014.pdf).

## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 11:59 AM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: Alternative 4

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI, and for the record. Thanks.

Oliver

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**From:** camee hoffman [<mailto:camhoff84@hotmail.com>]  
**Sent:** Thursday, September 10, 2015 11:13 AM  
**To:** Madore, David; Stewart, Jeanne; Mielke, Tom; Orjiako, Oliver  
**Subject:** Alternative 4

Good Morning,

I am emailing about the Joint Board of County Councilors and Planning Commission hearing regarding the Comprehensive Plan

Draft Supplemental EIS. It was our full intention to be at the hearing on Sept. 10. However, Amboy School is having its Open

House at the same time. Our children must come first, both in the future, and more importantly in the present...therefore, we will not be at the hearing...However, we would like to give our wholehearted support of Alternative 4 for your consideration.

Thank you and have a productive meeting....as well as a wonderful day!  
Jim and Camee Hoffman



## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 1:51 PM  
**To:** Euler, Gordon; Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: DEIS hearing  
**Attachments:** DEIS comment letter.doc

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI, and the for the record. Thanks.

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**From:** Erin Erdman [<mailto:erin.erdman@cityofbg.org>]  
**Sent:** Thursday, September 10, 2015 1:31 PM  
**To:** Orjiako, Oliver  
**Subject:** RE: DEIS hearing

Oliver,  
Attached is a letter with our comments supporting Alternative 3. Let me know if you need anything else.  
Thanks and enjoy the sunny afternoon!

Erin Erdman  
Community Development Director  
office (360) 342-5044  
cell (360) 601-0349



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**From:** Orjiako, Oliver [<mailto:Oliver.Orjiako@clark.wa.gov>]  
**Sent:** Thursday, September 10, 2015 11:58 AM  
**To:** Erin Erdman  
**Subject:** RE: DEIS hearing

Good morning Erin:

Your call. A letter into the record is fine and someone from the City of Battle Ground attending would equally be appreciated. Thank you.

Best,

Oliver

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**From:** Erin Erdman [mailto:erin.erdman@cityofbg.org]  
**Sent:** Thursday, September 10, 2015 11:04 AM  
**To:** Orjiako, Oliver  
**Subject:** DEIS hearing

Oliver,  
Would you rather have a letter from the City or for us to attend the hearing this evening?

Erin Erdman  
Community Development Director  
office (360) 342-5044  
cell (360) 601-0349



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## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 12:35 PM  
**To:** Schroader, Kathy  
**Subject:** FW: Slow Food Southwest Washington - SEIS Position Statement

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

For the record and index. Thank you.

**From:** Warren Neth [mailto:warren@slowfoodswwa.com]  
**Sent:** Thursday, September 10, 2015 12:19 PM  
**To:** Stewart, Jeanne; Mielke, Tom; Madore, David  
**Cc:** Orjiako, Oliver; Euler, Gordon; Anderson, Colete; Alvarez, Jose  
**Subject:** Slow Food Southwest Washington - SEIS Position Statement

Dear Board of Clark County Councilors,

Through your creation of the Preferred Alternative for the Clark County Comprehensive Plan you will be making choices that will guide the long-term make up of our community. Slow Food Southwest Washington is concerned about the impact of Alt2 and Alt4 because they parcelize the rural landscape with broad strokes that do not consider the impacts to current or future economically viable farms.

Especially alarming is how Alt. 2 and Alt. 4 eliminates, in one broad sweep, the current AG 20 zoning replacing it with AG-5 and AG-10 and creating smaller lots of 1, 2.5 and 5 acres lots in the rural area. Large acreage zoning can protect farmland for the long term when the parcel size is 20 acres or greater.

*American Farmland Trust fact sheet on zoning as a means of protecting agricultural land explains – ... “ordinances that allow construction of houses on lots of 1-5 acres often hasten the decline of agriculture by allowing residences to consume far more land than necessary.”*

Below are listed five citizen led reports on conserving agriculture in Clark County that should provide direct guidance on the Board of Clark County Councilors direction for protecting agricultural resource land as mandated by the Growth Management Act. One of many common recommendations is to create Agricultural Production Districts that cluster large acreage farms.

Alt 2 and Alt 4 fuel the speed of fragmenting agricultural land and increasing rural residential parcels reduces the amount of land available for farming and will threaten local food security. It will undermine our agricultural heritage and weaken the economic viability of farming in Clark County.

### **Why large acreage farms are important for long term retention of local agriculture:**

- The per acre cost of farmland goes up with smaller acreages – contrary to what some may think the per acre cost more than doubles when you go from a 20 acre parcel to a 10 acre parcel and even higher with 5, 2.5 and 1 acre parcels where you can be looking at a 10 fold increase in the per acre cost. Alt. 2 and 4 would make land for farming prohibitively expensive for economically viable farms.
- Large blocks of land dedicated to farming provide more long term stability and resilience for agriculture. You can plant an orchard - a 50 plus year investment with some predictability that you won't lose your investment.

- Large block farming can support necessary agricultural infrastructure – shared storage, equipment, processing, marketing etc. There is an important economic cluster of supporting jobs that occurs with larger scale farming.
- Dry land farming is feasible in Clark County but it requires larger acreage to be economically feasible with a more limited variety of crops. As new water rights are not available it behooves us to preserve the remaining large acreage farms for diversity of crops and the future resiliency of food production in the county.

### **Population Assumptions Don't Support Alt. 2 and Alt. 4**

- Total population growth was revised downward by nearly 7,000 from the previous Comprehensive Plan of 2007.
- Development occurs disproportionately in the rural areas. Contrary to the planning assumption of a 90% urban/10% rural population split – Alt 2 and Alt 4 would allow 16% and 24% of the growth to occur in the rural areas respectively.

### **Sprawling Effect of Alt. 2 & 4 = Inefficient Use of Resources**

- Water Resources – new rural lots would require additional wells and septic systems. Experiencing one of the driest summers on record it is short-sighted indeed to be cavalier in proposing to encourage additional 8,220 to 12,400 new wells to tap into the Troutdale aquifer that supplies drinking water to 95% of the population in Clark County.
- Our current transportation system would not support the needed roads to accommodate the growth that would occur across the rural portions of Clark County.
- 34,000 acres would be impacted under Alt. 2 and 65,000 acres impacted under Alt. 4 – impacts would be cumulative to surface and ground water and fish and wildlife resources.

### **What the Draft Supplemental Environmental Impact Statement Says About Alt 2 & Alt 4**

- Will require new roads, greater maintenance, longer commutes, and consume more energy.
- New parcels will be spread all over the county.
- Diminishes the county's ability to attract large scale agriculture.
- Creates more housing than is needed.
- Would not support state regulations to control sprawl.
- New transportation facilities and maintenance would fall to the county with the cost only partially recovered through impact fees.
- EIS concludes that the cost for Alt 2 and 4 would be prohibitive.
- Needed infrastructure – power lines, schools, support services would change the character of rural Clark County.

Alt. 2 and Alt. 4 are costly alternatives that reduce the long term future of agriculture in our community and should be rejected out of hand.

These citizen led reports on conserving agriculture in Clark County should provide guidance on the Board of Clark County Councilors direction for protecting agricultural resource land as mandated by the Growth Management Act:

**Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington April 2007**  
[http://www.clark.wa.gov/planning/comp\\_plan/documents/final\\_ag\\_analysis\\_prelim\\_report.pdf](http://www.clark.wa.gov/planning/comp_plan/documents/final_ag_analysis_prelim_report.pdf)

**Clark County Agriculture Preservation Strategies Report March 2009**  
<http://www.clark.wa.gov/planning/RuralLands/documents/2009%20APAC%20AgPreservationStrategiesReport.pdf>

**Rural Lands Task Force Recommendations March 2010**  
[http://www.clark.wa.gov/planning/rurallands/documents/10-0310\\_RLTF-RecommendationsReport.pdf](http://www.clark.wa.gov/planning/rurallands/documents/10-0310_RLTF-RecommendationsReport.pdf)

**Promoting Agricultural Food Production in Clark County, NOV 2013**  
<http://www.clark.wa.gov/public-health/about/documents/FSCProposalDraft.pdf>

Slow Food Southwest Washington's mission is inspiring people to eat, grow, and share healthy local food. Our goal is to reconnect Southwest Washington with the people, traditions, plants, animals, fertile soils and waters that produce our food. We work to inspire a transformation in food policy, production practices and market forces so that they ensure equity, sustainability and pleasure in the food we eat.

Thank You,

Sue Marshall  
Bours Corner Farm

Warren Neth  
Executive Director

--

Warren Neth  
Executive Director  
Slow Food Southwest Washington  
[www.slowfoodswwa.com](http://www.slowfoodswwa.com)  
cell- 360-771-1296



**Schroader, Kathy**

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**From:** Dennis Dykes <ddykes@tds.net>  
**Sent:** Thursday, September 10, 2015 1:02 PM  
**To:** Cnty 2016 Comp Plan  
**Subject:** Draft EIS Comments  
**Attachments:** GMP 2016 Update Sept 2015 Comments.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please accept the attached comments to the record.

Thank you,  
Dennis



September 10, 2015

Subject: Comments  
Draft Environmental Impact Statement for the 2016 Comprehensive Growth  
Management Plan Update

To: Community Planning  
Comprehensive Plan Comments  
PO Box 9810  
Vancouver WA 98666  
[Comp.plan@clark.wa.gov](mailto:Comp.plan@clark.wa.gov)

From: Dennis R. Dykes, LHG  
3800 NE 399<sup>th</sup> Street  
La Center WA 98629

Please accept these comments concerning the draft EIS prepared to inform decisions concerning 2016 Comprehensive Growth Management Plan update. I am a landowner living on and managing 65 acres of land designated FR40 although portions of this land have historically been used for agriculture. I have lived here for 25 years. Professionally I am a geologist licensed to practice geology and hydrogeology in Washington. I have also completed a Permaculture Design Certificate course which I am using to develop an integrated agriculture and forestry plan for my land.

I have read through the draft EIS and most of comments submitted through yesterday that are available online at Community Planning. First, I would like to apologize for the comments of my neighbors with the Clark County Citizens United. I found it difficult to find and understand what in their documents were actually comments on the draft EIS. I was here in the early 1990s and understand the emotions that the CCCU expresses and uses to obfuscate rational and legitimate planning. The CCCU did not then and does not now represent the best interests of those that truly want to live in a rural area and community. The clearest indicator of this is the fact that the end result of their efforts would be the suburbanization of rural Clark County.

About the draft EIS.

**General:** I found the analysis to be rather vague and generalized. It will be hard based on this level of analysis for the planning commission and council to make informed decisions about the plan. It is simply inappropriate that a "preferred alternative" be crafted from this analysis alone. Of particular interest to me are Alternatives 2 and 4 which will cause the most environmental degradation in the rural areas and reduce most of the economic opportunities currently available. These alternatives include wholesale changes to land use policies which are briefly described, were not developed through a public process, and are incompletely analyzed. A footnote to Table 1-2 states that forest land in the current use program is excluded from the VBLM model. This means that my land, and I would think most land zone for forestry, has been excluded from the analysis. This should be unacceptable to staff and the decision makers.

The analysis also considers most potential environmental impacts mitigatable but provides no evaluation of the costs either to the landowner or taxpayers. For example under Alt 4 my land could go from one parcel to at least 6, possibly as many as 13. What would the cost of environmentally friendly roads as well the restrictions on how each parcel is used cost me should I subdivide? What would the cost of just going through the subdivision process be? What would the public infrastructure cost associated with all these lots and new houses be? For example, the bridge over the East Fork at La Center will soon reach capacity and a second \$20 million bridge is proposed. What will it cost to upgrade Jenny Creek Road to access this bridge from my property? What will the impact fees be? This is a winding narrow road adjacent to the creek and it will be very expensive to mitigate the environmental impacts of any improvements. I'm sure this scenario is repeated throughout rural Clark County.

**Soil:** The CCCU has raised concerns about the accuracy of the characterization of soil in the draft EIS. As a licensed hydrogeologist I have used the various sources of information about soil identified in the draft EIS and by the CCCU. The GMA has clear definitions of soil characteristics that it is in our interests to protect. These have been used to guide previous planning processes and in previous EISs so I have trouble understanding how the maps presented in the draft EIS could suddenly have significant errors. The CCCU does identify a soil type that is characterized as very good for forestry but is excluded from the maps. I do suggest that staff double check this. Current GIS technology makes this process relatively straight forward although checking the accuracy is always necessary.

The suitability of soil in Clark County for farming and forestry is well established and should not be in question. The decline in agriculture described by the CCCU is related to a lack of leadership and the promotion of incompatible land uses (residential, commercial and industrial) in Clark County. It's an accepted fact that near urban agriculture typically includes higher value crops and benefits from the large nearby markets. Any business will recognize this as a great combination. Agriculture is in transition as the urban population becomes more aware of where their food comes from. We need a land use plan that encourages the kind of people that want to be part of and benefit from this trend, not a plan that promotes residential land uses above all else. Strong and stable zoning is fundamental to a long term business. Would any industry build a facility on land where the zoning could be change to residential? The data cited by the CCCU identifies and describes a problem that the leaders in Clark County need to address to promote this valuable sector of the economy. Forestry would also be served by promotion of local value added industries. The economy of Clark County would benefit more than by simply sending logs to China. It's obvious, as the CCCU acknowledges, that trees grow here.

**Water resources:** This is something I am knowledgeable and passionate about.

**Surface Water-** I was shocked by the increase since 2007 in 303(d) listings included in Appendix A. The draft EIS glosses over this, barely mentions the additional listings and balances it with the very few delisted. This is not appropriate and needs to be corrected. A casual review of Appendix A shows that more streams have been added to the list or additional parameters add to a listed stream than there are streams with no change. The type of land use in a watershed is the main cause of the degradation of water quality. This analysis suggests that

even Alternative 1 will substantially increase the degradation of surface water in Clark County as occurred between 2007 and 2012. Clark County recently lost a lawsuit that cost taxpayers (not the developers that benefitted financially) well over \$3 million because it chose to avoid managing stormwater as high up in watersheds as possible. With this in the background, rural landowners will be expected to manage stormwater much more in the future. Alternative 1 shows that current requirements are not working even through the development slow down caused by the recession. The draft EIS must include a detailed analysis of this issue and what mitigations will be required and their costs to both the landowners and taxpayers. The over 65,000 acres, nearly a sixth of Clark County, affected by additional parcelization in Alt 4 is a serious potential impact that would be expensive to mitigate.

**Groundwater-** the draft EIS correctly identifies the availability and quality of ground water as requiring evaluation. Unfortunately the discussions of each are vague and generalized. Detailed analysis and quantification of potential mitigation needs and costs are not provided. It is well known that the yield of wells in the rural areas most affected by Alternatives 2 and 4 is often quite low and inadequate requiring additional costs for development. Subdivisions have been required to install expensive water systems to assure water to all lots. Additionally wells in many areas are contaminated with naturally occurring arsenic, sulfur compounds, manganese and excessive iron as well as nitrates and occasional or recurring bacterial contamination which affect the use of the water. These conditions have led to requirements to prove the availability and quality of the water supply before subdivision or the issuing of building permits putting the government in the position of potentially denying a land use.

The impact of the addition of many thousands of wells must be more thoroughly analyzed. The simple feasibility of the addition of so many wells, the affect of withdrawing that much water on springs, wetlands, streams and ponds as well as the potential risk of widespread aquifer failures should be quantified. These potential problems would be most cost effectively mitigated by rejecting Alts 2 and 4 and continuing Alt 1. Without additional analysis it's impossible to say Alts 2 and 4 would not cause significant problems.

**Fish and Wildlife Resources:** My expertise only peripherally includes these resources. It is clear, however, that these resources are dramatically affected by residential development, agriculture and forestry.

Of these, residential development has the greatest impact. This is because people manicure and maintain a substantial area around their houses and in rural areas have long access roads or driveways. These practices often include the use of pesticides and fertilizers at higher rates than on farms and forests and each house will have a septic system that can also impact water quality. The draft EIS minimizes the impact of parcelization on these resources by saying without documentation that "More common species are likely already accustomed to some level of human disturbance ...". More detailed analysis is needed: what species, what roles do they play in the ecosystem, what ecosystem functions are lost by exclusion/loss of the other less common species? The conditions created by development affect water flow through the ecosystem, fragment habitat, and create conflicts between people and wildlife. We all have stories about how deer and elk ravage landscaping and if anyone sees a bear or cougar it makes the news.

These problems often lead to exclusion or elimination of wildlife as well as the more subtle degradation of habitat to the point where wildlife cannot survive or avoid an area. Minimizing the intrusion of residential development is the only effective way to mitigate these impacts.

Agriculture and forestry can continue with practices that can minimize these impacts at little cost. In fact, a healthy diverse ecosystem grows the best trees at the least cost because the system supplies and supports itself. Inputs to agriculture can also be minimized through diversity reducing potential impacts on the ecosystem. These are also the kinds of changes to agriculture that urban residents are looking for in their food supply.

**Other Issues:** The draft EIS addresses a number of other areas of potential impact including land and shoreline use, energy, transportation and public facilities. Each describes the logical increase in impact caused by more parcelization in the rural areas. Arguing that this isn't the case would be nonsense. What the draft EIS lacks is quantification of these impacts and the costs of mitigation both in money and how people use the land.

**Conclusion:** The draft EIS is vague and lacks enough detail for the planning commission, the council and the wider community to make an informed decision about a preferred alternative. If this is as good as an EIS gets then it is clear that the potential impacts of Alternatives 2, 3, and 4 are greater than Alternative 1. The CCCU has attempted to provide additional information to support Alternative 4 but this information includes too many assumptions, rhetoric and extraneous information to overcome the obvious and substantial impacts of this alternative.

Of equally great concern is the fact that Alternatives 2 and 4 require major changes to policies that were developed through public processes. It would be a corruption of the public process to include the elements of Alternatives 2 and 4 that change policy without a public process. The Community Framework Plan (CFP) which is described on page 6-3 (Section 6.1.2) was developed through a community process that included rural residents. It describes a desire and expectation that there will be a clear difference in character between rural and urban Clark County. It set a goal of 10% rural residents and 90% urban residents. The last figures I have seen show this ratio is about 11% to 89%, a bit off the goal. The EIS does not acknowledge the specific goals of the CFP, evaluate their status, nor evaluate the effect of these goals on the environment. These goals were agreed to by the community to allow the rural resource based economy to continue with the least amount of interference from land use conflicts and government as well as to make the provision of public services as cost effective as possible. This is the best way to keep government costs and taxes down.

Respectfully submitted



Dennis Dykes

## Schroader, Kathy

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**From:** Orjiako, Oliver  
**Sent:** Thursday, September 10, 2015 3:16 PM  
**To:** Alvarez, Jose  
**Cc:** Schroader, Kathy  
**Subject:** FW: EIS Comment Letter to Clark County Planning Commission 09-10-2015  
**Attachments:** EIS Comment Letter to Clark County Planning Commission 09-10-2015.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI, and for the record. Thanks.

Oliver

---

**From:** Steve Horenstein [<mailto:Steve@horensteinlawgroup.com>]  
**Sent:** Thursday, September 10, 2015 3:07 PM  
**To:** Orjiako, Oliver; Euler, Gordon  
**Cc:** Karen Jones  
**Subject:** EIS Comment Letter to Clark County Planning Commission 09-10-2015

Oliver and Gordy,

Comments on the Supplemental EIS



Stephen W. Horenstein  
ATTORNEY AT LAW

500 Broadway, Suite 120  
Vancouver, WA 98660

Direct: (360) 597-0965

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attached.

I will attend and testify at the hearing this evening.

Best...Steve



STEPHEN W. HORENSTEIN  
STEVE@HORENSTEINLAWGROUP.COM  
DIRECT: 360-597-0965

September 10, 2015

Board of Clark County Councilors  
Clark County Planning Commission  
1300 Franklin St  
Vancouver, WA 98660

Re: Planning Alternatives

Dear Councilors and Commissioners:

The purpose of this letter is to provide comments on the supplemental Environmental Impact Statement for the 2016 Growth Management Plan update with specific reference to Alternative 4.

Washington's Growth Management Act ("Act") contains 13 goals. However, the overarching fundamental policy principles behind the Act are straightforward: Urban Areas will be developed with significant density. Rural areas shall remain Rural.

Included in the environmental review very late in the GMA planning process, Alternative 4 flies in the face of maintaining the rural character of those portions of Clark County that have neither been added to Urban Growth Areas or provided with a special designation such as a Rural Commercial Center nor a Rural Industrial Land Bank, both of which are specifically provided for in the Act and allow for Urban density in the Rural areas.

Under Alternative 4, the existing R-5 zones would also contain R-1 (1du/1ac) and R-2.5 (1du/2.5ac) lots and would add up to 9880 new parcels/12,400 new lots at full build out. The transportation and other infrastructure that this creates are enormous and are required to be addressed in the Capital Facility Plans that must accompany the GMA plan update. Indeed, Alternative 4 will provide for the potential of new development on 65,500 acres!

The impact of Alternative 4 is not addressed in the Supplemental EIS in areas that include transportation, utilities and other public facilities, fish and wildlife resources, water resources and impact on soils and forested areas. If Alternative 4 were chosen, much more environmental review and capital facilities planning would need to be undertaken to be able to defend the GMA plan on appeal.

It is the case that the Act, when it became the law of land use planning in Washington, had a profound effect on rural landowners. For some it was a

positive; it allowed them to live in a rural environment, perhaps to maintain their farm and protected them from sprawling development. For others, the Act had the effect of eliminating all plans for creating smaller parcels for family members or sale and redevelopment of land long held for this eventual purpose.

I have been struck by the fact that for perhaps the first time since the Act became law, the experienced land use attorneys in Southwest Washington, on both the environmental side and the development side, are all of one mind. All of us know from extensive experience that Alternative 4 violates the ACT and will not be upheld.

Every major GMA plan adopted in Clark County to date has been the subject of appeals to the Western Washington Growth Management Hearings Board and sometimes beyond. The introduction of Alternative 4 has created expectations on that part of some rural landowners that will not be met. This unfortunately has become divisive and will most certainly lead to litigation, which will slow down the implementation of the new plan and inhibit growth (Jobs and homes) in Clark County.

The following summary of Washington State Growth Management Hearing Board (“Board”) decisions and orders stand for the proposition that Alternative 4 is not a viable proposition under the GMA because 1) the local Circumstances do not support Alternative; 2) Alternative 4 does not reflect Clark County’s existing rural landscape; and 3) Alternative 4 does not confine R-1 and R-2.5 lots to Limited Areas of More Intensive Rural Development (LAMIRDs).

#### **1. Local Circumstances Do Not Support Alternative 4**

In *Brodeur v. Benton County*, (Case No. 09-1-0010c) Benton County amended its “Future Land Use Map in the Land Use Element” to allow 1,120 acres, originally having a rural maximum density of 1du/5ac, to have a rural maximum density of 1du/1ac— i.e., the same density as R-1 lots under Alternative 4. However, the Board found the amendment to (a) be “inconsistent with the county’s Rural Character” and (b) “enabl[ed] prohibited urban growth within a Rural Area,” because, among other things, there was “no evidence in the record showing that Benton County considered local circumstances in determining an appropriate density on the subject property, as per RCW 36.70A.070(5)(a).” See Final Decision and Order at 14–20 (May 4, 2009). Consequently, Benton County rescinded the amendment at issue and “re-designated approximately 1,120 acres of rural lands back to RL-5 [(one dwelling unit per five acres)].” Order of Compliance at 3 (July 16, 2010).

In short, *Brodeur* suggests Alternative 4 is not a viable proposal unless local circumstances support the inclusion of R-1 and R-2.5 lots within the R-5 zones. However, the local circumstances run contrary to Alternative 4. Specifically, the 2004-2024 Clark County Comprehensive Plan (the CCCP), expressly states that “future amendments to the 20-Year Plan map must be made in a manner, which is consistent with the[] general descriptions [provided in] Tables 1.4, 1.5, and 1.6” of the CCCP. (Emphasis added). Per Table 1.4 (the Rural Lands Plan Designation to Zone Consistency Chart), only rural lands that have max densities of 1du/5ac (i.e., R-5), 1du/10ac (i.e., R-10), and 1du/20ac (i.e., R-20) are consistent with being designated as “Rural.” In addition, Table 1.4 makes it clear that lots having densities of 1du/2.5ac or 1du/1ac must be designated as either “Commercial Rural (CR)” or “Rural Center Residential (RC-1 or RC-2.5). See also CCCP at p. 1-15.

## **2. Alternative 4 Does Not Reflect Clark County’s Existing Rural Landscape**

In *Dry Creek v. Callam County* (Case No. 07-20018c), Clallam County allowed “rural densities of less than one dwelling unit per five acres outside of Limited Areas of More Intensive Rural Development (LAMIRDs).” See Final Decision and Order, at 2, 53–64 (Apr. 23, 2008). Upon appeal, the Board concluded that Clallam County “failed to maintain the traditional rural lifestyles of the residents of Clallam County as required by the GMA” because the “the existing rural landscape and the rural character of Clallam County [was] a rural density of one dwelling unit per five acres (1 du/5 acre).” See *id.* In order to achieve compliance with respect to problematic R2/RW2 land designations, the county implemented a new zoning scheme that “essentially established a rural density of one dwelling unit per five acres.” See Compliance Order, at 5-11 (Nov. 3, 2009).

In short, *Dry Creek* suggests that Alternative 4 is not a viable proposal under the GMA because lot densities of 1du/1ac and 1du/2.5ac do not reflect the existing rural landscape of Clark County, i.e., a landscape characterized by 1du/5ac, 1du/10ac, and 1du/20ac and densities. See Table 1.4 and Table 3.1 of the CCCP.

## **3. Alternative 4 Does Not Confine R-1 and R-2.5 to LAMIRDS**

In *Futurewise v. Whatcom County & Gold Star Resorts*, Case No. 05-2-0013, the Washington State Supreme Court ordered the Board on remand to reconsider the question of whether RR1 (1du/ac), RR2/R2A (2du/ac), and RR3 (3du/ac) land designations were “rural densities” without using a “bright line rule of one residence per five acres.” Order Following Remand From Supreme Court at 2 (Sept. 09, 2011). At the remand hearing, the Board concluded that with respect to the challenged RR1 (1du/1ac), RR2 (1du/2ac), and RR3 zones (1du/3ac), “non-compliance ha[d] been cured by including such zones in LAMIRDs.” *Id.* at 11. And in *Dry Creek*, the Board concluded Callam County remediated similar non-compliance by “clarify[ing] that R1/RW1 [(1du/1ac)] lands were confined to compliant LAMIRD zones.” *Id.* at 30–31.

Board of Clark County Councilors  
Clark County Planning Commission  
September 10, 2015  
Page 4

In short, *Futurewise* and *Dry Creek* suggest that Alternative 4 is not a viable proposal under the GMA because Alternative 4 does not confine land zones having densities greater than 1 du/5ac (namely R-1 and R-2.5) to LAMIRDs.

It is clear from the above analysis that Alternative 4 will not withstand scrutiny or challenge. If Clark County wants to create more and smaller lots in rural Clark County it must prevail on the legislature to amend the Act to let this happen. The county does not have the authority under the ACT to adopt a plan that is so clearly violative of the ACT as it exists today.

Please contact me if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stephen H. Horenstein", with a long, sweeping underline that extends to the right.

Stephen H. Horenstein