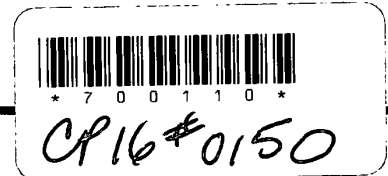


O'Donnell, Mary Beth



From: Carol Levanen <cnldental@yahoo.com>
Sent: Sunday, June 22, 2014 11:15 PM
To: Madore, David; Mielke, Tom; Barnes, Ed; Carol Levanen; Susan Rasmussen; Leah Higgins; Rick Dunning; Rita Dietrich; Jerry Olson; Fred Pickering; Jim Malinowski; Frank White; Benjamin Moss; Lonnie Moss; Melinda Zamora; Nick Redinger; Curt Massie; Marcus Becker; Clark County Citizens United Inc.
Subject: Resource lands appeals - For the public Record

Dear Commissioners,

In my conversation with Planning Director, Oliver, he voiced concerns that in 1994 the agriculture and forest zoning was not appealed, nor in the 2004 update. He said if they were not correct, as Clark County Citizens United, Inc. claims, why weren't they appealed. I will forward explicit information later, from the Western Washington Hearings Boards text, that explains what happened, but indeed there were many appeals filed for those zones. This is a brief description of what happened.

There were actually over 60 appeals (62 to 80, depending on whether one includes those that were thrown out by the Hearings Board), but that Board refused to hear them, even though they had been filed correctly and timely. The Board claimed that because the Agri-Forest appeal was similar to the resource appeals, they would include them into the Agri-Forest appeal, instead of hearing each one individually. The Board claimed there were too many appeals and they didn't have time to hear them. This prevented those legitimate resource lands appeals from having the ability to have their day in court. CCCU, Inc. believes those actions were by design. At that time, the Board was having private meetings with Clark County planning staff to discuss how they were going to proceed. CCCU, Inc. became aware of this when one of our members accidentally entered the wrong room and discovered the meeting. The Board attorney, Mr Nielson, became quite upset with the member and ordered him to leave.

CCCU, Inc. now believes that the county was fully aware of the citizens uproar that would be created when they designated the Agri-Forest 40 acre zone with no public process or public record to back up the designation. By doing so, such an outrageous designation diverted all the attention to a designation that would not hold up in court, thus allowing all of the other inappropriate resource and rural zoning, to be adopted.

In essence, the county was willing to waste all of the taxpayers dollars, to proceed in the courts, as well as the \$260,000 that landowners paid for the court actions. This enabled the county to lock up most of rural Clark County in rural and resource zoning that created approximately 100% non-conforming lots.

Clark County Citizens United, Inc. has been an active participant in the planning process since 1994 and filed the appeal against the Agri-Forest designation. It was always the intent of CCCU, Inc. to revisit our concerns with the next update. But, there was very little public process allowed, when that happened. Particularly in the 2004 update, CCCU, Inc. submitted testimony to the county regarding our concerns over the EIS, but was told by the planners and the commissioners that rural lands were off the table and would not be considered for any change during that update. Indeed the Rural Element was changed to include a section dedicated to the horse industry. In that information, language was added that stated rural land must be "preserved" to provide food for horses, in an attempt to justify the improperly designated lands.

Most certainly, there is no integrity to the existing Clark County Comprehensive Land Use Plan, because it is essentially the same plan that was adopted under the conditions mentioned, in 1994. It is time for the commissioners, to correct the flaws in the plan with an honest public process, interpretation and application of the Growth Management Act.

Sincerely,

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