

O'Donnell, Mary Beth

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CP16#0423

From: LaRocque, Linnea on behalf of Barnes, Ed
Sent: Monday, November 03, 2014 9:02 AM
To: Orjiako, Oliver
Cc: Tilton, Rebecca; O'Donnell, Mary Beth
Subject: Clark County Comp. Plan, resulting impacts

Follow Up Flag: Follow up
Flag Status: Flagged

From: susan rasmussen [mailto:sprazz@outlook.com]
Sent: Saturday, November 01, 2014 6:06 PM
To: Madore, David; Mielke, Tom; Barnes, Ed; Rick Dunning; Jim Malinowski; Jerry Olson; Leah Higgins; Lonnie Moss; Marcus Becker; Curt Massie; Rita Dietrich; Clark County Citizens United Inc.
Subject: Fw: Clark County Comp. Plan, resulting impacts

For the Public Record in the SEIS scoping report for the 2016 Comp. plan updates

Sent from Windows Mail

From: susan rasmussen
Sent: Saturday, November 1, 2014 5:31 PM
From: susan rasmussen

Hello Ike,

Thank you for attending the open house in Ridgefield Thursday evening and for giving your attention to Carol and myself regarding the comp. plan updates for our county.

The significant turnout of rural citizens that came to the open house is very telling. This update is of great importance to the rural land owners throughout Clark County. Our properties have been frozen since 1994. Most land owners are coming forward and demanding relief in the form of options, some kind of flexibility. Most land owners experienced massive downzoning referenced by the comments early in the open house by Mrs. Kay Dalke. The 1994 comp. plan abolished our options, destroyed historical cultural practices allowing family members to reside as well as work on the family farm, and wiped out historical patterns of rural development. This is significant as it directly impacts the bottom lines all family farms, and forestry operations throughout Clark County.

The particular actions stemming from the 1994 Clark County Comp. plan regarding massive downzoning of rural and resource lands, have had direct and harsh consequential impacts to every landowner in Clark County. These impacts not only taint the rural communities and their citizens, but local and regional economies as well that largely depend on the already financially fragile resource industries. It isn't coincidental that the negative social and economic impacts directly correspond with the downward trend of large commercial farm and forestry activities. More importantly, over time the cumulative negative economic

and social impacts directly undermine and further weaken the fragile resource-related economic foundation that, in turn, supports the all-important, "rural character," (per GMA).

Any economist will agree that this isn't the kind of situation that supports a sustainable, robust economy. This recipe won't sustain any economy. By their very nature, resource industries are highly susceptible to unstable market conditions, and highly volatile market fluctuations. It is imperative that the resulting impacts of the massive downzoning be addressed. The harsh realities of the social and economic impacts, directly tied to the 1994 Clark County land use plan, have proven to undermine rather than enhance a sustainable rural economy. Therefore, the county's present land use plan does not support, "rural character," per GMA.

Many barriers were crafted and put into place as ordinances that forced landowners into locking up their land into undesired very large parcels. Most of these large parcels do not conform to historical neighboring development patterns that were already in place prior to the adoption of the 1994 plan. This has resulted in a mere 17% of the lots being in conformance to their zoning size (Berk Study, 2012).

The Berk Study goes further, and makes recommendations to the following:

"Smaller parcel size for resource only. This would allow a smaller parcel to be created but only for resource uses. This would recognize the trend for smaller agricultural and forestry operations and allow for flexibility in ownership options."

The Clark County Comp. Plan was obsolete upon adoption. By 1990, many large commercial dairy farms had already migrated out of the area. The county had app. 20 that remained operational. Their commercial viability already was questionable due to many prime issues:

1. Many supporting businesses of this industry were no longer located within the county,
2. The rising costs of transporting this highly perishable commodity out of the county to the nearest processing plant. (Portland, Centralia, Tillamook)
3. Nearly all high quality feed required for dairy cattle had to be imported into the county. (high quality alfalfa hay, and high protein grain supplements)
4. Highly restrictive environmental regulations were not only unpredictable, but very expensive to implement. Engineering, and grant funding to help offset these major expenses was in little to no supply. (\$100,000. for a manure holding pond)
5. Nearly every large dairy farm had more than one seasonal stream, creek, or river that bisected the farm. This fact compounded the environmental constraints.
6. The environmental regulations from ESA required removing valuable farm, and timber lands from production in order to meet the requirements of dedicated buffering zones.
7. The Federal Clean Water regulations, NPDES permits, ESA, and the Clark County code regulations were becoming increasingly more impactful to the economic bottom lines of every commercial farm and forestry operation in Clark County.
8. The inherent volatile economics of the resource based industries (farming, timber).
9. The rapid conversion of rural and resource lands was already occurring. The cities and the rapid population expansion was already advancing into the rural lands.
10. As large farming operations were migrating out of the rural lands, families were migrating into rural Clark County seeking to live a rural lifestyle on very small to small farms. Retired people were also settling here. The average age of a Clark County farmer is 55.

11. The present and future farming trends of Clark County, documented in the Berk Study 2012, clearly demonstrates a need to accommodate, "very small to small farms." This fact is further upheld in the U. S. Farm Census Report. Small farms are 5 acres.

Lewis County was commended in the Courts for recognizing the present and future needs of the large dairy industry in their county comp. plan. They wisely acknowledged the outward migration. They wisely acknowledged how this migration would ultimately impact the county's large parcels of resource lands. They employed analysis regarding the present and future trends of this industry. The planners used this analysis and astutely made adjustments to the resource lands. These adjustments correctly recognized the unique local circumstances, and the ability to employ discretion and discernment to those valued local circumstances (per GMA). This is important. Those local circumstances provide the only true guidance tools that compose the community's needs, desires, and trends. The techniques and policies used ultimately supported justification of Lewis County's land use trend towards smaller resource parcels. Lewis County planned accordingly...not by a preconceived agenda. This resulted in a well-crafted plan that truly reflected the community's uniqueness.

My questions to you Ike...

1. Why did the Clark County 1994 comp. plan wrongly ignore the migration out of the many large dairy farms?
2. Why haven't updates been made to the county resource lands to reflect the social and economic impacts of the land use plan?
3. Why haven't updates been done to reflect Clark County's unique local, present and future trends that clearly demonstrate trends towards, "very small to small farms?"
4. Why haven't the Superior Court Orders written by Judge E. Poyfair, Cause No. 96-2-00080-2, April 4, 1997 been recognized by the county planners?
"The Board's interpretation was erroneous and the County's decision to follow the Board's lead was unfortunate. The result is a plan that gives little regard for the realities of existing rural development in direct contradiction of the terms of the GMA."

My best to you,
Susan Rasmussen,
for the Board of Directors,
Clark County Citizens United, Inc.

From: susan_rasmussen
Sent: Monday, October 20, 2014 11:58 AM
To: jke.nwankwo@commerce.wa.gov

Hello Ike,
Thank you for giving me your time this morning and discussing our issues with you. The court case I referenced is No. 96-2-0080-2, Judge Poyfair, April 4, 1997, Superior Court of Washington for Clark County: Findings of Fact, Conclusions of Law and Order:

Pg. 3, lines 9-13: "However, none of the alternatives for planning addressed in the environmental review document discussed the 36,000 acres of agri-forest resource land." There has never been an EIS done on the 36,000 acres.

Pg.4, lines 23-3: "The Board erroneously interpreted and applied the GMA when it failed to require the agri-forest resource lands meet the statutorily mandated criteria for resource lands. Furthermore, there is no substantial evidence in the record to support the designation of agri-forest lands as resource lands under the GMA."

Pg. 5, #6: "The County failed to comply with SEPA's requirement for additional environmental review when a proposal changes substantially from the one addressed in the initial EIS. The Board's decision to uphold the adequacy of the EIS absent additional environmental analysis regarding the agri-forest designations and changes to the pattern of rural development was clearly erroneous."

Pg. 6, #7: "Rural Land Densities. The county's rural and resource development regulations are inconsistent with the GMA. The GMA requires counties to determine that planning goals are utilized and are a part of the consideration supporting its decisions. One of the planning goals requires a variety of residential densities and housing types, which the Clark County Comm. Framework Plan met by identifying pre-existing small development patterns in rural areas and creating rural activity centers with a variety of rural densities. The eradication of the centers and their replacement with a uniform lot density violates the planning goal requiring a variety of residential densities". ... "This Board decision , however, compelled the county to downzone substantial portions of the rural areas in order to meet the Board's apparent requirements." (This resulted in the creation of thousands of non-conforming lots)

Pg. 6: "The Board's interpretation was erroneous, and the County's decision to follow the Board's lead was unfortunate. The result is a plan that gives little regard for the realities of existing rural development in direct contradiction of the terms of the GMA." Clark County Citizens United, Inc. is requesting that this Superior Court Order be respected and implemented in the current updates to the county's comp. plan.

**Best Regards,
Susan Rasmussen for the Board of Directors,
Clark County Citizens United, Inc.**