

Schroader, Kathy



From: Dennis Dykes <ddykes@tds.net>
Sent: Monday, October 19, 2015 11:05 AM
To: Cnty 2016 Comp Plan
Subject: Preferred Alternative Comments
Attachments: GMP 2016 Update October 2015 Comments Preferred Alt.pdf

Please accept the attached comments to the record and forward to the County Council for their consideration.

Thank you,
Dennis

October 18, 2015

Subject: Comments
Preferred Alternative 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

From: Dennis R. Dykes, LHG
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Please accept these comments concerning the development of the Preferred Alternative that will be evaluated in the Final EIS for the 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.

Fundamentally, a comprehensive plan is developed, implemented and updated so that local and state government can efficiently provide services and keep taxes low. The myriad factors that must be balanced make this process complex. The EIS is an attempt to identify and describe the impacts of various scenarios. I have read through the draft EIS and many of the comments submitted concerning it. I found the analysis to be rather vague and generalized. It's not appropriate based on this level of analysis for the council to make detailed decisions about the preferred alternative from this analysis alone. Having said that, it is clear that Alternative 1 has the lowest cost, is the least disruptive of current land use patterns in the rural areas, has the least environmental impacts and preserves the most economic opportunities for people in the rural areas. It will also keep rural landowners taxes lowest.

An informed development of the preferred alternative in my opinion must consider in more detail the following:

- Water resources
- Soil
- Respect for public process

There are of course other factors that must be considered in more detail than described in the EIS but these are where I have the most relevant experience.

Water Resources: This is something I am knowledgeable and passionate about. The draft EIS does not consider the limited availability of water for new uses in Clark County and inappropriately downplays substantial degradation of surface water in Clark County since 2007 documented in Appendix A. These issues affect the basic uses of land in rural Clark County.

Groundwater- the draft EIS correctly identifies the availability and quality of ground water as requiring evaluation. Unfortunately the draft EIS does not reference and consider the Water Resource Management Programs that affect Clark County. These programs became effective in January 2009 as WAC 173-527 and WAC 173-528 and are therefore established by rule. These rules quantify the amount of water available in these watersheds to protect the rights of senior water right holders, who have the first legal right to the water, and not to limit or control peoples' use of their land. Basically there is a limited amount of water, more can't be made just because land is divided, and the rule allocates a limited reserve for use by new households in specified sub-watersheds. Allowing more subdivision without a clear understanding of this issue would be irresponsible and lead to avoidable conflicts between water users.

I've attached a spreadsheet prepared using Department of Ecology data that estimates there is enough water reserved for 4,859 more households spread amongst the various sub-watersheds. This is less than the number of vacant lots available according to the Buildable Lands Report. Although this does not consider the distribution of these lots above the various control points, the reserves are clearly not adequate to supply water to even the additional lots allowed by Alternative 1. Please address this issue before lots that cannot be allocated water without interfering with other water rights are created. This will take a substantial effort to address. Parcelization upstream of each identified control point (see attached Ecology maps) must be evaluated to determine how many new households can be created before their use of water interferes with older existing water rights. This evaluation must be considered during the permitting process for each new household.

Surface Water- Appendix A of the draft EIS documents a substantial increase since 2007 in 303(d) listings of streams in Clark County. The draft EIS glosses over this, barely mentions the additional listings and balances it with the very few delisted. This is not appropriate and the conclusion that further impacts can be mitigated is suspect except through excessive regulatory restrictions and high restoration costs. The final EIS must include an accurate assessment of stream degradation and the costs of addressing this problem. The type of land use in a watershed is the main cause of the degradation of water quality and the assessment must address each watershed and sub-watershed individually. The vague analysis in the draft EIS does suggest 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 to restore or even maintain water quality even through the development slow down caused by the recession.

Soil: Clark County has a variety of soil types that developed from the various parent geologic materials under the prevailing climatic conditions. Most soil types have been determined to be suitable for resource use, specifically forestry and agriculture. Many soil types are fine grained and include clay and silt and therefore have limits to the usefulness for treatment of septic effluent primarily because they transmit water relatively slowly and therefore are saturated much of the year.

The record includes many contradictory statements about the accuracy of the soil mapping and the suitability for the various uses. I use soil mapping regularly and find them generally accurate although some small scale variations occur that were not defined by the mapping techniques. This is not unusual and cannot justify disregarding the mapping for the purpose of regional planning.

Soil suitability for septic systems is an important consideration for protection of water quality and public health. In Clark County the types of soil in many areas has resulted in a significant proportion properties requiring mound septic systems that are expensive to install and operate as well as have substantially more maintenance and inspection requirements. These requirements are often perceived as intrusions by government but in reality are needed to prevent the obvious threat to public health. Over three decades ago it was determined that septic systems are not appropriate on lots under an acre in size and research has shown that much larger lot sizes are required particularly in marginal soil types.

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 in Clark County. Of primary concern for the rural areas is the suitability for forestry and agriculture. Current GIS technology makes the process of identifying these soil characteristics relatively straight forward, although checking the accuracy is always necessary. The mapping shows that forest and agricultural land in Clark County meet appropriate definitions and require protections.

The suitability of soil in Clark County for farming and forestry is well established and should not be in question. What is lacking is leadership to promote resource based businesses. The decline in agriculture described in the record is related to the misguided 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. The data cited in the record 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 that trees grow here, people have benefited from that fact for millennia.

Respect for Public Process

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 and relevant to the decisions about the preferred alternative. 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.

In the 1990s I chaired the Rural Clark County Preservation Association. The RCCPA is an association of residents that want to maintain rural Clark County as a place to live and make a living. It is unfortunate to us that this has to be done through plans and rules rather than common sense, respect for the intrinsic lifestyle and economic opportunities of rural living, and respect for the difference between rural and urban. We aren't the tired cliché of urbanites that just want a place to drive through on weekends but real live rural residents.

We engaged the process in the 1990s to defend what we value. The CCCU claims that rural residents got the shaft in the process but that is rewriting history. I was there as thousands of lots were created in the three years it took to finish the 1994 plan. These lots were created because of the frenzy whipped up by the members of the CCCU and others. And then after most of the plan was implemented, a focus group was formed that went through pretty much every parcel of rural land rezoning many to allow even more lots. I attended some of these meetings and saw CCCU members actively disrupting collaborative progress when they perceived decisions going against their desires. They are disingenuous at best to claim we rural residents were wronged in 1994.

Therefore, to make changes from Alternative 1 without a drawn out revisiting of the entire process would disenfranchise the efforts of the good people that honestly engaged in the public process. The Planning Commission essentially said this to the Council through their recommendations.

It is also not appropriate that Clark County is designating the Rural Industrial Land Bank at the Lagler and Ackerland properties separate from the comprehensive plan update. This affects over 500 acres of current ag land essentially eliminating this valuable ag land without consideration of the affect on the update. This must be part of the comprehensive plan process.

Conclusion: The draft EIS is vague and lacks enough detail for 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 and therefore must be disregarded. There is not enough water in reserve for the existing legal parcels so no additional parcelization should be allowed. The information submitted to the record to support Alternative 4 includes too many assumptions, rhetoric and extraneous information to overcome the obvious and substantial impacts of this alternative. It should be clear to even a casual observer that these impacts will be expensive to mitigate and

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lead directly to more intrusion of government on land owners as it attempts to mitigate these unnecessary impacts.

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 of the draft EIS (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 draft EIS does not acknowledge the specific goals of the CFP, evaluate their status, nor evaluate the effect of these goals on the environment but the council must when developing the preferred alternative. 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.

The Planning Commission recommendations should be followed to develop the preferred alternative except that there is no need to give special consideration to landowners of record before 1994. We all had plenty of time and opportunity to make changes then.

Respectfully submitted



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**Water Reserve for Households in Rural Clark County
WRIA 27 and 28 (Clark County Portions)**

	Reservation Benefit (CFS)	Households Served	New Water Wells (ecy)	Public est* systems(doh)	RESERVATION TOTAL	% Used	Remaining Household Capacity
North Fork Lewis River Subbasin							
Small Community Water Systems - Clark Co	0.75	606	3		3	0.5%	603
Domestic Wells - Clark Co	0.12	324	81		81	25.0%	243
East Fork Lewis River Subbasin							
Small Community Water Systems - Clark Co	0.37	299	2	19	21	7.0%	278
Domestic Wells - Clark Co	0.47	1269	122		122	9.6%	1147
Salmon Creek Subbasin							
Domestic Wells - Clark Co	0.12	324	92		92	28.4%	232
Lacamas Creek Subbasin							
Clark Public Utilities (CPU)	0.6	485			0	0.0%	485
Small Community Water Systems - Clark Co	0.37	299	3	8	11	3.7%	288
Domestic Wells - Clark Co NA	0.17	459	71		71	15.5%	388
Washougal River Subbasin							
Small Community Water Systems - Clark Co	0.37	299		10	10	3.3%	289
Domestic Wells - Clark Co	0.17	459	32		32	7.0%	427
Columbia River Tributaries Subbasin							
Small Community Water Systems - Clark Co	0.21	170	0		0	0.0%	170
Domestic Wells - Clark Co	0.12	324	14		14	4.3%	310
Total	3.84	5,316			457	8.6%	4859

2,747 Number of single household wells available in reserve

2,112 Number of households in small community systems available in reserve

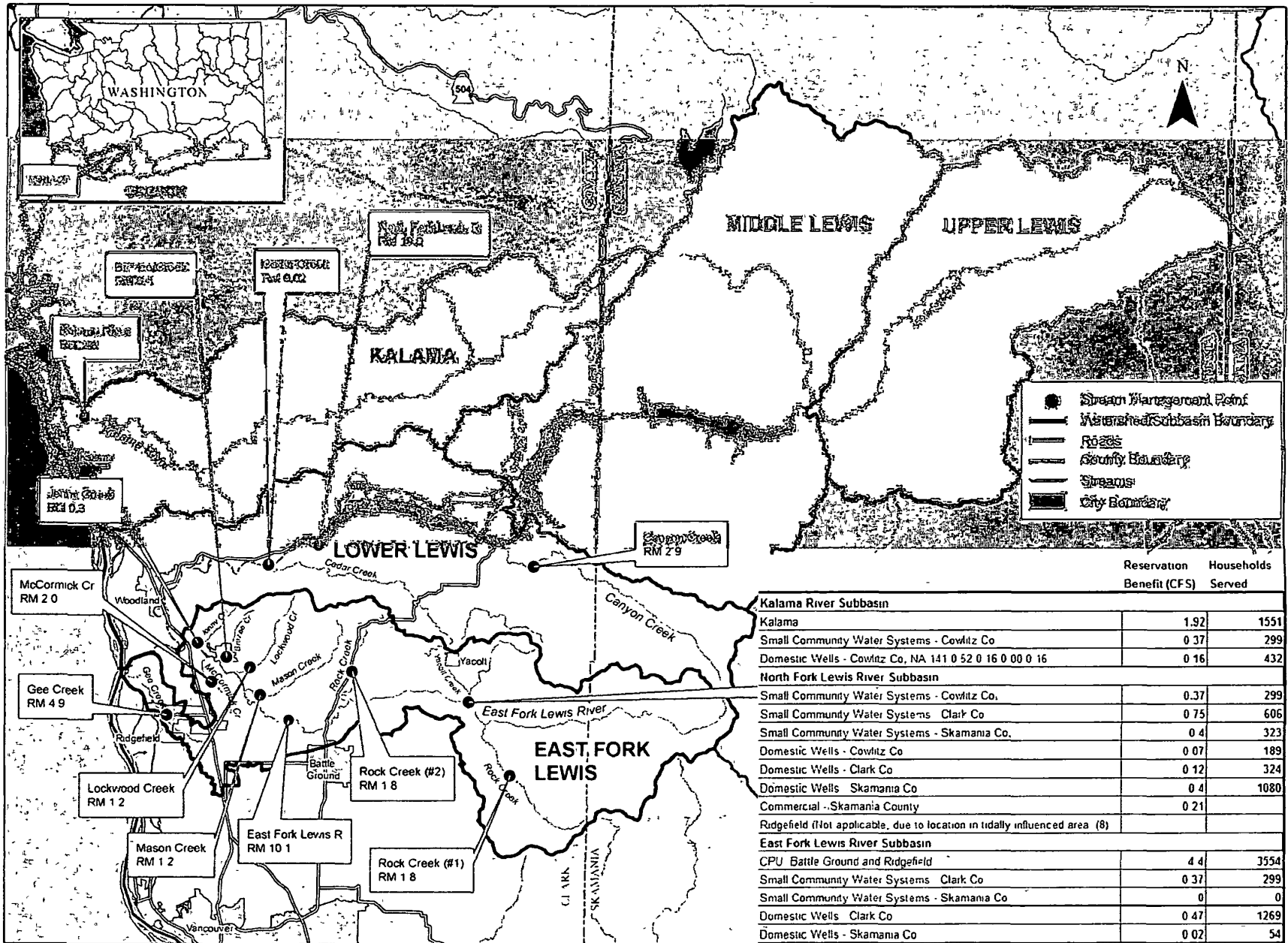
4,859 Total households available in reserve (June 2015 estimate by Dept of Ecology)

Note: Data for Department of Ecology edited by Dennis Dykes to include rural Clark County portion of each WRIA.
Water Reserves specified in WAC 173-527 and 173-528.

10/18/2015

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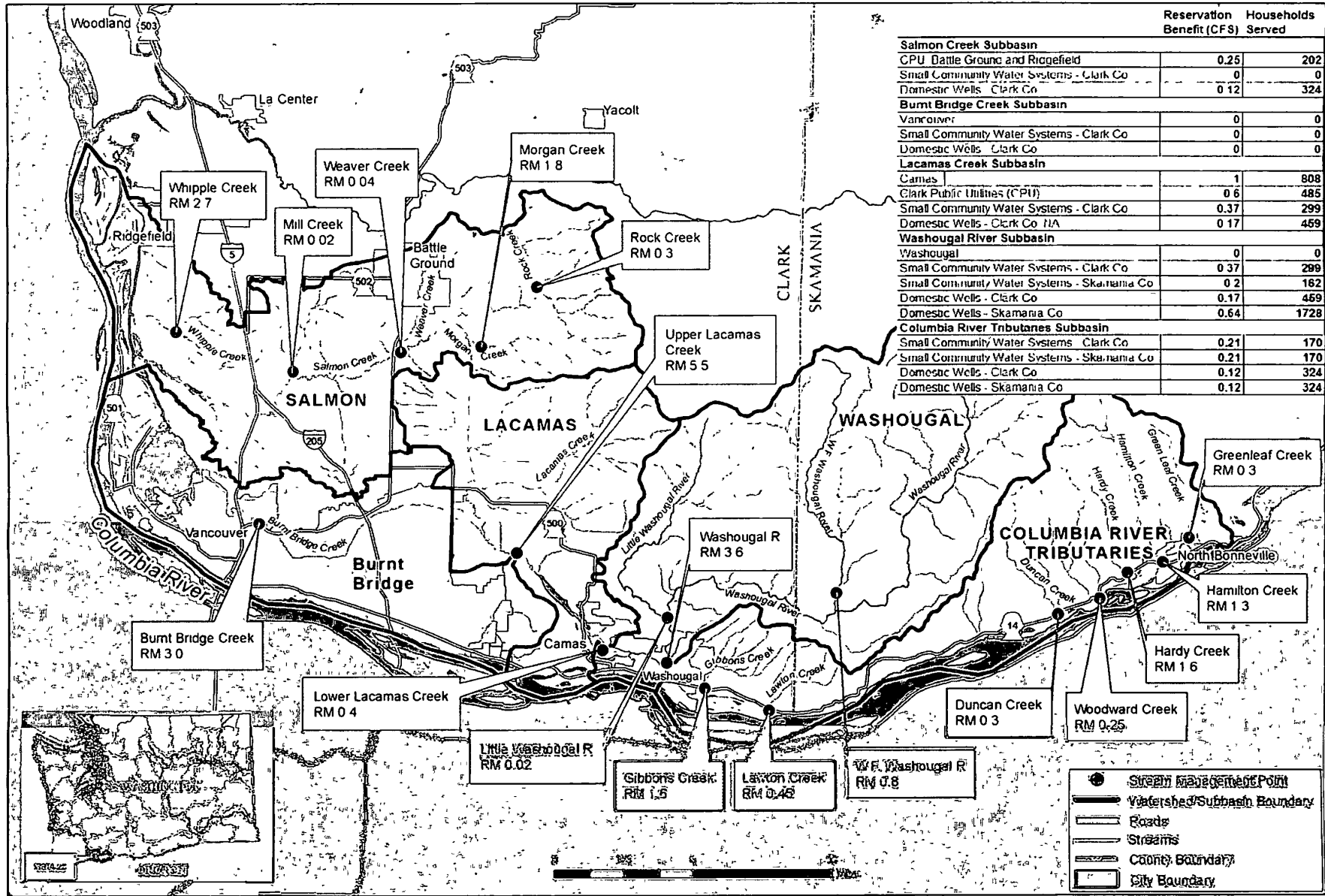
WRIA 27 Stream Management Subbasins and Control Points



	Reservation Benefit (CFS)	Households Served
Kalama River Subbasin		
Kalama	1.92	1551
Small Community Water Systems - Cowlitz Co	0.37	299
Domestic Wells - Cowlitz Co, NA 141 0 52 0 16 0 00 0 16	0.16	432
North Fork Lewis River Subbasin		
Small Community Water Systems - Cowlitz Co.	0.37	299
Small Community Water Systems - Clark Co	0.75	606
Small Community Water Systems - Skamania Co.	0.4	323
Domestic Wells - Cowlitz Co	0.07	189
Domestic Wells - Clark Co	0.12	324
Domestic Wells - Skamania Co	0.4	1080
Commercial - Skamania County	0.21	
Ridgefield (Not applicable, due to location in tidally influenced area (8))		
East Fork Lewis River Subbasin		
CPU Battle Ground and Ridgefield	4.4	3554
Small Community Water Systems - Clark Co	0.37	299
Small Community Water Systems - Skamania Co	0	0
Domestic Wells - Clark Co	0.47	1269
Domestic Wells - Skamania Co	0.02	54

Data Source: WRIA 27 Sub-Basin delineation from Sanborn Mapping Solutions, Western Washington Land Cover Change Analysis
<http://www.ecy.wa.gov/services/gis/data/previous/basins.htm>

WRIA 28 Stream Management Subbasins and Control Points



Data Sources: WRIA 28 Sub-Basin delineation from Skamania Mapping Solutions, Inc. in Washington Land Cover Change Analysis 1995-2002, Clark County GIS, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025