

**From:** [Cnty 2025 Comp Plan](#)  
**To:** [Tim Trohimovich](#); [Cnty 2025 Comp Plan](#)  
**Cc:** [Brooke Frickleton](#); [Jenna Kay](#); [Oliver Orjiako](#); [Jose Alvarez](#)  
**Subject:** RE: Comments on Scope of Comp Plan EIS for Comp Plan Update  
**Date:** Wednesday, June 5, 2024 4:27:32 PM  
**Attachments:** [image003.png](#)

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Good day, Tim,

Thank you for your comments regarding the 2025 EIS Update. I have forwarded to staff, and will add these to the Index of Record.

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**From:** Tim Trohimovich <Tim@futurewise.org>  
**Sent:** Wednesday, June 5, 2024 4:12 PM  
**To:** Cnty 2025 Comp Plan <comp.plan@clark.wa.gov>  
**Cc:** Brooke Frickleton <brooke@futurewise.org>  
**Subject:** Comments on Scope of Comp Plan EIS for Comp Plan Update

**EXTERNAL:** This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Staff:

Enclosed please find Futurewise's comments on the Scope of the Environmental Impact Statement (EIS) for the Clark County Comprehensive Plan Update 2025-2045. Thank you for considering our comments.

Please contact me if you require anything else.

Tim Trohimovich, AICP (he/him)  
Director of Planning & Law



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June 5, 2024

Clark County Community Planning  
Comprehensive Plan EIS Scoping  
P.O. Box 9810  
Vancouver, Washington 98666-9810

Dear Staff:

**Subject: Comments on the Scope of the Environmental Impact Statement (EIS) for the Clark County Comprehensive Plan Update 2025-2045**

Sent via email: [comp.plan@clark.wa.gov](mailto:comp.plan@clark.wa.gov)

Thank you for the opportunity to comment on the Determination of Significance and Request for Comments on the Scope of the Environmental Impact Statement (EIS) for the Clark County Comprehensive Plan Update 2025-2045. Futurewise works throughout Washington State to support land-use policies that encourage healthy, equitable and opportunity-rich communities, and that protect our most valuable farmlands, forests and water resources. We have members across Washington State including Clark County.

Futurewise agrees with the County's decision to issue a determination of significance for the comprehensive plan and development regulations update and to prepare an environmental impact statement (EIS) to consider the impacts of the development authorized by the comprehensive Plan and development regulations update on the built and natural environments. The comprehensive plan and the development it will authorize is likely to have a significant probable adverse impact on the environment. We appreciate that Clark County is preparing an EIS to address these impacts. This will help the County produce a comprehensive plan and implementing regulations that meet community needs and protect the environment. Futurewise also agrees with the areas identified for analysis in the EIS. As requested in the scoping notice, we do have some suggestions on alternatives, probable significant adverse impacts, and mitigation measures. We also cite and provide links to documents that can help with the preparation of the EIS.





## Comments on the Alternatives

**One alternative should accommodate the selected population and employment projections within the existing urban growth areas and not convert natural resource lands to other uses.**

The Washington State Supreme Court has written that:

The State Environmental Policy Act of 1971 (SEPA) directs that “alternatives to the proposed action” be included in an EIS. RCW 43.21C.030(c)(iii). Under the Washington Administrative Code, consideration by the County Council of reasonable alternatives is mandatory. WAC 197-11-440(5)(b). SEPA rules define “reasonable alternatives” as less environmentally costly action that “could feasibly attain or approximate a proposal’s objectives.” WAC 197-11-786.<sup>1</sup>

Futurewise recommends that an alternative that accommodates the selected population and employment projections within existing urban growth areas (UGAs). The Determination of Significance and Request for Comments on Scope of Environmental Impact Statement identifies its objectives as the alternative’s “ability to accomplish the objectives of GMA and the objectives of the Comprehensive Plan and County-wide Planning Policies.”<sup>2</sup> This alternative will feasibly attain or approximate the proposal’s objectives of complying with the Growth Management Act (GMA), the comprehensive plan objectives, and the county-wide planning policies at lower environmental costs.

There is no need to expand the urban growth areas (UGAs). The Washington State Supreme Court has held that an “UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by the [State of Washington Office of Financial Management] OFM, plus a reasonable land market supply factor.”<sup>3</sup> A comparison of the total 2023-2045 housing unit needs in the *2025 Population, Housing and Employment Allocation – Issue Paper 5* with the

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<sup>1</sup> *King Cnty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 138 Wn.2d 161, 183, 979 P.2d 374, 385 (1999), as amended on denial of reconsideration (Sept. 22, 1999).

<sup>2</sup> State Environmental Policy Act Determination of Significance and Request for Comments on Scope of Environmental Impact Statement Clark County Comprehensive Plan Update 2025-2045 p. 3 of 4 (May 15, 2024).

<sup>3</sup> *Thurston County v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008).



“2023 VBLM Capacity” shows that existing capacity can accommodate or is within a few housing units of accommodating the planned housing growth.<sup>4</sup>

Clark County Community Planning documented that “over half of the new units needed over the next 20 years will need to be affordable at 80% or less of the area median income.”<sup>5</sup> The State of Washington Department of Commerce has documented that low-rise multifamily and mid-rise multifamily dwellings are needed to provide housing affordable to families and individuals with incomes between zero to fifty percent of the adjusted median income when subsidies are available in moderate cost communities.<sup>6</sup> These housing types also provide housing affordable to families and individuals earning between 50 to 80 percent of the adjusted median income without subsidies in moderate cost communities.<sup>7</sup> Accessory dwelling units can also provide housing for families and individuals earning 50 to 80 percent of the adjusted medium income in moderate cost communities.<sup>8</sup> The cities and unincorporated urban growth areas will likely need to increase their capacity for low-rise multifamily and mid-rise multifamily dwellings to meet the affordable housing requirements. These zoning changes will increase the housing capacity in the cities and unincorporated urban growth areas. So, there is no apparent need and no apparent legal authority to expand the county’s urban growth areas.<sup>9</sup>

This alternative will also produce more compact urban growth areas (UGAs) saving taxpayers and ratepayers money. In a study published in a peer reviewed journal, John Carruthers and Gudmaundur Ulfarsson analyzed urban areas

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<sup>4</sup> Clark County Comprehensive Plan 2025 Update Planning for growth 2025 – 2045 2025 *Population, Housing and Employment Allocation – Issue Paper 5* prepared by Community Planning p. 5; Clark County 2025 Allocation based on VBLM and HAPT Method A p. \*1 last accessed on June 5, 2024, at: [https://clark.wa.gov/sites/default/files/media/document/2024-02/Allocation%20Housing\\_Method%20A.pdf](https://clark.wa.gov/sites/default/files/media/document/2024-02/Allocation%20Housing_Method%20A.pdf) and at link on the last page of this letter with the filename: “Allocation\_Housing\_Method A.pdf.”

<sup>5</sup> Clark County Comprehensive Plan 2025 Update Planning for growth 2025 – 2045 2025 *Population, Housing and Employment Allocation – Issue Paper 5* prepared by Community Planning p. 5.

<sup>6</sup> Washington States Department of Commerce, Local Government Division Growth Management Services, *Guidance for Updating Your Housing Element: Updating your housing element to address new requirements* p. 33 (Aug. 2023) last accessed on June 5, 2024, at: <https://deptofcommerce.app.box.com/s/1d9d517g509r389fomjpowh8isjpirlh> and at link on the last page of this letter with the filename: “HB 1220\_Book2\_Housing Element Update\_230823 Final\_updated 231031.pdf.”

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

<sup>8</sup> *Id.*

<sup>9</sup> *Thurston County v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008).

throughout the United States including Clark County.<sup>10</sup> They found that the per capita costs of most public services declined with density and increased where urban areas were large.<sup>11</sup> Compact urban growth areas save taxpayers and ratepayers money. This will also help achieve the Growth Management Act (GMA) requirements to plan for public facilities and transportation facilities.<sup>12</sup>

Compact urban growth areas also help conserve water long-term, reducing adverse environmental impacts. Large lots and low densities increase water demand, increase leakage from water systems, and increase costs to water system customers.<sup>13</sup> So accommodating the same population and jobs in the existing UGA can reduce future water demands and costs.<sup>14</sup> This will also help achieve the GMA requirements to conserve agricultural lands by protecting irrigation and stock water, to protect fish and wildlife habitat, and to plan for public facilities.<sup>15</sup>

Urban growth areas encourage housing growth in cities and protect rural and resource lands and reduce adverse environmental impacts. To examine the effect of King County, 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>16</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

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<sup>10</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) last accessed on June 4, 2024, at: [https://www.ezview.wa.gov/Portals/\\_1995/Documents/Documents/Exhibit%20%23I%20-%20Futurewise\\_UrbanSprawl.pdf](https://www.ezview.wa.gov/Portals/_1995/Documents/Documents/Exhibit%20%23I%20-%20Futurewise_UrbanSprawl.pdf) and enclosed at the link on the last page of this letter with the filename: "Urban sprawl and the cost of public services.pdf." Environment and Planning B is peer-reviewed. Environment and Planning B Submission guidelines p. \*5 last accessed on Jan. 30, 2024, at: <https://journals.sagepub.com/author-instructions/EPB> and enclosed at the link on the last page of this letter with the filename: "Submission Guidelines\_ EPB.pdf."

<sup>11</sup> John Carruthers and Gudmaundur Ulfarsson, *Urban Sprawl and the Cost of Public Services* 30 ENVIRONMENT AND PLANNING B: PLANNING AND DESIGN 503, 518 (2003).

<sup>12</sup> RCW 36.70A.020(3), (12); RCW 36.70A.060(2); RCW 36.70A.070(3), (6).

<sup>13</sup> United States Environmental Protection Agency, *Growing Toward More Efficient Water Use: Linking Development, Infrastructure, and Drinking Water Policies* pp. 3 – 5 (EPA 230-R-06-001: January 2006) last accessed on June 4, 2024, at: <https://www.epa.gov/smartgrowth/growing-toward-more-efficient-water-use> and enclosed at the link on the last page of this letter with the filename: "growing\_water\_use\_efficiency.pdf."

<sup>14</sup> *Id.* at p. 8.

<sup>15</sup> RCW 36.70A.020(8), (10), (12); RCW 36.70A.060(1); RCW 36.70A.070(3).

<sup>16</sup> Christopher R. Cunningham, *Growth Controls, Real Options, and Land Development* 89 THE REVIEW OF ECONOMICS AND STATISTICS 343, 343 (2007) at the link on last page of this letter with the filename: "Cunningham Growth Controls, Real Options, and Land Development.pdf."

that the Growth Management Act is achieving its intended effect of concentrating housing growth.”<sup>17</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>18</sup> This study was published in a peer reviewed journal.

Reducing development in rural areas and natural resource lands can have significant environmental benefits, such as protecting water quality, working farms and forests, and fish and wildlife habitat.

Urban growth areas help keep our existing cities and towns vibrant and economically desirable and reduce environmental impacts. 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>19</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>20</sup> This reduces the tendency to move out of existing center cities. This will also help achieve the GMA goals and requirements to focus growth in existing cities and towns, conserve agricultural lands, protect rural character, protect the environment, provide for housing, and to plan for public facilities.<sup>21</sup>

Urban growth areas 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>22</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 in

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<sup>17</sup> *Id.* at 356.

<sup>18</sup> *Id.* at 356 – 57.

<sup>19</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) at the link on the last page of this letter with the filename: “State Growth Management Programs and Central-City Revitalization.pdf.”

<sup>20</sup> *Id.* at 392 – 93.

<sup>21</sup> RCW 36.70A.020(1), (8), (10), (12); RCW 36.70A.060(1); RCW 36.70A.070(2), (3), (5); RCW 36.70A.110.

<sup>22</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) last accessed on June 4, 2024, at: [https://scholars.unh.edu/cgi/viewcontent.cgi?article=1001&context=hmp\\_facpub](https://scholars.unh.edu/cgi/viewcontent.cgi?article=1001&context=hmp_facpub) and enclosed at the link on the last page of this letter with the filename: “Urban Containment Policies and Physical Activity A Time\_Series An.pdf.”

Washington State.<sup>23</sup> Focusing growth in existing UGAs will help achieve the GMA requirements to promote physical activity, reduce per capita vehicle miles traveled, and to provide for active transportation choices.<sup>24</sup>

Compact urban growth areas, because they allow shorter automobile trips and encourage walking, bicycling, and transit use, reduce greenhouse gas emissions, such as CO<sub>2</sub>. In Washington State, transportation activities are the largest contributor to greenhouse gas emissions, generating 39 percent of our state's global warming causing gases.<sup>25</sup> The Washington Climate Advisory Team (CAT) wrote that we must reduce the amount of driving we do if we are going to meet the state's greenhouse gas emissions requirements.<sup>26</sup> A peer-reviewed scientific paper has documented that to meet the necessary reductions in greenhouse gas pollution higher residential densities are needed.<sup>27</sup> Nationally, densities must increase on average by 19 percent.<sup>28</sup> The paper concluded this can be achieved by a "mix of small apartment buildings and modest single-family homes ...."<sup>29</sup> This will also help achieve the GMA requirements to protect the environment, reduce per capita vehicle miles traveled, and reduce greenhouse gas pollution.<sup>30</sup>

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<sup>23</sup> *Id.* at 330.

<sup>24</sup> RCW 36.70A.070(1), (6).

<sup>25</sup> State of Washington Department of Ecology, Washington's *greenhouse gas inventory* webpage last accessed on June 4, 2024, at: <https://ecology.wa.gov/Air-Climate/Climate-change/Greenhouse-gases/2017-greenhouse-gas-data>; *Leading the Way: A Comprehensive Approach to Reducing Greenhouse Gases in Washington State Recommendations of the Washington Climate Advisory Team* p. 57 (Feb. 1, 2008) last accessed on June 4, 2024, at:

<https://fortress.wa.gov/ecy/publications/SummaryPages/0801008b.html> and enclosed at the link on the last page of this letter with the filename: "0801008b.pdf."

<sup>26</sup> *Leading the Way: A Comprehensive Approach to Reducing Greenhouse Gases in Washington State Recommendations of the Washington Climate Advisory Team* p. 57 (Feb. 1, 2008).

<sup>27</sup> Benjamin Goldstein, Dimitrios Gounaridis, and Joshua P. Newell, *The carbon footprint of household energy use in the United States* 117 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA (PNAS) 19122, 19122 (Aug. 11, 2020) last accessed on June 4, 2024, at: <https://www.pnas.org/content/117/32/19122> and enclosed at the link on the last page of this letter with the filename: "goldstein-et-al-2020-the-carbon-footprint-of-household-energy-use-in-the-united-states.pdf." PNAS is a peer-reviewed journal. PNAS Author Center last accessed on Jan. 30, 2024, at: <https://www.pnas.org/author-center> and enclosed at the link on the last page of this letter with the filename: "Instructions for Authors - PNAS.pdf."

<sup>28</sup> Benjamin Goldstein, Dimitrios Gounaridis, and Joshua P. Newell, *The carbon footprint of household energy use in the United States* 117 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES OF THE UNITED STATES OF AMERICA (PNAS) 19122, 19128 (Aug. 11, 2020).

<sup>29</sup> *Id.*

<sup>30</sup> RCW 36.70A.020(10), (14); RCW 36.70A.070(1), (5), (9).

Not converting natural resource lands to other uses complies with the GMA's legislative mandate for the conservation of natural resource lands. The Washington State Supreme Court has held that "[w]hen read together, RCW 36.70A.020(8), .060(1), and .170 evidence a legislative mandate for the conservation of agricultural land."<sup>31</sup> Since these provisions also apply to forest lands of long-term commercial significance, both the former Central Puget Sound Growth Management Hearings Board (CPSGMHB or Central Board) and Western Washington Growth Management Hearings Board (WWGMHB or Western Board) have concluded that there is also a forest resource lands conservation imperative.<sup>32</sup> It can also be anticipated that the Boards will find a mineral resource lands conservation imperative since these provisions apply to mineral land too. So not converting natural resource lands to other uses will comply with the GMA's legislative mandate for the conservation of natural resource lands.

As we have seen, this alternative can achieve the proposal's objectives at lower environmental costs. This alternative must be analyzed in the Draft and Final Environmental Impact Statements (EISs).<sup>33</sup>

## Comments on Probable Significant Adverse Impacts and Mitigation Measures

### Air Quality/Climate Change

We support including air quality and climate change as an element of the environment to be analyzed in the EIS. Climate is an element of the environment.<sup>34</sup> There are two broad types of climate impacts. There are the impacts of development in generating greenhouse gas pollution. SEPA EISs are required to analyze greenhouse gas pollution.<sup>35</sup> Washington State enacted limits on greenhouse gas emissions and a statewide goal to reduce annual per capita vehicle

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<sup>31</sup> *King Cnty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 142 Wn.2d 543, 562, 14 P.3d 133, 143 (2000).

<sup>32</sup> *Forster Woods Homeowners' Association et al. v. King County*, Central Puget Sound Growth Management Hearings Board (CPSGMHB) Case No. 01-3-0008c, Final Decision and Order (Nov. 6, 2001), at \*12 of 27; *Town of Friday Harbor, Fred R. Klein, John M. Campbell, Lynn Bahrych, et al. v. San Juan County*, WWGMHB Case No. 00-2-0062c, Order on Compliance and Invalidity Re: Resource Lands Redesignation (March 28, 2002), at \*3 of 7, 2002 WL 599680 p. \*3.

<sup>33</sup> *King Cnty. v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 138 Wn. 2d 161, 183, 979 P.2d 374, 385 (1999), as amended on denial of reconsideration (Sept. 22, 1999).

<sup>34</sup> WAC 197-11-444(1)(b)(iii).

<sup>35</sup> *Columbia Riverkeeper, Sierra Club, and Center For Biological Diversity v. Cowlitz County, Port of Kalama, Northwest Innovation Works-Kalama, LLC, and State of Washington, Department of Ecology*, Shorelines Hearings Board (SHB) No. 17-010c, Order on Motions for Partial Summary Judgment (Sept. 15, 2017), at 18, 2017 WL 10573749, at \*9.



miles traveled for light-duty vehicles.<sup>36</sup> Comprehensive planning is one way to reduce both greenhouse gases and vehicle miles traveled. Almost half of all greenhouse gas emissions in our state result from the transportation sector. Land use and transportation strategies that promote compact and mixed-use development and infill reduce the need to drive, reducing the amount of greenhouse gas emissions.<sup>37</sup> Expanding the urban growth areas will increase vehicle miles travelled and greenhouse gas emissions. These are all probable adverse impacts on climate, an element of the environment, and should be analyzed in the EIS.

The second type of climate impacts is that climate change is adversely impacting land uses and the natural services on which land uses depend. These impacts include sea level rise, increased flooding, decreased snow storage of water reducing available water supplies in the summer and fall, more intense storms and rainfall, increases in landslides, and other adverse impacts.<sup>38</sup> Both types of impacts need to be analyzed in the EIS.

The land use pattern is an important mitigation measure for both types of climate impacts. The U.S. Environmental Protection Agency (EPA) found that state and local governments can significantly reduce greenhouse gas emissions through land and materials management practices such as materials efficiency, industrial ecology, green design, land revitalization, sustainable consumption, smart growth, pollution prevention, and design for environment.<sup>39</sup> Land use planning that

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<sup>36</sup> RCW 70A.45.020(1)(a) (greenhouse gas pollution limits); RCW 47.01.440(1) (vehicle miles traveled benchmarks); and RCW 36.70A.070(9) (comprehensive plan climate change and resiliency element).

<sup>37</sup> ICF with contributions from Fehr & Peers, Sacramento Metropolitan Air Quality Management District, and STI, *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity Designed for Local Governments, Communities, and Project Developers* pp. 59 – 373 (Public Draft: Aug. 2021) last accessed on June 4, 2024, at: [https://www.airquality.org/ClimateChange/Documents/Handbook%20Public%20Draft\\_2021-Aug.pdf](https://www.airquality.org/ClimateChange/Documents/Handbook%20Public%20Draft_2021-Aug.pdf) and enclosed at the link on the last page of this letter with the filename: “Handbook Public Draft\_2021-Aug.pdf.”

<sup>38</sup> A.K. Snover, C.L. Raymond, H.A. Roop, H. Morgan, *No Time To Waste: The Intergovernmental Panel on Climate Change’s Special Report on Global Warming of 1.5°C and Implications for Washington State* pp. 4 – 5 (Climate Impacts Growth University of Washington, Seattle, WA: 2019) last accessed on June 4, 2024, at: <https://cig.uw.edu/publications/no-time-to-waste-the-ipcc-special-report-on-global-warming-of-1-5-oc-and-implications-for-washington-state/> and enclosed at the link on the last page of this letter with the filename: “NoTimeToWaste\_CIG\_Feb2019.pdf.”

<sup>39</sup> US Environmental Protection Agency, Office of Solid Waste and Emergency Response, *Opportunities to Reduce Greenhouse Gas Emissions through Materials and Land Management Practices* pp. 19 – 28 (Sept. 2009) last accessed on June 4, 2024, at:

focuses growth in existing cities and towns and encourages the use of transit, walking and bicycling, and the creation of mixed-use urban centers can improve air quality by reducing automobile trips and congestion. Focusing growth away from flood plains, areas with low instream flows and closed basins, and into existing cities and towns especially can help address the climate impacts on lands uses. These measures should be included in the EIS as mitigating measures.

## Water Resources

Rural development adversely impacts water resources and the availability of irrigation and stock water in Clark County.<sup>40</sup> “[W]ater availability is limited throughout the” Cowlitz, Lewis, and Salmon-Washougal watersheds.<sup>41</sup> Surface and ground water are elements of the environment.<sup>42</sup> The impacts of addition urban and rural development on surface and ground water must be analyzed in the EIS.

These impacts can be mitigated by directing development away from over allocated rivers, streams, lakes, and ground waters, and closed basins. Water for water mitigation for new development can also help mitigate these impacts. Water conservation and focusing growth into existing cities and towns can stretch water supplies and accommodate growth.<sup>43</sup> It is also important to reserve water for agriculture and value-added agricultural processing and manufacturing to maintain and enhance the county economy. These concepts should be included as mitigation measures in the EIS.

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<https://www.epa.gov/sites/production/files/documents/ghg-land-materials-management.pdf> and enclosed at the link on the last page of this letter with the filename: “ghg-land-materials-management.pdf.”

<sup>40</sup> State of Washington Department of Ecology, Water Resources Program, *WRIA 26 Cowlitz Watershed Water Availability* p. 3 (Publication 20-11-026 Oct. 2023) last accessed on June 4, 2024, at: <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/in-your-watershed> and enclosed at the link on the last page of this letter with the filename: “2011026.pdf;” State of Washington Department of Ecology, Water Resources Program, *WRIA 27 Lewis Watershed Water Availability* p. 3 (Publication 20-11-027 Sept. 2023) last accessed on June 4, 2024, at: <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/in-your-watershed> and enclosed at the link on the last page of this letter with the filename: “2011027.pdf;” State of Washington Department of Ecology, Water Resources Program, *WRIA 28 Salmon-Washougal Watershed Water Availability* p. 3 (Publication 20-11-028 Sept. 2023) last accessed on June 4, 2024, at: <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/in-your-watershed> and enclosed at the link on the last page of this letter with the filename: “2011028.pdf.”

<sup>41</sup> *Id.*

<sup>42</sup> WAC 197-11-444(1)(c)(i), (ii), (iv), (v).

<sup>43</sup> United States Environmental Protection Agency, *Growing Toward More Efficient Water Use: Linking Development, Infrastructure, and Drinking Water Policies* pp. 3 – 5, p. 8 (EPA 230-R-06-001: Jan. 2006).

The existing water limitations will be aggravated by increasing droughts. As the *Clark Regional Natural Hazard Mitigation Plan Volume 1—Planning Area-Wide Elements* documents:

Although there is still some uncertainty regarding climate change impacts on the water cycle, most current models project increases in precipitation in winter, spring and fall and decreases in precipitation in summer. This decrease in precipitation, coupled with higher average summer temperatures, may contribute to an increase in the frequency, severity and duration of droughts in the region (Dalton et al., 2013). More frequent extreme events such as droughts could end up being more cause for concern than the long-term change in temperature and precipitation averages. According to the Washington State Department of Ecology, Washington has experienced unusually dry periods almost every year since 2000 (Washington Department of Ecology, 2007).<sup>44</sup>

Further, RCW 36.70A.070(g)(e)(i) requires that “[s]pecific goals, policies, and programs of the [comprehensive plan] resiliency subelement must include, but are not limited to, those designed to: ... (C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.” Consistent with this requirement, when analyzing water resources, the EIS must analyze future droughts and propose mitigation measures for droughts.

## Water Quality

Urban and rural development increases nonpoint source pollution such as stormwater run-off and vehicle exhaust. The EIS should compare the alternatives for contamination of surface and ground water, the production of contaminants of emerging concern, also referred to as unregulated pollution, pollution discharged through biosolids, wastewater, stormwater, or deposits of airborne particles, and the use and maintenance of roadways, i.e., 6PPD from tires and road-salt into waters.

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<sup>44</sup> Clark Regional Emergency Services Agency, *Clark Regional Natural Hazard Mitigation Plan Volume 1—Planning Area-Wide Elements* p. 8-8 (Approved: March 31, 2023) last accessed on June 5, 2024, at: <https://clark.wa.gov/communications/clark-regional-natural-hazard-mitigation-plan> and enclosed at the link on the last page of this letter with the filename: “CRNHMP Vol 1 2023\_202304041255191062.pdf.”

## Flooding

Flooding is also an element of the environment.<sup>45</sup> Parts of Clark County are subject to damaging floods.<sup>46</sup> “According to the University of Washington Climate Impacts Group, floods are expected to be more extreme and occur more often as a result of climate change.”<sup>47</sup> The impacts of flooding on the development authorized by the comprehensive plan must be analyzed in the EIS along with mitigating measures such as not allocating future growth to areas subject to flooding.

Further, RCW 36.70A.070(9)(e)(i) requires that the “[s]pecific goals, policies, and programs of the [comprehensive plan] resiliency subelement must include, but are not limited to, those designed to: ... (C) Address natural hazards created or aggravated by climate change, including sea level rise, landslides, flooding, drought, heat, smoke, wildfire, and other effects of changes to temperature and precipitation patterns.” Consistent with this requirement, when analyzing flooding impacts the EIS should take into account not just the current flood plains but also the future flood plains and flood risks that will be caused by climate change.

## Fish/Wildlife/Vegetation/Wetlands

Preventing development in the active (100-year) floodplain area of streams and allow the stream channel freedom of movement within the floodplain area is necessary to protect salmon habitat.<sup>48</sup> The EIS should analyze the impacts on salmon protection and restoration of any development allowed in the flood plain. Preventing further flood plain development for development other than those required by agriculture should be included in the EIS as a potential mitigating measure.

Development in Clark County is adversely impacting fish habitat, wildlife habitat and vegetation. Continued development, especially the conversion of forests,

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<sup>45</sup> WAC 197-11-444(1)(c)(iii).

<sup>46</sup> Clark Regional Emergency Services Agency, *Clark Regional Natural Hazard Mitigation Plan Volume 1—Planning Area-Wide Elements* p. 10-8, p. 10-10 (Approved: March 31, 2023).

<sup>47</sup> *Id.* p. 7-14, p. 10-28.

<sup>48</sup> Christopher W. May, Richard R. Horner, James R. Karr, Brian W. Mar, Eugene B. Welch, *The Cumulative Effects of Urbanization on Small Streams in the Puget Sound Lowland Ecoregion* p. 21 of 26 (University of Washington, Seattle Washington) last accessed on Jan. 31, 2024, at: [https://www.researchgate.net/publication/240437080\\_Effects\\_of\\_Urbanization\\_on\\_Small\\_Stream\\_s\\_in\\_the\\_Puget\\_Sound\\_Lowland\\_Ecoregion](https://www.researchgate.net/publication/240437080_Effects_of_Urbanization_on_Small_Stream_s_in_the_Puget_Sound_Lowland_Ecoregion) and enclosed at the link on the last page of this letter with the filename: “Effects\_of\_Urbanization\_on\_Small\_Streams\_in\_the\_Puget S R.pdf.”

farmland, and rural land to development will continue to adversely impact these important resources.

Any UGA expansions and rural development will increase these impacts on fish and wildlife habitats. These impacts need to be analyzed in the EIS. These impacts can be mitigated by not expanding UGAs, focusing growth near transit stations and stops within UGAs, and adopting regulations limiting impervious surfaces and maintaining forest cover discussed in the following paragraph.

Researchers at the University of Washington have carefully studied the effects of development on stream basins in the Puget Sound Region. These studies have shown that when total impervious surfaces exceed five to ten percent and forest cover declines below 65 percent of the basin, then salmon habitat in streams and rivers is damaged.<sup>49</sup> The EIS should analyze which basins will have total impervious surfaces above five to ten percent and forest cover below 65 percent of the basin for the various alternatives. The EIS should propose as mitigating measures policies and regulations that will keep total impervious surfaces below five to ten percent and forest cover at or above 50 percent of the basin to protect salmon habitat.<sup>50</sup>

## Plans and Policies

Comprehensive plans must be consistent with the Growth Management Act (GMA) and the countywide planning policies.<sup>51</sup> The EIS should analyze the alternatives compliance with the GMA and the countywide planning policies and include as suggested mitigation measures the policies and regulations needed to bring them into compliance.

## Agricultural Soils and Agricultural Crops

Soils and agricultural crops are elements of the environment that must be considered in preparing an EIS.<sup>52</sup> In 2023, the State Department of Commerce updated WAC 365-190-050(3)(c)(i) to provide that one of the factors to determine if an area has long-term commercial significance for agricultural lands is “[t]he

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<sup>49</sup> Christopher W. May, Richard R. Horner, James R. Karr, Brian W. Mar, Eugene B. Welch, *The Cumulative Effects of Urbanization on Small Streams in the Puget Sound Lowland Ecoregion* p. 17 of 26 (University of Washington, Seattle Washington).

<sup>50</sup> *Id.* at pp. 20 – 21 of 26.

<sup>51</sup> RCW 36.70A.320(3); *Stickney v. Cent. Puget Sound Growth Mgmt. Hearings Bd.*, 11 Wn. App. 2d 228, 244 – 48, 453 P.3d 25, 33 – 35, 453 P.3d 25, 34 (2019).

<sup>52</sup> WAC 197-11-444(1)(a)(ii), (2)(b)(vii).

classification of prime and unique farmland soils, and farmlands of statewide importance, as mapped by the Natural Resources Conservation Service[.]” Previously WAC 365-190-050(3)(c)(i) did not include farmlands of statewide importance. The EIS must also identify the adverse impacts of rural development and urban growth area expansions, if any, on prime farmland soils, unique farmland soils, and farmlands of statewide importance.

The Clark County’s BERK report documents that the AG-20 zone’s 20-acre minimum lot size and non-agricultural uses fail to conserve agricultural land of long-term commercial significance because it allows “non-productive rural uses.”<sup>53</sup> “Given onsite development or other non-productive rural uses (e.g. dwellings, manicured lawns associated with dwellings, etc.) there is a greater area zoned AG and a lesser area inventoried by WSDA in agricultural use. WSDA inventoried acres make up between 15-27% of the AG 10 zone area [which was zoned AG-20 when the BERK report was written].”<sup>54</sup> The BERK report also found based on the Census of Agriculture that “1.5% of the [Clark County] farms are large, representing 72% of the total commodity outputs. ... The loss of large farms corresponds to a loss in commodity totals. In 2007 dollars, the value of agriculture dropped from \$62.3 million in 1997 to \$52.7 million in 2007, and again to \$45.9 million in 2012.”<sup>55</sup> Converting large farms to small farms and 20-acre estates with manicured lawns as the AG-20 zone allows will not conserve agricultural lands and encourage the agricultural economy as the GMA requires. This is also a serious adverse environmental impact. The EIS needs to analyze the environmental impact of the AG-20 zone on agricultural soils, agricultural crops, and the agricultural industry.

The 2022 Census of Agriculture documents that the acres of land in farms in Clark County decided from 90,737 acres in 2017 to 56,038 acres in 2022.<sup>56</sup> Total

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<sup>53</sup> BERK Consulting, *Clark County Comprehensive Plan 2016 Update Planning for Growth 2015 – 2035: Clark County Agriculture and Forest Land Supplemental Mapping and Data Analysis – Issue Paper 9* p. 18 (June 23, 2016) last accessed on June 4, 2024, at

[https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/2016-update/Plan%20Adoption/Final%20documents-maps/Issue%20Paper\\_9\\_Supplemental%20Resource%20Land%20Info\\_2016\\_0623\\_CLEAN.pdf](https://www.clark.wa.gov/sites/default/files/dept/files/community-planning/2016-update/Plan%20Adoption/Final%20documents-maps/Issue%20Paper_9_Supplemental%20Resource%20Land%20Info_2016_0623_CLEAN.pdf)

and enclosed at the link on the last page of this letter with the filename: “Issue Paper\_9\_Supplemental Resource Land Info\_2016\_0623\_CLEAN.pdf.”

<sup>54</sup> *Id.* at p. 18.

<sup>55</sup> *Id.* at p. 6.

<sup>56</sup> United States Department of Agriculture National Agricultural Statistics Service, *2022 Census of Agriculture Washington State and County Data Volume 1 • Geographic Area Series • Part 47 AC-22-A-47 Chapter 2. County Data Table 8. Farms, Land in Farms, Value of Land and Buildings, and Land Use: 2022 and 2017* p. 285 (Issued Feb. 2024) last accessed on Feb 20, 2024, at:

[https://www.nass.usda.gov/Publications/AgCensus/2022/Full\\_Report/Volume\\_1\\_Chapter\\_2\\_County\\_Level/Washington/](https://www.nass.usda.gov/Publications/AgCensus/2022/Full_Report/Volume_1_Chapter_2_County_Level/Washington/) and at the link on the last page of this letter with the filename: “wav1.pdf.”

cropland declined from 24,336 acres in 2017 to 22,009 acres in 2022.<sup>57</sup> Total income from farm-related sources in Clark County increased from \$6,747,000 in 2017 to \$12,997,000 in 2022, but just think how high it could have gone without the loss of all that farmland.<sup>58</sup> Average per farm income increased from \$18,333 in 2017 to \$42,472 in 2022.<sup>59</sup> The EIS needs to disclose the loss of land in farms and cropland. The EIS should also propose effective mitigating measures such as not converting farmland to urban uses by not expanding UGAs onto farmland, directing rural residential uses away from agricultural land and prime, unique, and farmland of statewide importance soils, and adopting more effective agricultural protection policies and regulations.<sup>60</sup>

The State of Washington Department of Commerce has recently updated its minimum guidelines for designating agricultural lands of long-term commercial significance.<sup>61</sup> Prime and unique farmland soils and farmland of statewide importance soils mapped by the Natural Resources Conservation Service are now considered to have long-term commercial significance.<sup>62</sup> The EIS should propose as a mitigating measure that the comprehensive plan and development regulations update will reevaluate the land that is currently farmed, within agricultural areas, or consisting primarily of prime farmland soils, unique farmland soils, and farmland of statewide importance soils but not designated as agricultural lands of long-term commercial significance to see if those lands meet the updated criteria for agricultural lands of long-term commercial significance.

## Environmental Justice

Environmental justice has been incorporated in the Growth Management Act.<sup>63</sup> Futurewise strongly recommends considering environmental justice when

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<sup>57</sup> *Id.*

<sup>58</sup> United States Department of Agriculture National Agricultural Statistics Service, *2022 Census of Agriculture Washington State and County Data Volume 1 • Geographic Area Series • Part 47 AC-22-A-47 Chapter 2. County Data Table 6. Income From Farm-Related Sources: 2022 and 2017 p. 273* (Issued Feb. 2024).

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

<sup>60</sup> See for example, Arthur C. Nelson, *Preserving Prime Farmland in the Face of Urbanization: Lessons from Oregon* 58 *JOURNAL of the AMERICAN PLANNING ASSOCIATION* 467 (1992) enclosed at the link on the last page of this letter with the filename: "Preserving Prime Farmland in the Face of Urbanization Lessons from Oregon JAPA.pdf." The Journal of the American Planning Association is peer reviewed. Journal of the American Planning Association Instructions for authors p. 1 of 8 enclosed at the link on the last page of this letter with the filename: "JAPA Instructions for Authors June 2017.pdf."

<sup>61</sup> WAC 365-190-050 (2023).

<sup>62</sup> WAC 365-190-050(3)(c)(i) (2023).

<sup>63</sup> RCW 36.70A.020(14); RCW 36.70A.070(1), (6), (9).

analyzing the impacts of the alternatives and recommending mitigating measures in the EIS.

### **Cultural Resources**

Historic and cultural preservation are elements of the environment.<sup>64</sup> We commend the County for including this topic in the EIS.

The Washington State Department of Archaeology and Historic Preservation has developed an archaeological predictive model that can predict where archaeological resources, a type of cultural resource, are likely to be located.<sup>65</sup> This may assist the County in its analysis. As we are sure you will, consulting with the area tribes will also be helpful in this analysis.

### **Transportation**

Transportation systems, vehicular traffic, the movement and circulation of people or goods, and traffic hazards are elements of the environment.<sup>66</sup> The comprehensive plan and potential UGA expansions have the potential to increase vehicle miles traveled and to increase traffic hazards. The EIS should analyze the impacts of the alternatives on the transportation system including motor vehicles, freight transport, transit, walking, bicycling, and other forms of active transportation. The EIS should also analyze the impacts of the alternatives on transportation safety. As required by RCW 36.70A.070(6)(a)(iii), impacts on the state highway system should also be analyzed.

Potential mitigation measures include growth near transit centers and stops, safety improvements, working with transit providers to improve access to transit and to improve walking, bicycling, and other active transportation facilities.

### **Public Services and Utilities**

We support analyzing public services and utilities as part of the EIS. Given the very limited water sources in the county and the likelihood of increased droughts, this analysis should include whether water is both legally and physically available.

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<sup>64</sup> WAC 197-11-444(2)(b)(iv).

<sup>65</sup> Washington State Department of Archaeology and Historic Preservation WISAARD webpage last accessed on June 4, 2024, at: <https://dahp.wa.gov/historic-preservation/find-a-historic-place>.

<sup>66</sup> WAC 197-11-444(2)(c).



Re: Comments on the Comments on Scope of the EIS for the Clark County  
Comprehensive Plan Update 2025-2045

June 5, 2024

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Large areas of unincorporated Clark County are located in the Wildland-Urban Interface (WUI).<sup>67</sup> Wildfire is a significant threat in Clark County and climate change is making the threat worse.<sup>68</sup> We commend the County for analyzing this impact in the EIS. Mitigating measures should include directing growth away from the WUI fringe.

Futurewise also supports analyzing the impacts and including in the EIS the mitigating measures proposed by the Friends of Clark County.

Thank you for considering our comments. If you require additional information, please contact me at email: [tim@futurewise.org](mailto:tim@futurewise.org).

Very Truly Yours,



Tim Trohimovich, AICP  
Director of Planning & Law

Enclosures at this link:

[https://futurewiseorg.sharepoint.com/:f/g/Ejq9oY4Toe9Ase5mwxoJlOYBDu\\_z8qLl2hfw97vIQ1mh5A?e=8HAWbK](https://futurewiseorg.sharepoint.com/:f/g/Ejq9oY4Toe9Ase5mwxoJlOYBDu_z8qLl2hfw97vIQ1mh5A?e=8HAWbK)

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<sup>67</sup> Ashley Blazina and Kirk Davis, *The Wildland-Urban Interface: Mapping Washington State's fastest-growing environment* (Sept. 2, 2020) last accessed on June 4, 2024, at: <https://storymaps.arcgis.com/stories/7016c437623a445997c072a05e26afbb>; Clark Regional Emergency Services Agency, Clark Regional Natural Hazard Mitigation Plan Volume 1—Planning Area-Wide Elements pp. 14-8 – 14-12 (Approved: March 31, 2023).

<sup>68</sup> H.A. Morgan, A. Bagley, L. McGill, and C.L., Raymond, *Managing Western Washington Wildfire Risk in a Changing Climate Workshop Summary* pp. 4 – 7 (Workshop summary report prepared by the Northwest Climate Adaptation Science Center and the Climate Impacts Group, University of Washington, Seattle: Dec. 3, 2018) last accessed on June 4, 2024, at: <https://cig.uw.edu/publications/managing-western-washington-wildfire-risk-in-a-changing-climate/> and enclosed at the link on the last page of this letter with the filename: “Managing-Western-Washington-Wildfire-Risk-in-a-Changing-Climate.pdf;” ; Clark Regional Emergency Services Agency, Clark Regional Natural Hazard Mitigation Plan Volume 1—Planning Area-Wide Elements p. 14-15 (Approved: March 31, 2023).