

From: [Oliver Orjiako](#)
To: [Jeffrey Delapena](#)
Subject: FW: Wetland and Critical Habitat Ordinance is designed to be regulated with deception.
Date: Tuesday, August 6, 2024 9:40:01 AM

Hi Jeff:

Please, for the comp plan index. Thanks.

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Monday, August 5, 2024 9:34 PM
To: Gary Medvigy <Gary.Medvigy@clark.wa.gov>; Karen Bowerman <Karen.Bowerman@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Brent Davis <Brent.Davis@clark.wa.gov>
Subject: Fw: Wetland and Critical Habitat Ordinance is designed to be regulated with deception.

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Clark County Council
5, 2024
P.O. Box 5000
Vancouver, Washington 98666

August

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

Re: Wetland and Critical Habitat Ordinance is designed to be regulated with deception.

Clark County Citizens United, Inc. believes that hundreds of past, current and potential rural area permittees are being duped by a deceptive permitting practice within the Wetland and Critical Habitat Ordinance. It's a scheme that hides true costs of lost property rights and land uses, until the moment when final occupancy permits are due. These actions "trick" permittees into giving away precious, authorized uses of private property, with the signing of covenants to the county, as a requirement for an occupancy permit, boosting the county's unauthorized authority over private property

CCCU's membership demands changes to the county's deceptive and unfair practice of hiding "mandatory" conservation covenants, until the end of very lengthy and expensive permitting processes. County agents are failing to provide clear and accurate information concerning the purpose of these covenants. Furthermore, there

are critical concerns over how these covenants are being determined, without using best available science per [RCW 36.70A.172](#) and WAC [Chapter 365-195](#)

These deceptive and unfair practices interfere with rural landowner's abilities to make informed decisions about purchasing property and building future homes. For many years, county agents have wrongly deceived rural property owners, through a convoluted scheme consisting of;

- 1. Devising and mischaracterizing critical areas without benefit of using *best available science* in creating their determinations;**
- 2. Demanding extensive mitigation that fails to be *roughly proportional* to any perceived harm, (nexus).**
- 3. Increasing the plant re-establishment duration from 3 to 8 years, to perpetuity, over the entire parcel.**
- 4. Pressures on permittees, at the end of the process, creating a false sense of urgency to sign a covenant or risk losing final occupancy permits.**

CCCU believes this is no accident. The county's system, as it applies to rural permitting activities, appears to be intentionally designed to be deceptive, inflated and burdensome. The true impacts are hidden, to boost the county's authority over private property rights and eliminate authorized zoned land uses, at the landowners expense. These actions exacerbate already unmet needs of inadequate, unaffordable rural housing. Consider these issues;

- 1. These actions disproportionately target and harm the county's rural communities.**
- 2. Rural county citizens likely spend more per capita on housing permits than their urban counterparts.**
- 3. These permitting tactics appear to be predatory**
- 4. The timing and lack of understanding for conservation covenant demands, appear to be an exploitative scheme.**

Exacting financial burdens, social unrest, cultural tolls, equity, negative property right impacts, rural housing prevention and elimination of authorized zoned land use for human activities, fail examination of any formal EIS, Buildable Lands Report or otherwise. Without question, county permitting deceptions have gotten out of control and it is up to the elected policy makers to fix the problem, which is quite simple. Remove the covenant language in the Wetland and Critical Habitat Ordinance. .

Sincerely,

Susan Rasmussen, President

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