

From: [Oliver Orjiako](#)
To: [Jeffrey Delapena](#)
Subject: FW: Staff illegal Overreaction vs. No legal Reaction on the Halberg property
Date: Friday, September 13, 2024 8:22:38 AM

Hi Jeff,

This says for the comp plan record. Thank you.

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Thursday, September 12, 2024 8:55 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>; CommDev OA Land Use <CommDevOALandUse@clark.wa.gov>
Subject: Fw: Staff illegal Overreaction vs. No legal Reaction on the Halberg property

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

September 12,

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

Re: Staff illegal overreaction vs. No legal reaction on the Halberg property

Clark County Citizens United's members visited the Norbert Halberg home site to get an on-the-ground view of what is happening on this property and try to understand the 6 year delay of their final occupancy permit. We got an eyeful and more than what we anticipated.

We observed with great interest County Road NE 207th. at the Halberg's North property line.

- **We observed the large county culvert going north to south under 207th.**
- **We saw an inadequately sized stormwater road ditch on the north side overwhelmed by vegetation and suffering from deferred maintenance,**
- **We saw no stormwater conveyance ditching on the south side,**
- **We saw how the county culvert was placed in such a way as to route the stormwater so it discharges directly onto the Halberg's private back yard..**

We observed with greater interest, the reaction of county staff to require unwarranted mitigation and numerous tree plantings after a mischaracterization of a “stream” on the Halberg property. This North-South “stream” only appears on permitting maps. The vast mitigation efforts this parcel has endured the past decade, (twice), is an example of staff’s overreaction to a mischaracterized “stream”. The stream does not exist. Conversely, staff has exhibited NO REACTION to the potentially vast volumes of stormwater the county has been routing and discharging onto this same parcel.

In the case of the appearance of the North-South fabricated “stream”, members of staff have done an extraordinary job of nailing-down mitigation requirements before they acted on the conservation covenant requirement. On the other hand, staff have also done an extraordinary job of avoiding the facts concerning the county’s management of the stormwater, and routing the discharge onto the same parcel. In our view, this is what staff is supposed to look at, not avoid.

County stormwater discharging onto private land has been a problem, before it profoundly showed up on the Halberg property. It becomes a major problem when staff attempts to disguise it as something it’s not, require mitigating actions from the landowner that result in recorded covenants on property deeds. Staff’s inappropriate actions result in reduced land uses and harm affordable housing and property rights. Staff have demonstrated time and again, they are willing to go out of their way to compromise landowner rights. Their actions exceed the scope of normal permitting procedures.

Facts are skipped over, property uses are compromised, and landowners are agreeing to senseless mitigations and conservation covenants. Please investigate the facts, in order to prevent staff’s overreactions regarding mischaracterized critical areas . Similar regard should be made available to reassure proper stormwater discharge management protocols and avoid the damage of private land.

Sincerely,

Susan Rasmussen, President

Clark County Citizens United, Inc.
P.O.Box 2188
Battle Ground, Washington 98604