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To: [Jeffrey Delapena](#)
Subject: FW: Clark County Citizens Uniktet,Inc. is OPPOSED to Wetland/Critical Land and Clear Water Fees
Date: Monday, September 16, 2024 1:59:23 PM

FYI for the comp plan index of record.

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Monday, September 16, 2024 1:07 PM
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Subject: Clark County Citizens Uniktet,Inc. is OPPOSED to Wetland/Critical Land and Clear Water Fees

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Clark County Council
September 16, 2024
P.O. Box 5000
Vancouver, Washington 98666

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

Re: Clark County Citizens United,Inc. is OPPOSED to Wetland/Critical Land & Clear Water Fees

Clark County Citizens United, Inc. has reviewed the Clark County Council Work Sessions regarding increasing the Wetland and Habitat fees and the Clean Water Fees. CCCU is opposed to increasing fees for both organizations.

The discussion from staff appears to expose that most of the fee increase will go to staff incomes, or the Conservation District. But what exactly are they doing? CCCU has numerous landowners who are waiting for many months for a response to their concerns over wetland and habitat determinations, but none have heard a response from staff regarding these concerns. Staff reports there is a full time public servant whose job is to communicate with the public, but that clearly is not happening. The County Council is well aware of these landowners concerns,. The taxpayers are paying for both Council and Staff, but they don't seem to exist to these taxpayers.

Regarding Wetland and Habitat fees, there is very little staff time involved during their reviews. They use GIS data, and spend around 10 minutes out in the field in a walk through. On one case, staff ignored the GIS information and created a fake "stream", and then regulated it. In another case staff claimed a wetland and wetland plants that don't exist. The law requires that particular data and tests occur, prior to a staff determination, but that is not happening. Staff then attempts to write a report that will justify their incorrect determinations, which appears to be for the purpose of forcing a permanent covenant on the land. When the landowner questions their report, silence happens. Many of these landowners have been waiting for months for a response from staff.

It's interesting that a well known developer is currently building on five acre parcels, one of which has a fish bearing stream on the adjacent lot, 122 feet from the development. A review of this case shows there was no Wetland and Habitat review for this project. Yet, the same stream, further upstream was also adjacent to a citizen, also building a home on a five acre lot. In this case, staff claimed there was a 200 foot buffer on the stream, running through the middle of an adjacent lot. This infringed on this landowners lot, therefore a mitigation and covenant were applied. But nothing happened to the developer who was doing the same thing. That stream ran through the center of a Planning Commissioners lot, but he developed 50 feet from the stream, with no requirements. Government actions must comply with state and federal fairness law, but in this case, that didn't happen. CCCU sees that many of these landowner cases are being applied to a particular religious group. This makes staff actions suspicious for religious persecution concerns.

Regarding the Clark Water fee, it appears the money is being diverted to particular reclamation of various lakes, which is a legitimate concern. But the Clean Water Commission was created to assure that Clark County is managing their stormwater according to state law and the Clean Water Act. It was not intended to focus on watersheds and lakes, although those concerns could certainly be included. But in the case of these two concerns, Camas and Vancouver need to step up to the plate.

CCCU sees that Clark County is not focusing on county stormwater systems and their adequacy and effective functions. Vancouver Lake is the responsibility of the city of Vancouver. Lacamas Lake is the responsibility of Camas. But, county road ditches, culverts, road runoff, water management, stormwater conveyance systems, and similar responsibilities go to the County. This is to assure the county is compliant with the federal Clean Water Act and state law. This is not happening. The Commission admitted their focus has shifted outside of the original intent, and is now focused on water sheds. This shift will not assure the county will be compliant to the Clean Water Act.

CCCU President, Susan Rasmussen, served on the Clean Water Commission for many years. She now has serious concerns regarding handling and contamination of storm water by the county. During CCCU reviews of various Wetland and Habitat cases, it became very clear to Susan, that Clark County is not doing their job, under the Clean Water Act. Staff is clearly directing their stormwater onto private property, instead of managing that water in adequate working conveyance systems. The

Wetland and Habitat staff then calls this uncontrolled road runoff, a "stream' that needs regulation. This is not allowed under the Clark Water Act and state law.

The increased fees are not warranted, considering what is currently happening in these county departments. Changes must be made to correct all of the problems in both departments and until they are, Clark County Citizens United, Inc. opposes any increase to Wetland/ Habitat and Clean Water Commission fees.

Sincerely,

Carol Levanen, Exec. Secretary

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