

**From:** [Oliver Orjiako](#)  
**To:** [Jeffrey Delapena](#)  
**Subject:** FW: CCCU does not misunderstand the Legacy Lands Farm Consesrvation proposal. - Clark County Public Works, Lands Management Division September 18, 2024  
**Date:** Wednesday, September 25, 2024 4:35:24 PM

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FYI. For the general index of record. Thank you.

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**From:** Clark County Citizens United, Inc. <cccuinc@yahoo.com>  
**Sent:** Wednesday, September 25, 2024 4:25 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>; Eric Golemo <egolemo@sgaengineering.com>; membership@ccehc.org; Tyler Castle <wfivancouver@gmail.com>; Clark County Republican Party <action2@clarkrepublicans.org>; Ken Vance <ken.v@clarkcountytoday.com>; Summer Steenbarger <summer@preservingtheharvest.net>  
**Subject:** Fw: CCCU does not misunderstand the Legacy Lands Farm Consesrvation proposal. - Clark County Public Works, Lands Management Division September 18, 2024

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Clark County Council  
25, 2024  
P.O.Box 5000  
Vancouver, Washinton 98666

September

FOR THE PUBLIC RECORD

re: **CCCU does not misunderstand the Legacy Lands Farm Consesrvation proposal - Clark County Public Works, Lands Management Division September 18, 2024**

Dear Councilors,

It was reported to Clark County Citizens United, Inc. certain conversation claimed CCCU misunderstood the Legacy Lands Farm Conservation proposal. Certainly, it would be CCCU's hope that is the case, but it's not. Since our organization goes back 30 years, we are fully aware as to how this type of policy is presented as harmless at first, and then have seen it morph into something much more costly and destructive.

CCCU remembers when the Critical Lands Ordinance was first created, and the public was told that "best available science" (BAS) would be used. Buffers for wetlands were to be 25 feet and 50 feet. A covenant was to be voluntary and not mandatory. CCCU was party to all of the hearings for this ordinance, and was assured, in particular with the covenant, that nothing would change. That couldn't have been further from the truth. Now BAS is "out the window" and wetlands and critical land is determined by a visual walk-by or GIS aeriels. The buffers have increased exponentially and since 2008, the covenant is mandatory and being applied to all developments in the rural area, regardless of the facts and data.

In the September 18, 2024 Work Session, there is vague conversation over what land will be considered, as if a meaningful criteria of soil and production would be the primary focus. But as all of us know, in 1994 Clark County only used aerial photography and staff interpretation to lock up and downzone thousands of rural acres into a resource designation. They did not use productive soil. This turned much of the 2.5 to 20 acre zoned land, into 20, 40 and 80 acre resource zones, with no potential for the aging farmer to sell the land or give a portion to their children, to continue farming.

The recent Capital Press publication focused articles on what is considered productive "farming". In an article called "**Sowing carrots and a ministry**" it discusses the success of Mr. Bruce Hogan's **7 acre** farm. Another article focused on Vanessa Kuemmerie, who raises more than **100 varieties of flowers** on her **12 acre farm**. Both of these persons earn a living on these smaller acreages and sell their products commercially. Neither productive agriculture or forest needs to be on large parcels, if the productive soil is there.

CCCU believes it is the Council that doesn't understand what the citizens want. Of course, they want less regulation, but they are talking about the rural farms throughout the county that they are familiar with, which are generally five to ten acres or less. In the agriculture zone, over 65% of the land is less than 20 acres and in the forest 40 acre zone, approximately 90% of the parcels are less than their zone. That is the "farmland" people would like to see preserved. But that is not what the county staff is proposing in this covenant proposal. The meeting conversation claims a goal is to stop "fragmentation" of the rural 5 and 10 acre zones. Dividing these lands according their zone, is not "fragmentation", but rather accounting for the ability to create small rural farms by way of affordability and housing. There was even talk of letting land go "fallow". But how does that encourage agriculture preservation, whereby all taxpayers would be paying for?

At first, this proposal would benefit those who already are informed of this proposal and plan on taking advantage of it. Those most advantaged would be landowners who are poised to go into the city limits. They would not only get money from the covenant, but they would also be able to sell the land for high dollar amounts, and the land would not be subject to county regulations. But after the policy morphs into something very different, it will be a heavy personal and financial burden on the landowners and taxpayers who don't have that benefit.

An example is the Columbia Land Trust purchases of forest land. That organization was formed after CCCU won their 1997 court case in the Court of Appeals Division II. Environmental factions met in a building located on Officers Row to establish Columbia Land Trust.(CLT) They then began offering money to land owners, who had just been dramatically downzoned, to "preserve" their land. Since many of those citizens counted on their land as their "bank", they realized their land could not produce any money, with the downzoning, without selling all of it. Many of these folks were given pennies on the dollar for that land by CLT. A forester on CCCU Board of Directors gets emotional over one such CLT purchase. He claims they stole that land from the landowner.

Yet, CCCU sees the county deeding land that taxes have paid for, to CLT, for "management", without compensation. Then when the county wants it back, tax dollars are spent again, to get it back. That was the case with land at the Daybreak Park area. CLT appears to be a "non-profit" that makes money on the backs of the taxpayers and landowners, all in the name of "voluntary land preservation."

CCCU sees the same thing happening with this Legacy Lands Farm Conservation proposal. The devil is in the details and the councilors seem poised to adopt such a policy without those details and assurances, that must be written in any document. It also appeared that this proposal was much farther along than just at a "Work Session" level, even to the degree that Councilor Marshall recused herself because she was planning on applying for this covenant money. At any rate, CCCU remains opposed to this proposal for the very reasons outlined in this email. Clark County Citizens United, Inc. does not believe this proposal is in the best interests of the citizens and taxpayers of Clark County.

Sincerely

Carol Levanen, Exec. Secretary

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

----- Forwarded Message -----

**From:** Clark County Citizens United, Inc. <[cccuinc@yahoo.com](mailto:cccuinc@yahoo.com)>

**To:** Gary Medvigy <[gary.medvigy@clark.wa.gov](mailto:gary.medvigy@clark.wa.gov)>; Karen Bowerman <[karen.bowerman@clark.wa.gov](mailto:karen.bowerman@clark.wa.gov)>; Michelle Belkot <[michelle.belkot@clark.wa.gov](mailto:michelle.belkot@clark.wa.gov)>; Glen Yung <[glen.yung@clark.wa.gov](mailto:glen.yung@clark.wa.gov)>; Sue Marshall <[sue.marshall@clark.wa.gov](mailto:sue.marshall@clark.wa.gov)>; Kathleen Otto <[kathleen.otto@clark.wa.gov](mailto:kathleen.otto@clark.wa.gov)>; Oliver Orjiako <[oliver.orjiako@clark.wa.gov](mailto:oliver.orjiako@clark.wa.gov)>; Jose Alvarez <[jose.alvarez@clark.wa.gov](mailto:jose.alvarez@clark.wa.gov)>; Brent Davis <[brent.davis@clark.wa.gov](mailto:brent.davis@clark.wa.gov)>; CommDev OA Land Use <[commdevoalanduse@clark.wa.gov](mailto:commdevoalanduse@clark.wa.gov)>; Eric

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**Sent:** Sunday, September 15, 2024 at 08:40:00 PM PDT  
**Subject:** Fw CCCU Reaction to Legacy Lands Farm Conservation - Clark County Public Works, Lands Management Division September 18, 2024

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

September 15, 2024

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

**Re: Legacy Lands Farm Conservation - Work Session - September 18, 2024**  
<https://clark.wa.gov/sites/default/files/media/document/2024-09/091824-legacy-lands-farm-conservation.pdf>

Clark County Citizens United, Inc. OPPOSES Legacy Lands Farm Conservation

Dear Councilors,

The membership of Clark County Citizens United, Inc. strongly opposes the Legacy Land Farm Conservation of rural zoned land, as it will ultimately lead the county to implement management practices and/or cause to create destructive acts targeting rural families and preventing ownership of private property.

CCCU's concerns are many.

- 1. This proposed action appears as if it has already advanced far ahead in line of any formal rule-making process.**
- 2. Simply put, the process used here was undertaken to bypass opposition and allow the action to advance unabated.**
- 3. It looks like the action is determined to further control land uses, functions, personal land management activities, and, ultimately, thwart land ownership.**
- 4. The level of control and damage such action would cause for private choices, land use restrictions and management of private properties is breathtaking.**
- 5. Protections for private properties remains one of the GMA Planning Goals. That means, citizens have rights to manage and control private properties.**
- 6. This action has the potential to undermine, and in some cases, eliminate zoned uses of private lands. This undermines one's ability to make independent decisions for land management, common and customary uses of the land, and impacts productive beneficial uses of private land. These are all functions of property rights and are worthy of protections. However, there is no analysis.**

**7. Clark County has already been using Conservation Covenants that interfere with land ownership with controls placed on the owners, the properties and the Deeds.**

**8. No actions should be taken that further eliminate land uses, and cause the county to assume ownership, or an entity acting as a governmental agency, or a portion of private property.**

**9. Objectively Study the impacts to protections for private property.**

**10. Objectively study the impacts to property taxes. Undoubtedly, the property taxes for the subjected parcels will be portioned out to the rest of the citizens to carry the burden.**

**11. The information provided by Clark County is woefully inadequate and fails to enable reasoning and intent for the action.**

**12. There is no information regarding the impacts to rural housing affordability.**

**13. There is no information on the impacts to the current Buildable Lands Report and the resulting depletion of rural lots. The rural areas are already suffering inadequate supplies of buildable parcels. This was predicted in the 2007 Buildable Lands Report.**

**14. Without question, this action will further increase the displacement of rural families, drive fragmentations, upend support systems, and harm a particular culture of people whose families have lived in the rural areas across generations.**

**15. Where does the county plan on housing these rural refugees and how does the county plan to mitigate the harmful impacts stated above?**

**16. Where did the action come from? What individual or group came up with the idea?**

**17. When and where were the primary rural stakeholders, who will be affected by this proposal, involved in the process?**

This is a misguided and destructive act that impacts long-standing, commonly held beliefs regarding the importance of land ownership in our society. This act holds the potential for a major shift in steadfast, societal principles. Not enough study and information is provided by staff to enable thorough reasoning and thoughtful deliberation. This proposal must be rejected.

Sincerely,

Susan Rasmussen, President

Clark County Citizens United, Inc.  
P.O. Box 2188

Battle Ground, Washington 98604