

From: [Oliver Orjiako](#)
To: [Jeffrey Delapena](#)
Subject: FW: Response Requested - Norbert Halberg - forwarded to CCCU
Date: Monday, October 28, 2024 9:10:15 AM

FYI. Thanks.

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Saturday, October 26, 2024 7:43 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>; Tyler Castle <wfivancouver@gmail.com>; Summer Steenbarger <summer@preservingtheharvest.net>
Subject: Fw: Response Requested - Norbert Halberg - forwarded to CCCU

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.

Clark County Council
26, 2024
P.O. Box 5000
Vancouver, Washington 98666

October

FOR THE PUBLIC RECORD

Re: Response Requested - Norbert Halberg - forwarded to CCCU

Dear Councilors,

This is in regards to **Habitat Final 26311 NE 207th, Battle Ground, Washington 98604 for Norbert Halberg - HAB2017-00122.**

Clark County Citizens United, Inc. has received Mr. Halbergs request to Brent Davis, concerning over a six year delay of an occupancy permit for his home. CCCU is now forwarding it to the Council. CCCU understands this is the second request. County staff has been silent to Mr. Halbergs many concerns, throughout this long timespan. It is time this case comes to closure.

CCCU sees that Mr. Halberg was told by Brent Davis that a covenant was placed on his land because of wrong doing on his part. Mr. Halberg denies this activity. So whose word is true? CCCU has researched the circumstances of this case very

carefully, and have determined Mr. Halberg is correct.

What he is asking of Mr. Davis is not unreasonable, as he was told that permanent covenants were placed on land in 2008, based on a staff study they called "best available science". As CCCU recalls, staff is to use the latest BAS documents provided by state and federal agencies, to make their BAS determinations. Mr. Halberg is asking to see the study staff used, to decide to put permanent covenants on land, one of which was his private land.

CCCU does not recall any public process for the amendment of the Wetland and Habitat Ordinance that allows such a profound application of the ordinance. The original ordinance did not have forever mandatory covenants attached to parcel deeds. CCCU can ask for a public records request of this BAS staff study information, but if it exists, the study should be readily available to the public.

CCCU looks forward to reviewing the information as well, as soon as it is sent to Mr. Halberg.

Sincerely,

Carol Levanen, Exec. Secretary

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

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

From: Norb Halberg <norbhalberg@gmail.com>
To: Brent Davis <brent.davis@clark.wa.gov>
Sent: Thursday, October 24, 2024 at 02:37:59 PM PDT
Subject: Response Requested - Norbert Halberg

Dear Brent,

I am once again, asking for release of my occupancy permit, that has been held up for over six years.

On Monday July 8, 2024 at 2:03PM I sent an email to you regarding the long six year delay of my occupancy permit. You responded with a return email on Wednesday, August 14, 2024 at 2:22PM, which was over a month from my request. In that email you claimed the *"covenant was required as a condition of approval for mitigation for the reduction of riparian habitat that resulted from unpermitted clearing of riparian habitat outside the building envelope"....* As I understand, this was determined via a GIS aerial photo. I was not party to such activity.

You gave three reasons for the covenant placement, and in item # 3 you say, *"Best available science (a 2008 study of mitigation performance in Clark County permits) shows that recording a covenant doubles the likelihood that mitigation plantings will be successful.*

I then requested you send a copy of that study for my review. I'm sure it's in the public record as a public document. To date, I have not received that information, and I am asking a second time, (October 24, 2024,) that it be sent to me. If you are going to base regulation of my land on your own study, I need to know what science you used to base your decisions.

As far as a permanent covenant goes, I do not believe an aerial photo and false claims justify permanent county control of my deed, and a large portion of my land.

I look forward to your quick response to this request.

Sincerely

Norbert Halberg