

From: [Jeffrey Delapena](#)
To: [Clark County Citizens United, Inc.](#); [Bart Catching](#); [Jeffrey Delapena](#); [Cnty 2025 Comp Plan](#); [Oliver Orjiako](#); [Jose Alvarez](#)
Subject: RE: Betty Sue Morris emails to Community Development regarding Agriculture Lands Study Commission
Date: Friday, November 21, 2025 10:35:51 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Good day, Carol,

Thank you for your feedback related to the 2025 Comprehensive Plan Update.

I have forwarded your comments to Staff and will enter these into the Index of Record. We will ensure these are forwarded to the Agricultural Advisory Commission as well.



Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558



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From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Thursday, November 20, 2025 6:37 PM
To: Bart Catching <Bart.Catching@clark.wa.gov>; Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>; Cnty 2025 Comp Plan <comp.plan@clark.wa.gov>; CommDev OA Land Use <CommDevOALandUse@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Wil Fuentes <Wil.Fuentes@clark.wa.gov>; Matt Little <Matt.Little@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>
Subject: Fw: Betty Sue Morris emails to Community Development regarding Agriculture Lands Study Commission

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November 20, 2025

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

Please forward this information and testimony to the Agriculture Lands Study Commission.

Clark County Citizens United, Inc. P.O. Box 2188 Battle Ground, Washington 98604 E-Mail cccuinc@yahoo.com

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

From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>

To: elisasue@aol.com <elisasue@aol.com>

Sent: Thursday, November 20, 2025 at 06:30:53 PM PST

Subject: Betty Sue Morris emails to Community Development regarding Agriculture Lands Study Commission

Dear Ms. Morris,
November 20, 2025

It is with interest that Clark County Citizens United, Inc. read your emails of testimony to the county regarding the Agriculture Lands Study Commission and staff. As CCCU reads through your information, you make some good points, but your history of how we got here is flawed. CCCU believes that corrections and clarifications need to be made to the information.

The following is a "copy and paste" of your letters. Interspersed with that information are CCCU comments, corrections and clarification. As you know, CCCU paid the \$250,000 price in the courts over the flawed 1994 Comprehensive Plan, and it is yet to be corrected.

***"CLARK COUNTY COMMUNITY WORKSHOP – AGRICULTURAL LANDS STUDY
TUESDAY, OCTOBER 28, 2025 OPEN HOUSE – PUBLIC TESTIMONY***

Battle Ground Community Center 912 E Main Street Battle Ground, Washington 5:30 p.m.

TESTIMONY MORRIS: Betty Sue Morris. 12633 N.W. 19th Loop, Vancouver, 98685. I want to ask the Commission to do two things; first, to define the words commercially

viable, those words are present in the planning document RCW 36.70A. And once they have defined commercially viable then go back and take a look at all of the land and measure it against that definition. That is just between you and me that is one thing that has never ever happened and the land that is zoned ag today was done with very few exceptions in 1992. **CCCU Notes: On your watch, the county was supposed to determine “Rural Character”, which never happened. Instead a generic definition has and is being used, rather than recognizing what is on the ground. It was on your watch, that all of these other events took place.**

10/23/2025

Dear Task Force Members,

First and foremost, thank you for your involvement in this critical study. I salute all the hours you have devoted to this task. By way of introduction to those of you whom I have not met, I was a member of the Washington State Legislature when the Growth Management Act (RCW 36.70A) was passed in 1990, and then served on the Clark County Board of Commissioners from mid-1996 until I retired in December of 2008.

This letter is intended to give you some background on the Agriculture zoning in the county and why your work is so necessary. The First Comp Plan was adopted in 1994 when John Magnano, Busse Nutley and Dave Sturdevant were the members of the Clark County Commission. **CCCU Notes: Dave Sturdevant supported CCCU’s position for five acre rural, but the other two members rejected it. When John left the commission, he apologized to CCCU for what he had done.**

That board, following the recommendation of a task force, **CCCU Notes: CCCU has never been able to determine who this task force was, but we suspect it to be the environmental groups. The original task forces for Agriculture and Forest spent two years working on a reasonable Plan, only to be thrown out and substituted with the “Green Alternative by John Karpinski. zoned a significant number of acres (35,000) as “Agri-forest.” “Agri-Forest” zoning was the result of indecision at that time about whether those acres in question should be zoned agriculture or forest. CCCU Notes: the term “Agriforest” was coined by one of the original task force members and Mr. Karpinski picked it up. “Agri-forest” zoning was, of course, appealed to the Western Growth Management Hearings Board and then on to the Superior Court of Judge Edwin Poyfair here in Clark County. CCCU Notes: It was also appealed to the Court of Appeals, District II, who ruled in favor of Judge Poyfair, in a Published Opinion. It was appealed to the Washington Supreme Court, who wouldn’t hear it.**

That remand came back to the County Commission in late 1996, after Busse and John had left the commission and both Mel Gordon and I had joined it. The commission of Gordon, Morris and Sturdevant did the remand work and resubmitted it to Judge Poyfair who approved our work. **CCCU Notes: This statement is not true. Judge Poyfair explained to CCCU that he never got a notice or letter from the Hearing Board or Clark County that they had complied with his court orders. The same is true for the Court of Appeals orders. His paralegal, at the time, can confirm that statement.** CCCU received a June 2006 letter from the Hearing Board

that states:

“This matter comes before the Board upon its order to show cause why compliance should not be found on the remaining issues in this case. The Board issued an Order to Show Cause Re: Compliance on May 8, 2006, providing that the parties must respond no later than May 22, 2006 or the case would be dismissed. No response was received from any party.

Although compliance was shown on some issues, compliance for several remaining issues in this case has never been found in a Board order. This case has been open for a number of years without action by any party. However, on September 7, 2004, Clark County adopted a revised comprehensive plan. Several aspects of this revised comprehensive plan were challenged in a Petition for Review and eventually found compliant. See Building Association of Clark County et al. v Clark County, WWGMHB Case No 04-2-0038c (Amended Final Decision and Order, November 23, 2006). The unchallenged portions of the revised comprehensive plan are presumed valid and deemed compliant. RCW 36,70A.320 (1). Therefore, with the adoption of a revised comprehensive plan and the issuance of the November 23, 2005, Amended Decision and Order in Building Association of Clark County et.al, V. Clark County, WWGMHB Case No. 04-2-0038c. the Board determines that any compliance issues remaining in this case have most likely been resolved.

For that reason, the Board issued the show cause order on May 8, 2006. With the absence of any response by any party, the Board concludes that compliance should be found and this case closed.”

CCCU Notes: CCCU's case number was 95-2-0067c and not 04-2-0038c. When CCCU got the notice, our attorney was tied up with the other case and could not respond in time. CCCU was told by the commissioners and planning staff that they would get to the Poyfair decision, as soon as they are finished with the other case action. CCCU was told to hold off on being party to the 2004-06 comprehensive plan activity, until the urban areas were completed. A CCCU Board member, who was on the Planning Commission at the time, reported that Clark County's attorney, Rich Lowery told the PC that the county didn't have time to comply with the Poyfair orders, and the PC was not to consider it in their work. The flawed decision of the WWGMHB, based on presumption and a completely different court case, was illegal. When questioned by CCCU, the Hearing Board could not answer any questions over why they did what they did.

Neither the Superior Court or Court of Appeals received any correspondence or letter from either the county or the Hearing Board stating compliance to the court orders. A completely different HB case with completely different people, was used to determine CCCU's case. Given the facts, CCCU believes the county has never been compliant to court orders in case # 95-2-0067c, on CCCU's behalf.

On your watch, all of this illegal activity happened.

Now back to ag lands. Those acres which had been zoned Agriculture in that original plan were done in part by aerial photography and in part by other means. **CCCU Notes: The agriculture zoned land was completely done using aerial photos and staff interpretation according to a GIS Metadata document dated 1993. It was confirmed that nothing else was used, by the man who created the actual map. He said that only the aerial photo was used and that it was very difficult to create a map using that criteria, at that time. He was fired. Between then and now only a minor amount of acreage has been changed from ag to a different designation.**

So the vast majority of ag land (thousands and thousands and thousands of acres) has not been re-examined since original adoption in 1992. **CCCU Notes: As CCCU understands it, the Ag land was adopted in 1994. But behind the scenes manipulation likely occurred, if indeed it was adopted in 1992. That is why your work is so critical. The world has changed dramatically since 1992 and so has Clark County. Many of our original farmers have died, the land has changed hands, and other industry has replaced agriculture as a major economic driver in our communities. It may also be worth noting that Agricultural uses are allowed in all zones in the county, so food can be grown on much smaller parcels. Properties were, most likely, originally zoned AG because at the time they were being used for Agricultural purposes not because of their soil types. They are not specifically resource lands that are in need of protection like rock and mineral deposits that cannot be replaced.**

In mid to late summer of 2024 I took two friends on a tour north from the Salmon Creek area almost to Ridgefield on NW 36th Ave. I gave each a zoning map so they could tell which land was zoned for agriculture and which was not. About half the land zoned ag was not being used for ag while lots of areas not zoned ag were indeed clearly used for commercial agriculture. I am happy to take any of you who are interested on the same tour! So I encourage you to do two things: First, RCW 36.70A specifies "commercially viable" agriculture." "Commercially viable" has never been defined at either the state or local level. **CCCU Notes: Commercially viable is described in the Growth Management Act and all of its RCWs and WACs. That is all this Commission needs to use along with the mandatory 1972 USDA Soils Manual. Please define it. Second, please examine each parcel of land that meets the standard you have set in your definition and recommend appropriate zoning to the County Council. This is risky business, for sure. There will be winners and losers. County Councilors will make people unhappy, and homebuilders (of whom I remain a proud champion) risk seeing ag land where they wish it weren't. But your product will certainly meet, for the very first time, both the letter and spirit of the law!! Thank you again for your work!!** **CCCU Notes: This Agriculture Study Commission will not meet either of those goals, because they do not have the correct information that will lead them to that determination or goal.**

It has become apparent to Clark County Citizens United, Inc. that when you were in office, you did not have CCCU's and the rural people's best interest at heart. CCCU was given false promises and false information by the county at that time, and it continues to be the same today.

Rural people need housing and must live on any land that they would use for agriculture use. No one can afford to buy legitimate agriculture land, and would need to depend on much smaller parcel sizes. But even then, it is impossible to make a living wage doing farming in Clark County, which has been documented in USDA agriculture census, since 1930. The land needs to go to a better use.

Sincerely,

Carol Levanen, Exec. Secretary

Clark County Citizens United, Inc.
P.O. Box 2188
Battle Ground, Washington 98604
E-Mail cccuinc@yahoo.com

cc:Clark County Community Development and the Clark County Council

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E-Mail cccuinc@yahoo.com