

From: [Oliver Orjiako](#)
To: [Jeffrey Delapena](#)
Subject: FW: Friends of Clark County Comments on the DEIS
Date: Thursday, January 8, 2026 8:27:17 AM
Attachments: [FOCC DEIS Comp Plan Jan 8 2026.docx.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Hi Jeff,

FYI. Thanks.



OLIVER ORJIAKO
Director
COMMUNITY PLANNING

564.397.2280



From: Ann Foster <annfoster5093@gmail.com>
Sent: Wednesday, January 7, 2026 10:24 PM
To: Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>;
Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Christine Cook <Christine.Cook@clark.wa.gov>
Cc: Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>
Subject: Friends of Clark County Comments on the DEIS

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Hello,
Please accept and consider our comments on the Comp Plan DEIS in the attached letter below and place in the public record.

Best regards, as always,
Ann Foster
Friends of Clark County



Friends of Clark County

PLANTING THE SEEDS OF RESPONSIBLE GROWTH

January 8, 2026

Chair Sue Marshall
Kathleen Otto, County Manager
Oliver Orjiako
Christine Cook
Public Services Center
6th Floor
1300 Franklin Street
Vancouver, WA 98660

General Comments and Timeline of Comprehensive Plan Update and Agricultural Resource Lands Study

Dear Chair Marshall:

Since the onset of the Comprehensive Plan Update Process, Friends of Clark County has supported and advocated based upon two basic principles:

- 1) All existing Urban Growth Areas have capacity to accommodate all of the forecasted growth and there is no legal reason to expand any urban growth area boundary; and
- 2) For decades, the County had targeted Agricultural Lands of long term commercial significance for conversion to housing and employment uses and our position is that no Agricultural Lands should be converted. This position is consistent with our position that the existing UGA boundaries have the capacity to accommodate all the growth we anticipated would be forecasted.

As of this date, FOCC believes the developed factual record, combined with the GMA requirements found in the RCWs and WACs, solidly support both premises. Today at the Council Work Session on the Comprehensive Plan Update, County staff confirmed that there is no apparent reason to expand any existing UGA and that no Agricultural Lands should be converted.

Below is a Bullet Point Timeline of the Comprehensive Plan Update process along with our comments.

- The Comprehensive Plan (CP) Update process started in 2020 with the appointment of the Buildable Lands Project Advisory Committee (BLPAC)[1]. The BLPAC met monthly with staff and a consultant to help establish the Vacant Buildable Lands Model (VBLM) which would form one of the foundations of the update planning process

- The BLPAC held final votes on issues related to the VBLM on January 6, 2021 and a report was created and sent to the Council with recommendations for the VBLM.

- From January 6, 2021 through June 7, 2022, representatives of the Building and Development Community, including several who were on the BLPAC, attempted to convince the Council that the BLPAC work was insufficient and overestimated the capacity within the county's UGAs for growth. FOCC took the opposite position and ultimately the Council agreed to adopt what was, in essence, the BLPAC recommendations;

- On June 7, 2022, Council adopted its Buildable Lands Report which primarily adhered to the BLPAC recommendations sent to the Council in January 2021 (transcript of the proceedings is here-

https://clark.wa.gov/sites/default/files/media/document/2022-06/d070522_BOCCminutes_Verbatim_BuildableLandsReport060722.pdf). The County then submitted the BLR to the Department of Commerce **who approved it**.

- The Buildable Lands Resolution adopting the VBLM and Buildable Lands Report was formally adopted in Resolution 2022-06-01[2].

- The Buildable Lands Report approved by Resolution 2022-06-01 supported FOCC's contention that all anticipated growth for the upcoming Comprehensive Plan update could be accommodated in the existing UGAs and no expansions of existing UGAs would be required. See *Clark County Buildable Lands Report* at pp 20 and 25.

- **any** party, individual, city or entity could have appealed that Resolution to the Growth Management Hearings Board. NO Appeal was taken.

-FOCC contends that if any individual, party, entity or city believed that the BLR, which adopted the VBLM, was flawed, that person or entity should have appealed to the Growth Board and, by failing to appeal, waived any future challenges to the BLR/VBLM in the planning CP update process.[3]

-On February 22, 2023, the County Community Planning Department issued Planning Issue Paper #1[4]. Planning Issue Paper #1 is ***THE*** planning paper that sets the stage for the remaining update and gives a comprehensive history of Clark County's Planning under the GMA from 1994-2020. ***Of note, the term "de-designation" is mentioned thirty-nine (39) different times*** in the main paper and attachments. We think it is important to emphasize the following paragraphs from that Report:

On January 8, 2020, the Washington Supreme Court denied the petition for review filed by CCCU, and the additional issues filed by Futurewise, which sought to overturn the Court of Appeals decision on UGA expansions, mootness, and agricultural designation. On March 26, 2020, the GMHB found the County in compliance with all outstanding issues.

To summarize, in appeal, the Growth Board and the Courts held that the 2016 de- designations of agricultural resource land had been improper because the County had failed to engage in the required countywide process (see pages 14 through 18 of the Issue Paper 1.1). The appellate bodies also struck down the UGA expansions because the additional land was not needed to accommodate growth, and because the County did not implement reasonable measures before expanding the boundaries.

Issue papers 1.1 and 1.2 prepared by staff, dated September and November, 2020, are attached as Exhibit

A and Exhibit B, provide the regulatory and historical context related to the designation of agricultural resource land and rural lands. The two Issue papers are the chronology of comprehensive planning in Clark County as it pertains to agriculture and rural lands.

Issue Paper #1 at pp 3-4

-Importantly, Issue Paper #1 spends a great deal of time describing the history of the de-designations of agricultural lands in Clark County, especially as they relate to Ridgefield and La Center and those cities' claims that they needed expanded urban growth areas. See Exhibit A at pp 9, 12, 13, 14 (Ridgefield and La Center), 15-17 (Ridgefield and La Center)[5] and Exhibit B at pp11, 15 (Ridgefield and La Center), 16 and 20-22.

-FOCC contends that any entity, group, lawyer, city elected official and/or City Planning Department would have become extremely familiar with the requirements of de-designating resource lands by just reading ISSUE PAPER #1 in February 2023.

FOCC further contends that any claims made by any entity, city or individual that they were unaware of the requirement of a full county wide resource land analysis if they wanted to de-designate any resource land after February 2023 can only mean that they did not read the County Issue Paper #1.

-FOCC did not seek a county wide resource land study, nor advocate for a county wide resource land study during this CP Update process, ***because we believed then that the VBLM supported that all forecasted growth could, and should, be accommodated within the existing Urban Growth Areas.*** We cannot assume why other entities, including the Cities, did not begin advocating for a resource lands study in 2023 but they clearly did not make any requests.

To be clear, and contrary to some assertions made at the December 6, 2024 hearing, FOCC did not advocate for a Resource Lands Study in this CP update process **but** we did firmly state that no resource lands could be de-designated without the County completing the full CountyWide Resource Lands Study. Our position has remained consistent and constant.

-On April 5, 2023, the County Community Planning Department issued Issue Paper #2 regarding OFM Population projections and on May 2, 2023, the Council chose a population # of 718,154.

-After selection of that number, FOCC continued to contend that based upon the numbers selected by Council, and continuing statements by the Council members and staff at the hearings and meetings, that all the forecasted growth could be accommodated within the existing Urban Growth Areas.

-On August 8, 2023, the Community Planning Department produced Issue Paper #3.1 amending Issue Paper 3 per Council's request on Employment Forecasts.

-Using the amended jobs numbers that the Council approved, according to Issue paper 3.1 there appeared to FOCC to be sufficient acreage (1,798 acres for commercial lands and 3,745 net acres of industrial lands-Total acreage of 5,543 for employment lands) within the existing UGAs which is sufficient capacity for the employment needs.

-At the August 8, 2023 hearing[6], the Council unanimously passed its employment # forecast in Resolution 2023-08-01 which staff stated would be used "to determine the amount of acres we are going to need to plan for those jobs and we use our employment density assumptions that the Council has approved, 9 jobs/acre for industrial and 20 jobs/acre for commercial"

-The employment forecasts approved by Council appeared to fit squarely into the amount of acres that staff reports had shown were available under the VBLM analysis and supported FOCC's continuing position that the forecasted growth could be accommodated within the existing UGAs.

-On September 20, 2023, Community Planning produced Draft Issue Paper #4: Planning Assumptions which gave a summary of the prior Issue Papers, and the selected OFM number, and provided analysis on new legislation that would be impacting housing goals and proposed Planning Assumptions.

-Starting on January 4, 2024 and continuing through May 7, 2024 and culminating in Resolution 2024-05-05, the Council adopted the Employment, Housing and Population allocations for the Comprehensive Plan Update.

-Of note, officials from Ridgefield and La Center did not even appear and give testimony at the May 7, 2024 hearing, **and their absence was noted on the record**, presumably because they did not object to the allocations.

-The adopted allocations of housing, population and employment in the 2024-05-05 Resolution were consistent with FOCC's stated position that all the forecasted growth based upon the VBLM and BLR, the OFM population of 718,000, the Employment number adopted.

- On March 14, 2024, Mr. Jamie Howsley who, along with his law firm Jordan Ramis, represented various property owners sent a letter to the County stating his firm intended to conduct a county a resource lands countywide study(Public Comment #35895407) [7]. In that letter, Mr. Howsley stated that since the County had not budgeted for a county wide resource land study, he and his firm had hired a consulting firm to do a full study of the resource lands throughout the county and pledged that it would done in compliance with all applicable laws. Moreover, Mr. Howsley pledged to share the scope of the work that his consultants were projecting would be necessary with county staff for their input **prior to initiating the analysis**.

- Mr. Howsley's firm represents the Property Owners in one of the areas that La Center is seeking to include in its UGA (Public Comment #35490004) and also represents Property Owners in two of the areas that Ridgefield is seeking to include in its UGA (Public Comment #35812515 and #35840593). Neither Mr. Howsley, nor his firm, submitted anything more than site specific "reports".

-In August 2024, in response to the submittals by the Cities of their proposed plans, Mr. Alvarez sent a collective email to the Cities stating:

Thank you for submitting your land use scenarios for the DEIS study as part of the 2025 Comp plan update. Your proposed Urban Growth Boundary expansion included agricultural resource lands. ***We have advised through our city-county meetings that any consideration of including resource lands within the UGA would require the proponent and jurisdiction proposing such action to provide an analysis demonstrating that the criteria for de-designation have been met.***

Upon reviewing your submittal, we have not found the required analysis regarding de-designation.

In 2023 the Department of Commerce updated the administrative rules "with a large focus on the designation and protection of critical areas and natural resource lands". Please refer to WSR 23-08-037 for the updated language under WAC 365-190-040 and WAC 365-190-050.

The county looks forward to reviewing your analysis.

-Two weeks later, in response to that email, Ms. Lust of Ridgefield replied

Now that the 9/12 Planning Commission Work Session has been cancelled, what timeline are we on to submit more detailed UGA expansion proposals? **Our staff are working with a couple property owners who submitted expansion requests to the County to ensure their legal counsel prepares de-designation studies in a timely**

manner, but any further detail on next steps would be appreciated.

-Based upon the Letter written by Mr. Howsley on March 14, 2025, Mr. Alvarez's statement that the County staff had previously discussed that if the cities wanted to expand their growth boundaries into resource lands, and Ms. Lust's statement that she and the City were working with the landowners, FOCC contends that at least as early as March 2024, that the Cities knew that if they were intending to propose expansions into resource lands, they would be required to complete a county wide resource lands study.

-On November 5, 2024, Ms. Merrill of La Center submitted a site specific "Agricultural Analysis" of the site-specific properties that La Center was proposing to Annex. FOCC contends that, on its face, the document did not meet the stringent requirements of a county wide analysis.

-On November 5, 2024, several legal representatives of several property owners sent a letter to the Planning Commission which made the assertion that the County must conduct a county wide resource lands analysis as part of its comprehensive plan update (Public Comment #36707113 a pp 4-5) . Despite what had been set forth in Issue Paper #1, and the amendments to the WAC in 2023, this was the first time that FOCC has found in the record that any entity, party or person was asserting in writing that the County had to conduct such a study. The letter does not reference Mr. Howsley's letter of March 14, 2024.

-The County Council convened a special meeting for December 6, 2024. At that hearing, the Council first voted 5-0 to **not** reopen the VBLM.

-At the December 6, 2025 hearing, the County Council also voted 4-1 to authorize a resource land study and voted 4-1 on the following motion by Councilor Bowerman "*Move approval of the city requested Actions 2 and the County Initiated Actions including all site-specific requests*".

-At the January 28, 2025 Council Meeting, County staff presented Resolution 2025-01-11 which was the procedural response to the votes taken on December 6, 2024. Ultimately, the Council voted to approve the Resolution 2025-01-11 and then

addressed the Resource Study scope and funding. The Council then left in place the vote from December 6, 2024.

-On February 5, 2025, the County held a Work Session on the Comprehensive Plan Update. During that work session, the issue of the Resource Land Study was again a topic of conversation. Ultimately, the Council made no decision.

-On March 5, 2025, the Council again discussed the issue regarding the Resource Lands study and, unanimously decided to reverse their course on the Resource Land study and, then gave unanimous approval to withdraw the RFP and have staff draft a resolution reflecting that unanimous determination. As the council determination came at Council Time, they were required to bring the Resolution before the Council at a Public meeting.

-Resolution 2025-04-02 came before the Council on April 8, 2025 and, due largely to the number of public comments, the Council did not act on the resolution but moved it to April 15, 2024 for further consideration. On April 15, 2025, the Council did not adopt the existing resolution. Rather the Council determined to limit the Resource Land Study to Agricultural Resource Lands and gave direction to staff to issue an RFP with a deadline for completion of October 1, 2025

-On May 7, at a Council Time meeting, the County agreed to release the RFP (RFP#924) with a due date for responses of May 28, 2025. On July 15, 2025, the Council approved the contract with EcoNorthwest to conduct the Agricultural Lands Resource Study with a due date of 4 months from approval of the contract (estimated time for completion November 15, 2025). Attached to the Contract was a 6-page single space scope of work document. The Council also determined that the consultant should also consider the discretionary criteria of food security as defined in WAC 365-190-050(5) when developing their methodology and engaging in their work.

-At some point, the Council voted to extend the date for completion of the Comprehensive Plan update until June 12, 2026.

-On November 12, 2025, EcoNorthwest issued their report for public comment. The Council had a Work Session on November 13, 2025 and the Consultants went through the entire report, their analysis and the reasons for their selection of the primary criteria for determining ALLTCS.

-FOCC will not document all of the work done by the Consultant herein as it can be found in the report and here:

<https://clark.wa.gov/community-planning/agricultural-lands-study> and also by listening to the Council Work Session on November 13, 2025.

-FOCC contends the report was conducted in accordance with the criteria set forth in the RFP, the 6 page Scope of Work that was attached to the contract with EcoNorthwest and the WAC rules. FOCC believes that County staff believe that the Consultant completed the work as directed. Staff confirmed that belief today during the work session with Council.

-FOCC also contends that challenges being made by the City of Ridgefield in the letter from City Manager Steve Stuart dated November 29, 2025 and by Angie Merrill of the City of La Center simply just amount to taking umbrage with the results of the study. The reason is simple, given the tenor and tone of the Cities' testimony during open public testimony on April 8, April 15 and May 7, it was widely apparent that the Cities believed that the lands that they wanted to incorporate into their existing UGAs would not qualify as ALLTCS. They were wrong. So, now they are claiming that the study and report, ***that they insisted the County spend almost \$200,000 to complete***, is flawed.

-FOCC contends that the Planning Commission and the Council should reject those claims as the consultant considered all of the applicable criteria, determined the most relevant criteria to apply to this study and then uniformly applied the correct criteria. There is no error in the methodology or the result.

-For 5 years, FOCC and its members have consistently monitored the County's work and process, testified regularly, submitted multiple documents with factual and legally verifiable data, specific references to rules and statutes and continually asserted that all the forecasted growth for Clark County can be accommodated within the boundaries of the existing UGAs.

-Our contention is supported by the conclusions found in the Department of Commerce approved BLR/VBLM, the selection of the OFM projected population number, the projected employment #, the planning assumptions relied upon throughout this process and the population, employment and housing allocation determination made in May 2024. Our contention is also supported, with very narrow exceptions by the data that was shared with the County today during its Work Session.

-Throughout this entire 5 year process, FOCC has consistently provided testimony and documentation in support of the need to protect and conserve agricultural resource lands and provided analysis of our view that the the County must designate more Agricultural lands, ***and not de-designate any Agricultural Lands***, and that is supported by both the Agriculture Commission, which is made up mostly of farmers, and the Agricultural Resource Lands study that the County commissioned and expended almost \$200,000 to “get it right”.

Thus the Planning Commission should adopt a preferred alternative that keeps the current UGAs intact, does not convert designated Agricultural Lands of Long Term Commercial Significance and require all forecasted growth be accommodated by the more than ample existing capacity in the existing UGAs.

Regards,

Ann Foster, President

Friends of Clark County

[1] One of our members, David McDonald was on that committee other members included Eric Golemo and Jamie Howsley of DEAB, Jennifer Baker of the CREDC, Jerry Olson of the Responsible Growth Forum, Jim Malinowski of Clark County Citizens United, Rian Davis of the Clark County Realtors Association, Ryan Makinster of the BIA, Matt Swindell and Ron Barca of the Clark County Planning Commission, Jeff Swanson of the City of La Center (representing the “small” cities”), Stephen Abramson of the Neighborhood Association Council, Bryan Snodgrass of the City of Vancouver and Marjorie Ledell of the Vancouver Planning Commission.

[2] The adopting resolution has three exhibits. Exhibit 1 is comprised of the assumptions and methodologies of the 2021 Vacant Buildable Lands Model consistent with Council action on June 7th. Exhibit 2 is the data outputs and maps of the 2021 Vacant Buildable Lands Model, again, based on the Council action from June 7th. And, finally, Exhibit 3 is the Buildable Lands Report updated to reflect the changes to the Vacant Buildable Lands Model based on Council action on June 7. Transcript of that proceeding can be found here-- https://clark.wa.gov/sites/default/files/media/document/2022-06/d070522_BOCCminutes_Verbatim_BuildableLandsReport062122.pdf

[3] During a WS on the VBLM with the Council on August 31, 2023, Dr. Orjiako stated that the BLR had been shared with the cities and that no appeal had been taken.

[4]

<https://clark.wa.gov/sites/default/files/media/document/2023-02/Issue%20Paper%201-Overview%20of%20Planning%20under%20GMA%20in%20Clark%20County%201994-2020.pdf>

[5] As has been mentioned multiple times during this process, Ridgefield and La Center's expansion were found to be non-compliant with the GMA and the Board issued orders of invalidity. Ultimately, those expansions were allowed despite the Order of Invalidity because the Court of Appeals found that Ridgefield and La Center annexed the lands and thus divested the GMHB of jurisdiction. Issue Paper #1, Exhibit A at p 17.

[6] <https://www.cvtv.org/video/clark-county-council-08-08-23-2023081011/?eventID=2023081011>

[7] #35895407 of the public comment record.