

From: [Jeffrey Delapena](#)
To: [Angie Merrill](#)
Cc: [Oliver Oriako](#); [Jose Alvarez](#); [Rebecca Messinger](#)
Subject: RE: City of La Centers Testimony
Date: Thursday, January 8, 2026 5:09:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Good day, Angie,

Thank you for providing comments on behalf of the City of La Center ahead of tonight's Joint Hearing to select the Preferred Land Use Alternative.

I am forwarding to additional members of Staff. Hard copies of your comments will be made available to the Council and Planning Commission at the time of the Hearing, and these will be added to the Index of Record.

Best,



Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558



NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this email, in whole or in part may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

From: Angie Merrill <amerrill@ci.lacenter.wa.us>
Sent: Thursday, January 8, 2026 4:43 PM
To: Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>
Subject: City of La Centers Testimony

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.

Hi Jeff,

This is our testimony for tonight. I'm just asking that the attached document is made an Exhibit. The slides I sent earlier are for our presentation. We will bring separate hard copies just in case.

Thank you,

Angie Merrill

Community Development

Land Use Planner

210 E 4th Street La Center, WA 98629

360.263.3654

amerrill@ci.lacenter.wa.us



You can now apply for your land use application online!

To register for an account now please go to <https://support.cloudpermit.com/support/home/>





360.263.2782 • Fax 360.263.5700 • www.ci.lacenter.wa.us
210 East Fourth Street • La Center, WA 98629

January 8, 2026

Good evening, counsel and planning commission. In 2023, La Center staff started work on the comprehensive plan update and were looking forward to a smooth and collaborative process with the County. As we started our work on the update to the VBLM to determine the city's current capacity for jobs and housing as well as the allocations for job and population growth that was going to be directed to La Center, City and County staff initially worked closely together. Unfortunately, as the process continued the coordination diminished.

In February 2024 County staff released the final job and housing allocation numbers for all Cities. La Center was surprised to see that the City's allocations that had been developed in coordination with the County for months had dropped by 470 jobs and 301 housing units without any discussion or coordination with the City. At the same time the City's Capacity from the VBLM jumped up by 247 jobs and 775 housing units. I testified about these discrepancies at the time, however no revisions to these numbers have taken place.

The projected capacity numbers that have been provided to you do not reflect the topography and critical area encumbrances that impact much of La Center's undeveloped areas, and also do not reflect Subarea plans that have been adopted by the City or land within the City that was taken into trust by the Cowlitz Tribe. When the VBLM model was updated at the City's request earlier this week to reflect these changes the City's job capacity was further reduced by nearly 400 jobs.

As La Center has been developing the comprehensive plan update, City Leaders and staff have repeatedly engaged the public and stakeholders to hear their vision for La Center. Through this outreach we have heard several consistent messages:

Maintain the small-town charm and feel of downtown La Center.

Focus growth near the I-5 Junction where there is adequate transportation and other infrastructure to support growth.

Provide family wage jobs in the City to prevent becoming a "bedroom community"

With these goals, the City Council unanimously adopted a preferred alternative that includes targeted re-zones to provide a variety of housing types and targeted Urban Growth Area expansions primarily focused on job providing land around I-5. The preferred alternative includes the Downtown and Timmen's Landing subarea plans that bring some density and a variety of housing types, along with jobs to these areas. The City's preferred alternative aligns with the County's Alternative 2, with minor modifications to bring in needed job producing land into La Center.



360.263.2782 • Fax 360.263.5700 • www.ci.lacenter.wa.us
210 East Fourth Street • La Center, WA 98629

La Center understands and supports the need to preserve productive agricultural lands but shares the concerns that have been expressed regarding the Agricultural Lands Study and the many criteria of WAC 360-190-050 that have been disregarded by the study. Much of the area proposed for UGA expansion by La Center has an “urban reserve” overlay identifying it for future growth, and is adjacent to urbanized areas of the La Center UGA and the Cowlitz Tribe reservation. The soils underlying these parcels are silt loams that are generally not suitable for crop production, and none of the properties have water rights for irrigation. Additionally, none of the parcels proposed for expansion are currently being used for crop cultivation and most are currently being used for non-agriculture use.

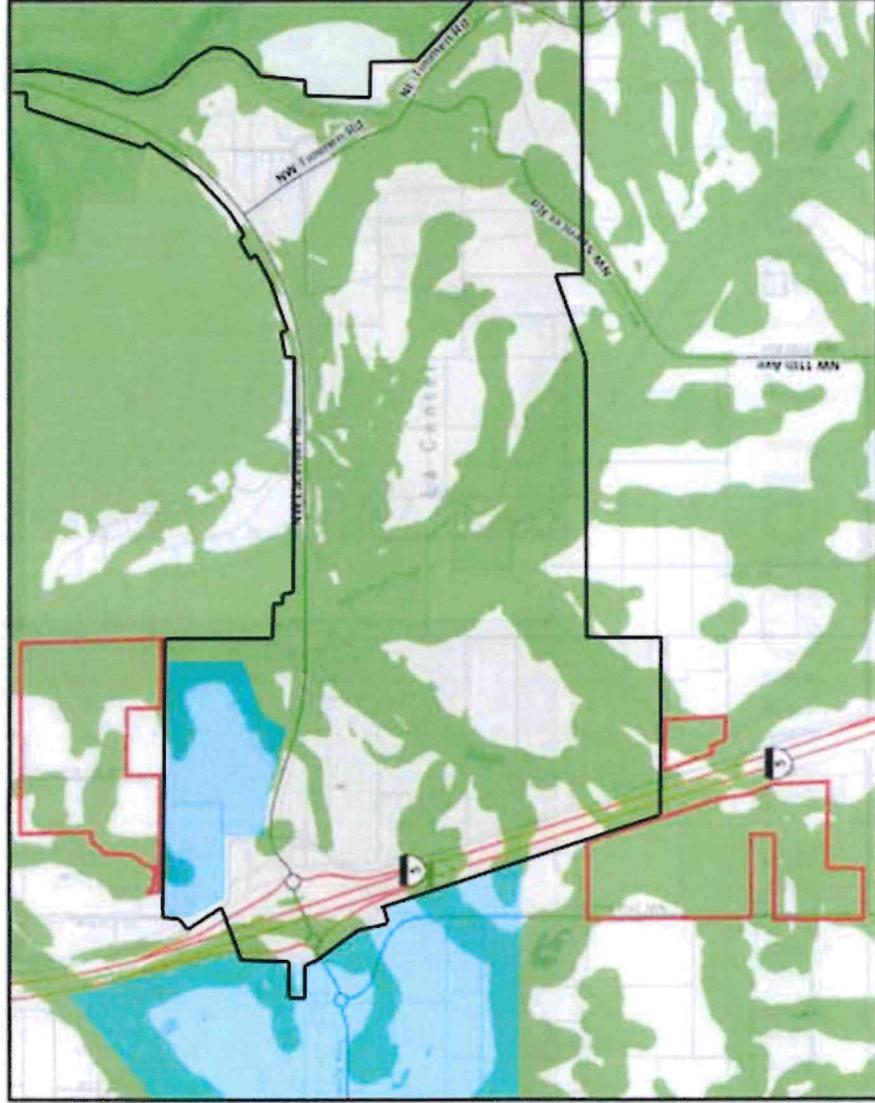
The City of La Center is eager to partner with the County and the other cities to develop innovative methods such as a Transfer of Development Rights program to allow productive agricultural land to be preserved, while still allowing for needed growth and expansion of the smaller cities in Clark County. We believe that such a program would be a win/win, providing farmers with funds to support agricultural production and providing Cities with needed area to meet growth demands without over-densification.

The small town charm of La Center is what has drawn many residents to this area, and forcing the City to densify to meet the growth allocations without expanding the Urban Growth Areas will permanently alter the feel of our community.

Thank you and see you soon!

Bryan Kast, PE
(360)771-2810

La Center Junction Area

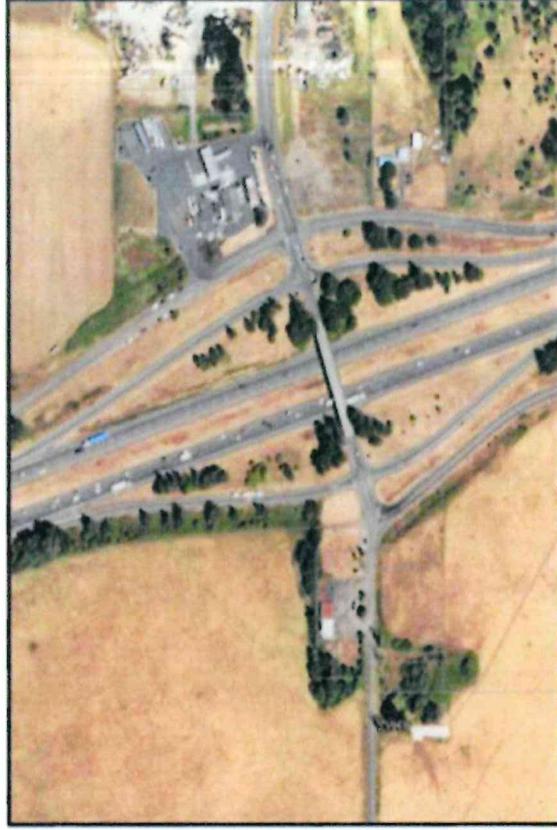


- Current UGA
- Proposed UGA
- Cowlitz Tribal Land

(Source: Clark County GIS)

La Center Junction Urbanization

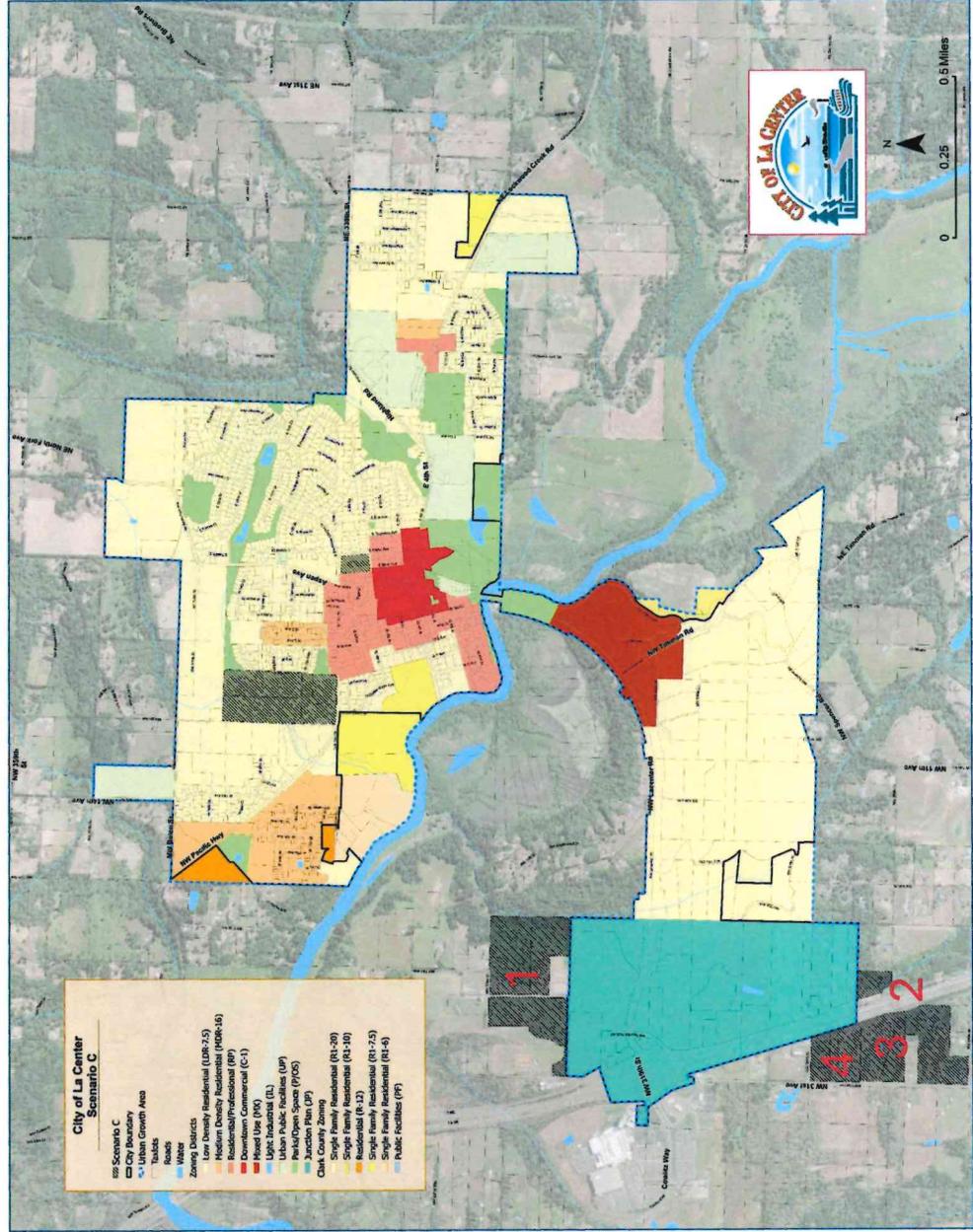
La Center Junction circa 2015



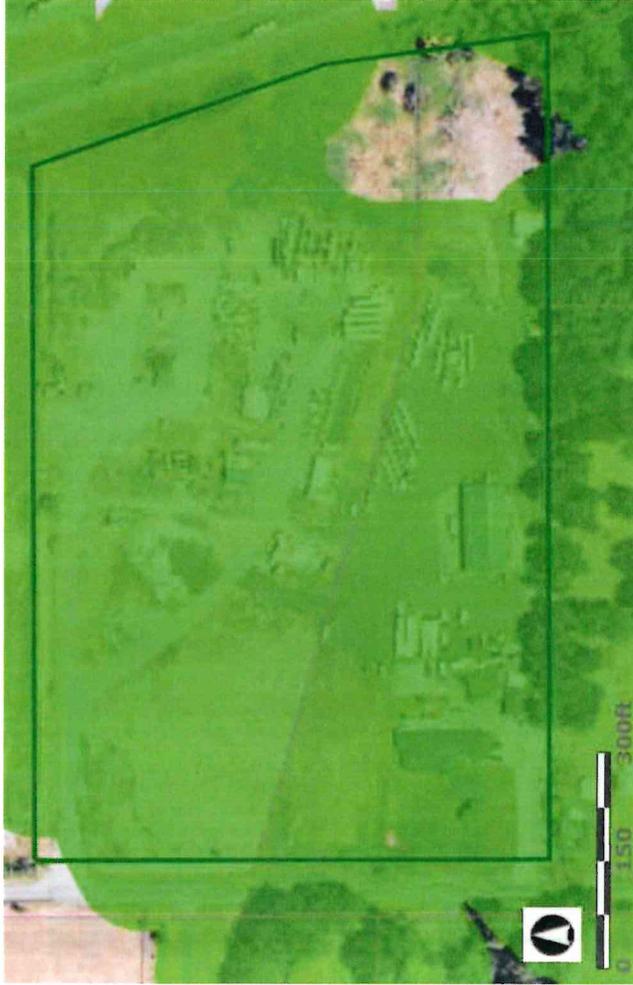
La Center Junction circa 2023



La Center's Preferred Alternative



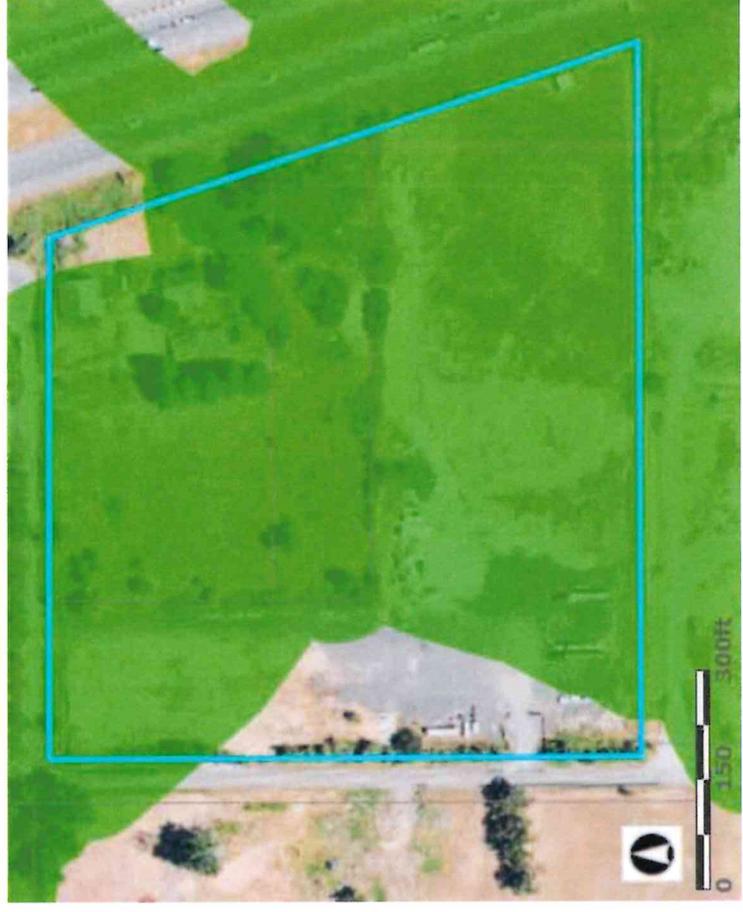
3. TRC/TRO UGA Expansion



Light Industrial Zoning Proposed

| | |
|-------------------------------|--------------------|
| Total Area: 17.7 Acres | 180 Potential Jobs |
| Unconstrained Area: 1.2 Acres | 12 Jobs |

4. McClean UGA Expansion



Light Industrial Zoning Proposed

Total Area: 16.1 Acres 150 Potential Jobs
Unconstrained Area: 1.2 Acres 12 Jobs

LAND CAPABILITY CLASSIFICATION

Land capability classification refers to the suitability of soils for growing field crops. Class I soils are the most versatile soils and Class VIII the least. Generally, land with soil classified at IV or higher is unsuitable for most crops but may be appropriate for pasture/grazing use.

The subject property is made up of a mix of soils and land capability classifications. Most of the property area, especially in the center and on the west side, is Sara silt loam (SIB and SID), both 0-8 percent slopes and 8-20 percent slopes. There are also some areas of Gee silt loam soils (GeB and GeD) and Puyallup fine sandy loam (PuA). These soils are considered Class II, III, and IV, which, according to the Clark County Assessor, are suitable for some crops and pasture. Parts of the north and south sides are Cove silty clay loam (CvA), which is Class V, and there is a large central area of Odne silt loam (OdB), which is Class VI; these are generally not suitable for crops. The small area marked with a W indicates water.

FIGURE 6.1: USDA SOIL CLASSIFICATION, 2024



SOURCE: USDA Web Soil Survey, JOHNSON ECONOMICS

WATER RESOURCES

The subject property has one groundwater claim of record and one water right certificate. At a high level, the acreage that may be legally irrigated on the subject property (10 acres) constitutes a small portion of the entire subject property.

A water right certificate is a vested property interest, and it confirms that water appropriation under the terms set forth in the certificate was perfected in accordance with RCW 90.03. RCW 90.03.330. On the other hand, a water right claim is not a water "right." See generally RCW 90.14. While a water right claim holder can continue to use water under a claim, a claim is not a vested right until it is confirmed through a judicial adjudication process. RCW 90.14.081. A judicial process may result in the claim being confirmed, or it may result in the claim being denied in whole or in part.

The entire place of use for the groundwater right claim is located on Parcel 211232000, and authorizes water use for domestic purposes. Note that while it is classified as a "domestic general" claim and it does not claim any irrigation, the claim form does claim water for "home and acreage." It is not clear how a judge would interpret a claim to water for "acreage" in an adjudication process. However, based on the fact that the claimant did not claim a specific amount of acreage, a judge could find that no irrigation is authorized under the claim. Per the information in its online database, the Washington State Department of Ecology ("Ecology") does not recognize irrigation use under this claim.

The subject property is also covered by a water right certificate: G2-21440CWRIS. The groundwater certificate has a priority date of September 7th, 1973. It authorizes 10 acres of primary irrigation as well as domestic single use year-round. Specifically, the certificate authorizes a rate of 50 gallons per minutes ("gpm") in an amount of up to 21 acre-feet ("AF") per year. The source for this water right is a groundwater well.

As noted above, our review shows that only 10 acres of the entire subject property is certainly authorized for irrigation. If the owner of the subject property wanted to secure a new water right for the property, it would need to consider some of the notable challenges associated with securing a new water right at this location. In Washington State, use of waters of the state for irrigation is not an exempt use of water. As such, the owner of the subject property would need to secure a new water right through a legal administrative channel in order to use water for this purpose on the subject property in an amount beyond the amount authorized on the certificate. The subject property is located in Water Resource Inventory Area ("WRIA") 27. Ecology has made clear that acquiring new water rights in most of WRIA 27 will be "a very difficult and expensive process." See "WRIA 27 Lewis Watershed Water Availability." WAC 173-527 establishes an instream flow right for WRIA 27 and outlines standards that Ecology must implement to protect this instream flow right from impairment by any new water rights or water right transfers. WAC 173-527-060(3). WAC 173-527-070(1) establishes surface water closures in the WRIA, shown in Figure 1 below. Further, pursuant to WAC 173-527-070(2), Ecology has determined that based upon the basin hydrogeology, future groundwater withdrawals have a "high" likelihood of affecting the surface waters that are closed to new appropriations under WAC 173-528-070(1). As such, the basin is closed to new groundwater rights that would affect closed surface waters unless (1) an applicant can prove that closed surface waters will not be impaired or (2) the applicant prepares a mitigation plan. WA 173-527-080. Both of these processes require significant time and expertise to complete. The final option to obtain a more robust irrigation supply for the subject property would be to transfer a water right certificate that is not subject to relinquishment to the subject property. Such a transfer will still be subject to the WRIA 27 rules, and it would be prohibited from impairing instream flows. WAC 173-528-060. The subject property is not within a regional supply area for future groundwater withdrawals under WAC 173-527-090, and no water is reserved for irrigation use in the East Fork Lewis River Subbasin of the Lower Lewis River Subbasin pursuant to WAC 173-527-110.

As a final note, it is impossible to predict the outcome of an administrative process to apply for a new water right or transfer an existing water right. However, a prospective applicant for either of these two processes on the subject property should be aware of the limitations discussed here.

LAND CAPABILITY CLASSIFICATION

Land capability classification refers to the suitability of soils for growing field crops. Class I soils are the most versatile soils and Class VIII the least. Generally, land with soil classified at IV or higher is unsuitable for most crops but may be appropriate for pasture/grazing use.

The subject property is made up of a mix of soils and land capability classifications. Most of the property area, especially in the center of parcels 209749000 and 209694000 and on the west side of parcel 209693000, is Gee silt loam, up to 8 percent slopes (GeB). These areas are Class II soils, which are useable for most crops and pasture. There are also some areas of Gee silt loam soils at higher slopes (GeD, GeE, and GeF), which are Class IV and VII. These are generally not suitable for crops. There are also some small areas of Odne silty clay loam (OdB), which is Class VI, and Puyallup sandy loam (PuA), which is Class III. Finally, there is a small area on the southeast corner of the subject property that is Riverwash (Rc), which is Class VIII.

FIGURE 6.1: USDA SOIL CLASSIFICATION, 2024



SOURCE: USDA Web Soil Survey, JOHNSON ECONOMICS

WATER RESOURCES

Two of the three parcels in the subject property—Parcel 209693000 and Parcel 209694000—do not have any water rights of record. The third parcel, Parcel 209749000, has one water right of record: water right certificate G2-

00721CWRI. This certificate authorizes group domestic use and stockwater use of groundwater on Parcel 209749000 under a priority date of October 27, 1971. Importantly, G2-00721CWRI does not authorize any irrigation use on the parcel. Given that none of the parcels in the subject property have an appurtenant water right for irrigation, the parcel owners would need to obtain one or more new water rights through an administrative process in order to irrigate the subject property for commercial agricultural purposes. Note that a significant portion of Parcels 209693000 and 209694000 are covered by vegetation and trees. Even if the parcel owners could obtain a water right, the owners would either be limited to a very small arable space for crop cultivation or they would be required to conduct removal of the vegetation.

In Washington, there are two main processes to obtain a new irrigation water source. First, a property owner can apply for and be granted a new water right from the Department of Ecology ("Ecology"). Second, a property owner can transfer an existing water right onto their property for use. The following sections discuss the considerations for each of these processes based on the location of the subject property.

The subject property is located in Water Resource Inventory Area ("WRIA") 27. Ecology has made clear that acquiring new water rights in most of WRIA 27 will be "a very difficult and expensive process." See WRIA 27 Lewis Watershed Water Availability. WAC 173-527 establishes an instream flow right for WRIA 27 and outlines standards that Ecology must implement to protect this instream flow right from impairment by any new water rights or water right transfers in WRIA 27. WAC 173-527-060(3). WAC 173-527-070(1) establishes surface water closures in the WRIA, shown in Figure 1 below. Further, pursuant to WAC 172-527-070(2), Ecology has determined that based upon the basin hydrogeology, future groundwater withdrawals have a "high" likelihood of affecting the surface waters that are closed to new appropriations under WAC 173-528-070(1). As such, the basin is closed to new groundwater rights that would affect closed surface waters unless (1) an applicant can prove that closed surface waters will not be impaired or (2) the applicant prepares a mitigation plan. WA 173-527-080. Both of these processes require significant time and expertise to complete. Note that the subject property is not within a regional supply area for future groundwater withdrawals under WAC 173-527-090, and no water is reserved for irrigation use in the East Fork Lewis River Subbasin pursuant to WAC 173-527-110.

A prospective water right user in WRIA 27 may also transfer all or part of an existing irrigation water right certificate to a new property for irrigation use, provided the certificate is not subject to relinquishment. Such a transfer will still be subject to the WRIA 27 rules, and the transfer would not be approved if Ecology finds that it impairs instream flows. WAC 173-528-060. Importantly, a prospective transferred water right user will need to locate a water right that is not subject to relinquishment, will not impair streamflows as a result of the transfer, and is held by a holder that is willing to sell the water right. This process typically requires consultation with Ecology and consultants to identify a water right that fits the requirements. As a final note, it is impossible to predict the outcome of any of Ecology's administrative process. As such, we cannot determine at this point whether the new water right application process or the transfer process will yield irrigation water for the subject property. The approximate location of the subject property is shown by the yellow circle. The areas of closure are shown in red.