

From: [Cnty 2025 Comp Plan](#)
To: ["Clark County Citizens United, Inc."](#)
Cc: [Oliver Orjako](#); [Jose Alvarez](#)
Subject: RE: Clark County, Washington is subject to the U.S. Constitution Takings Clause
Date: Monday, March 5, 2026 9:27:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)

Good day, Carol,

Thank you for submitting this feedback for inclusion in the Public Record.

This will be entered into the Comprehensive Plan Index.

Best,



Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558



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

Sent: Friday, March 6, 2026 7:20 PM

To: Michelle Belkot <Michelle.Belkot@clark.wa.gov>; Matt Little <Matt.Little@clark.wa.gov>; Wil Fuentes <Wil.Fuentes@clark.wa.gov>; Glen Yung <Glen.Yung@clark.wa.gov>; Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Cnty 2025 Comp Plan <comp.plan@clark.wa.gov>; Bart Catching <Bart.Catching@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Oliver Orjako <Oliver.Orjako@clark.wa.gov>; April Furth <April.Furth@clark.wa.gov>; Ariel Whitacre <Ariel.Whitacre@clark.wa.gov>; Brent Davis <Brent.Davis@clark.wa.gov>; Keith Radcliff <Keith.Radcliff@clark.wa.gov>; Lance Watt <Lance.Watt@clark.wa.gov>

Subject: Fw: Clark County, Washington is subject to the U.S. Constitution Takings Clause

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

March 6, 2026

FOR THE PUBLIC RECORD

Re: **Clark County, Washington is subject to the United States Constitution Takings Clause**

Dear Councilors and Staff,

Clark County Citizens United, Inc., a 501c4 non-profit with approximately 6,000 member, believes

Clark County is subject to the Takings Clause of the United State Constitution. But the county continues to breach that law by using a permanent conservation covenant for building permits, stormwater permits, wetland and critical land permits and occupancy permits. A classic example is that of David Nehring, whereby he was forced to sign permanent covenants for a stormwater permit, guest house building permit and now threatening him with a covenant on a wetland permit. The United State Supreme Court is clear over such takings and has ruled so in numerous court actions.

In addition, Clark County has thumbed their nose at the recent U.S. Supreme Court ruling over what and where a wetland can be regulated. Most of what the county is calling a wetland, does not comply with the court, federal law, state law and county law. But the county hides behind other county regulations to coerce landowners to give up their land to the government via permanent covenants.

I have attached a recent filing to the Supreme Court by Pacific Legal Foundation, over a case that had already been decided, and was ignored by the local government. Clark County is also notorious for ignoring court rulings, unless it sides with their agenda. It's time this county stops this outrageous practice and begins following the law, both past and present.

Sincerely,

Carot Levanen, Exec. Secretary

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

Pacific Legal Foundation Navigation Logo



In April 2024, California retiree George Sheetz celebrated a rare legal milestone: a **unanimous ruling** in his favor by the U.S. Supreme Court.

George sued his county government years prior after it refused to issue him a building permit until he paid a fee to fund future county traffic projects. Initially, California courts dismissed his claim, relying on a state rule alleging that fees required by legislation are not subject to the same constitutional scrutiny as fees imposed by bureaucrats. **The U.S. Supreme Court, however, rejected the state court's rule. The Court held that the legislature, like every other branch of government, is subject to the Takings Clause and that it cannot coerce homeowners into paying unrelated fees by holding building permits hostage.**

But what should have been an unmitigated victory was recently swept under the rug when a lower court attempted to reinstate the rule the Court struck down in his 2024 victory.

Now, George is petitioning the Supreme Court to take up his case a second time

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