From:	Jeffrey Delapena
To:	"justin@friendsofclarkcounty.org"
Cc:	Oliver Orjiako; Jose Alvarez
Subject:	FW: Friend Of Clark County Public Comment
Date:	Tuesday, August 25, 2026 10:17:00 AM
Attachments:	Aug_20_FEIS Public Comments_FOCC.pdf image001.png image002.png image003.png image004.png

---

Good day, Justin,

Thank you for submitting comments related to the Public Hearing for the 2025 Comprehensive Plan Update. Apologies for the delay in response as this message had filtered to spam.

I am forwarding to additional members of Staff. Your comments will also be brought to the attention of the Planning Commission ahead of the continuation of the Hearing on Sept. 3rd. This will also 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: Justin Burger <justin@friendsofclarkcounty.org>
Sent: Thursday, August 20, 2026 4:37 PM
To: Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>
Subject: Friend Of Clark County Public Comment

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.

Hello,
Attached is the public comment from Friends Of Clark County for the public planning commission meeting this afternoon.

Thank you,
Justin Burger
Friend Of Clark County

RE: 2025 Comprehensive Plan Update and Final Environmental Impact Statement, August 20, 2026 public hearing

Dear Chair and Planning Commission members,

I write on behalf of Friends of Clark County (FOCC), a local non-profit advocacy organization representing thousands of Clark County residents, to comment on the proposed Comprehensive Plan Update and the Final Environmental Impact Statement issued July 24, 2026 (FEIS). FOCC has participated at every stage, and commented on every aspect, of this update since 2020. Our members have served on the BLPAC, CAG and Agricultural Advisory Commission; FOCC has filed 54 specific comments on behalf of the organization and other FOCC members and FOCC affiliates have filed many scores of additional specific comments.

No Legal Justification for Expanding Any UGA or De-designating Any Agricultural Lands

Throughout this entire process, FOCC has maintained that all the forecasted growth can be accommodated within the existing urban growth areas and there is no legal or factual justification for expanding those existing UGAs. The County's own work supports FOCC's position based upon the Buildable Lands Analysis that was adopted by the County and approved by the Department of Commerce, the adopted OFM population forecast and Resolution 2024-05-05 on Population, Housing and Employment Allocations (adopted May 21, 2024). In addition, FOCC has placed documents in the record generated by the consultants for Ridgefield and La Center that also admit that those cities' UGAs can accommodate all the forecasted growth.

As Futurewise clearly stated in their July 30, 2026 Letter:

The Washington State Supreme Court wrote "we hold a county's UGA designation cannot exceed the amount of land necessary to accommodate the urban growth projected by [the Washington State Office of Financial Management] OFM, plus a reasonable land market supply factor."1 A comparison of the total 2023-2045 housing unit needs in the 2025 Population, Housing and Employment Allocation – Issue Paper 5 with the "2023 VBLM Capacity" shows that existing capacity can accommodate or is within a few housing units of accommodating the planned housing growth.2 And the cities and unincorporated urban growth areas will likely need to increase their capacity for low-rise multifamily and mid-rise multifamily dwellings to meet the affordable housing requirements which will increase the housing capacity in the cities and unincorporated urban growth areas.3 Further, Vancouver, Camas, and Washougal were required to adopt their new middle housing zoning by December 31, 2025, further increasing their housing capacity.4 So, there is no need to expand the county's urban growth areas. Without a need to expand the urban growth areas, Clark County lacks the legal authority to expand the urban growth areas (UGAs).5

Importantly, the FEIS agrees with our position: "Given the planning assumptions for growth rate and jobs/acre, the Preferred Alternative exceeds the land capacity needed to accommodate the

1 Thurston Cnty. v. W. Washington Growth Mgmt. Hearings Bd., 164 Wn.2d 329, 352, 190 P.3d 38, 49 (2008).

2 Clark County Comprehensive Plan 2025 Update Planning for growth 2025 – 2045 2025 Population, Housing and Employment Allocation – Issue Paper 5 prepared by Community Planning p. 5; Clark County 2025 Allocation based on VBLM and HAPT Method A p. 1.

housing and job growth projected for the next 20 years" (Vol. 1 at 4). That statement alone should end the discussion.

Moreover, to create that unneeded capacity, the plan would convert 777 acres of rural land, including de-designated agricultural resource lands at Camas, La Center, and Ridgefield (Vol. 1 at 4, Table 3). Development would occur on 623 acres of prime or good agricultural soils, six miles of stream and 10 acres of flood zone would be added to UGAs (Vol. 1 at 4). The FEIS concedes that the loss of prime agricultural soils "is considered an unavoidable impact; the only mitigation would be no expansion onto land with prime agricultural soils," and is "an irretrievable commitment of resources to urban uses" (Vol. 1, Table 6, at 12). The law forbids the expansion which would create that "unavoidable impact" (WAC 365-196-310(1)(e); RCW 36.70A.110(2); Thurston County v. W. Wash. Growth Mgmt. Hearings Bd., 164 Wn.2d 329 (2008)).

FOCC has also consistently, and regularly, asserted that the existing agricultural lands of long-term commercial significance (ALLTCS) are not subject to de-designation and the County's own county-wide Agricultural Resource Lands Study clearly supports FOCC's position that the lands that the County has put in the Preferred Alternative cannot be legally de-designated, much less incorporated into any of the existing UGAs. Support for this position is directly found in the GMA. For example, the GMA's agricultural provisions "evidence a legislative mandate for the conservation of agricultural land" (King County v. Cent. Puget Sound Growth Mgmt. Hearings Bd., 142 Wn.2d 543, 562 (2000)). Yet in nearly 500 pages the County's FEIS never identifies any de-designation criterion under WAC 365-190-040(10)(c) and 365-190-050(3) that these removals could satisfy. The reason is simple: none exists. In fact, the county's own Agricultural Lands Study (ECONorthwest, 2025) found 96 percent of designated acres are Prime Farmland or Farmland of Statewide Importance, including the specific lands that the preferred alternative states should be included in expanded UGAs. And the county concedes "there is not an alternative that clearly provides better regional transportation system performance" (App. D at 338).

Also the Growth Board has repeatedly invalidated such conversions: the 2007 farmland de-designations (No. 07-2-0027, holding that the county's "desire to further economic development can not outweigh its duty to designate and conserve agricultural lands"), the 2016 expansions and 602-acre rural industrial land bank (No. 16-2-0005c).

FOCC notes that any finding of invalidity by the GMHB can put millions in state grants at risk and, currently, the County is non-compliant with the GMA and subject to loss of some loans and grants until they come into compliance.

Designation of Agricultural Lands

FOCC also asserts that the Preferred Alternative is flawed because it fails to address all of the lands in the County that the County's study found meet the legal criteria for the lands of long term significance and that failure to evaluate the potential significant adverse environmental impacts to those lands not being designated in this comprehensive plan and, thus, potentially lost to development is a significant omission in the FEIS.

FOCC joins the twelve community organizations that acknowledge and support the fact that there is no legal justification for de-designating any agricultural lands, and respectfully requests that the Planning Commission recommend: (1) removing the proposed de-designations and UGA expansions, applying the FEIS's own stated mitigation of "no expansion onto land with prime agricultural soils"; (2) meeting the need for 103,695 homes, over half for households at or below 80 percent of area median income (Vol. 1 at 2, Table 2), through density inside existing urban areas, which the FEIS finds "would make more efficient use of current infrastructure" (Vol. 1 at 4); and (3) retaining ALL current agricultural designations as well as designating the additional qualifying lands the study identified.

The county's own FEIS, study, and litigation history all point one direction; we urge you to recommend a plan that follows the law.

The legislature directed the County via House Bill 1181 in 2023 to add a mandatory climate change and resiliency goal. Local comprehensive plans must now integrate climate elements that prioritize environmental justice, reduce greenhouse gas (GHG) emissions, improve community resilience to natural hazards, and reduce the number of vehicle miles traveled. The preferred alternative fails to meet these goals.

The Transportation element within the FEIS shows a lack of transparency, and inadequate review of future revenue assumptions as well as a failure to adequately address growth in relationship to the County's Capital facilities plan and concurrency requirements. Statutory requirements for periodic updates and reassessment are unmet, risking non-compliance and undermining plan validity until impact fee analysis is completed and disclosed.

Concurrency exists "to assure that those public facilities and services necessary to support development are adequate to serve that development at the time it is available for occupancy and use, without decreasing service levels below locally established minimum standards" (WAC 365-196-840(1)). This has not been the case in Clark County particularly involving the lands associated with the 179th Street Holding District. Development has been permitted prior to road and roundabout construction. We adopt comments submitted by Heidi Pozzo between June 6 and August 6, 2026.

The County is underserved for parks, falling short of LOS standards (≈30%), especially given projected growth of over 8,000 new residents. Funding is insufficient, risking unmet needs.

Best regards,

Justin Burger

Friends of Clark County