From:	Oliver Orjiako
To:	Jeffrey Delapena
Subject:	FW: La Center Lands and maps of expansion areas Part 1
Date:	Thursday, October 1, 2026 8:03:38 AM
Attachments:	Councilor Little-Ltr-Part1-260930.pdf Untitled attachment 00010.htm image001.png image002.png image003.png image004.png

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FYI. Thanks.

OLIVER ORJIAKO
Director
COMMUNITY PLANNING

564.397.2280

From: David McDonald <david@mcdonaldpc.com>
Sent: Wednesday, September 30, 2026 5:51 PM
To: Matt Little <Matt.Little@clark.wa.gov>
Cc: Sue Marshall <Sue.Marshall@clark.wa.gov>; Kathleen Otto <Kathleen.Otto@clark.wa.gov>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>
Subject: La Center Lands and maps of expansion areas Part 1

Councilor Little:

I am sure you are being inundated with emails and documents and I apologize for the getting this to you so late but I have heard you asks for information on La Center expansion lands and also maps. I hope you find this helpful. Unfortunately, my email somehow will not let me send this as one document so I am sending in parts.

Also, to Chair Marshall, County Manager Otto and Ms. Messinger, I am providing to you so that you can distribute to other Council members and also make this a part of the record.

Thank you for your time,

Best Regards,

David T. McDonald

David T. McDonald
david@mcdonaldpc.com

September 29, 2026

Councilor Matt Little
Public Services Center
6th Floor
1300 Franklin Street
Vancouver, WA 98660

RE: Comments ***For the Record*** for Comprehensive Plan Update Re: Work Session Comments[1]
By email only matt.little@clark.wa.gov

Dear Councilor Little:

I listened to the work session from September 16, 2026 and I would like to provide you information on the La Center lands and on the issue related o County's legal obligation to protect and preserve designated agricultural lands, including buffer lands.

La Center

On March 3, 2016, the Cowlitz Tribe and the City entered into an interlocal agreement that provided, in part, that if the Tribe purchased any land ***east of I5*** between 299th Street on the south (the north edge of Tri Mountain) and Paradise Point Park on the north, ***the Tribe would not take those lands into trust.*** It is almost 3 full quarter sections. I have attached a copy of the applicable page from that agreement along with a page from MapsOnline that shows the swath of land that the Tribe agreed would never be Trust Lands.

However, in April 2024, while La Center was already developing its Comprehensive Plan and Maps, the City and the Tribe Amended the Agreement. The Amended Agreement revoked the restriction and provided that, in exchange for the City removing the restriction that the Tribe could ***never*** put those lands into trust, the Tribe would pay the City. So, between March 2016 and April 2024, even if the Tribe bought any of those lands, ***they would be precluded from seeking to place them into Trust*** which, of course, meant that those lands would be subject to the Growth Management Act and the city's zoning and development regulations. However, ***after*** the new amended agreement, the Tribe could put any properties it currently

[1] My name is David McDonald. I am submitting these comments in my own name, and not on behalf of any other group or organization. Although I am an attorney, I am speaking for myself as a 40-year resident of this county who happens to also have a law degree. Since 1985, I have served on dozens of committees regarding land use issues, including many involving the first Comprehensive Plan and the updates that followed. I have been involved as a citizen and as an attorney in multiple legal actions in front of the Growth Board tribunals and the Washington courts. I have authored legal submittals that have been adopted by the County as part of their Comprehensive Plan updates and have brought legal challenges against the County on a variety of policies that they have adopted regarding land use under SEPA and the GMA.

owned, as well as all future purchases, of all the land along the east side of I5 in those 3 quarter sections, the Tribe could move those lands into the Trust.

Currently, the Tribe owns 6 parcels on the east side in those quarter sections:

1. In 2015, the Tribe, through the Interchange Development Group, purchased parcel # 211230000 for 2 million dollars and transferred to the Trust on March 13, 2025;
2. In 2020, the Tribe, through the Cowlitz Tribal Gaming Authority (Council Economic Authority), purchased Parcel #209746000 (12.45 acres) for 5 million dollars and transferred to the Trust in August 2024;
3. In 2021, the Tribe, through the Cowlitz Tribal Gaming Authority(Council Economic Authority), purchased Parcel # 209705-000 for 9 million dollars;
4. In December 2025, the Tribe, through the Cowlitz Tribal Gaming Authority(Council Economic Authority), purchased Parcel #209748-000 for $770,000 dollars;
5. In January 2026, the Tribe, through the Cowlitz Tribal Gaming Authority(Council Economic Authority), purchased Parcel #209749-000 for 3.6 million dollars; and
6. In April 2026, the Tribe, through the Cowlitz Tribal Gaming Authority(Council Economic Authority), purchased Parcel #209748-000 for 1.9 million dollars

Properties #1-#3 above are in the Current La Center UGA and were all transferred into Trust Lands after the Execution of the April 2024 Agreement.

Properties #4-6 are not in Trust and are included in the expansion area that the City now seeks to de-designate as AG Lands and bring into their UGA. If these lands are brought into the City's UGA, the Tribe will then be able to put them into Trust, develop them as they see fit and pay the City in accord with the April 2024 Amended Agreement.

This scenario creates multiple issues:

First, the City had the rights to keep Parcels #1-3 to be used for its own industrial and commercial development but, in essence, they sold those lands to a developer (The Tribe) in exchange for payments in perpetuity which would, essentially, be the equivalent of revenue they would receive if the lands were developed as part of the City's plan. Thus, there is no need for them to have any expansion for industrial lands on either north of their current boundary on the east side of I5 **OR** on the west side of I5.

Second, the City is now claiming that ***because they no longer have use of those lands for Industrial Development (because they sold those rights for revenue), they want the County to de-designate AG lands on the WEST land so that they can have an Industrial zone.*** Basically, they sold their industrial land so and now want the County to give them more. The City cannot on the one hand sell off their industrial lands at the Junction for revenue and then claim that they now have a need for industrial lands.

Third, by selling off their right to keep all the lands on the ***east*** side, they have effectively cut the City's western boundary on the ***east*** of I5 to the ***east*** side of the 3 quarter sections (East Side of the Quarter

Sections shown on Exhibit A to the April 2024 Amended Agreement. Thus, if the Tribe takes advantage of the Amended Agreement, all of their lands would stand between the City's boundary and I5 and there will be ***NO*** connection between the City's west boundary and the proposed expansion on the west side because the Tribe could/would own all the land east of I5 in those 3 quarter sections. Therefore, approving the expansion on the West violates the GMA because it does not promote contiguous and orderly development.

The City's current "dilemma" of claiming a deficit of industrial lands and, thus a "need" for industrial lands in the north is one of their own makings for which they will be handsomely rewarded by the Tribe (see Attached Newspaper articles detailing the analysis of the 2024 Amended Agreement and the payments that will be made by the Tribe in perpetuity.

Protection of Agricultural Lands and Characterized by Urban Growth

Certainly RWC 36.70A.060(1) requires protection of designated agricultural lands of long-term significance and, in Clark County, that has included buffering Agricultural Land with R5, R10 and R20 zones to prevent urban encroachment. Attached are 3 maps (yes, I made them and so they are a little crude) but they show the La Center Lands on the West Side of I5, the Ridgefield "North" lands and the Camas ("Nevin") lands with their zoning and designations along with surrounding lands.

I know you have been provided a veritable tsunami of materials over the past week but, I would recommend you review the site specific comments that I placed in the record in 2015 and 2016 which lay out the history of the GMA and the strong preference to drive future expected growth into existing UGAs and expansion is simply the last "resort" when no other option exists (comment #s 35896974, 35896940, 35896957, 35896961 and 35896959).

I would like to conclude with this premise:

One of the primary purposes of the GMA is to direct new growth into existing UGAs. The natural consequence of implementing that purpose is that growth will, and should, occur at higher densities within well-designated urban growth boundaries. Such planning may result in higher density transit oriented inner cities and protections of resource lands and rural areas which is consistent with the purposes and mandates of the law. The legislature has mandated, by the adoption of the GMA (and its subsequent amendments) that directing growth into urban areas provides for better use of resource lands and more efficient uses of taxpayer dollars. This primary purpose is statutorily mandated and has been upheld by the GMHB, and the Courts, over and over again. As has been pointed out by staff in at least 2 memos, the bar for showing need for expansion is high and, given our Buildable Lands Report, OFM # selection and the resolution on Allocation of Population, Housing and Employment, the numbers are firm, consistent and steady, all of our forecasted growth can be accommodated within our existing UGAs. The cities may not like that finding but it is the factual record.

I apologize for the late filing of this document. I hope, if you have time to review it, you find it helpful. Good luck with all. Unfortunately, I will be unable to attend the hearing on Thursday or Friday in person but am hoping to at least be able to connect online.

Sincerely,

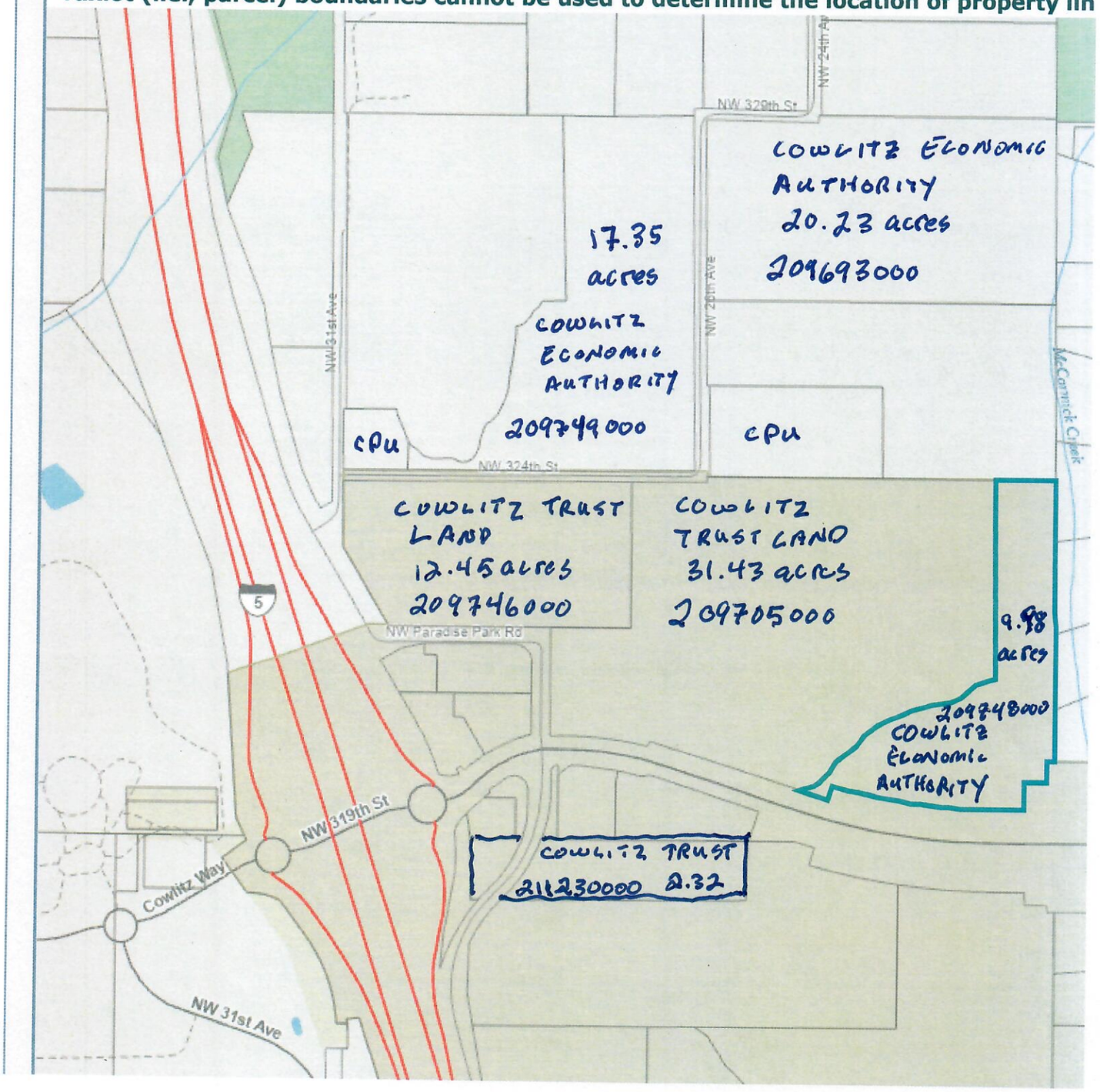
David T. McDonald

cc Chair Sue Marshall
Dr. Oliver Orjiako
Kathleen Otto, County Manager
Rebecca Messinger

MAPSONLINE
Clark County WASHINGTON

Map Sites | Find Parcel | Search | Locate Address | Find Lat/Long | Print Map | Disclaimer

Taxlot (i.e., parcel) boundaries cannot be used to determine the location of property lin



March 3, 2016 Interlocal Agreement

for those portions of the Improvements located within the City's municipal boundary. FHWA has approved the IJR.

G. Certain of the Improvements are located within the municipal boundary of the City and have an impact on traffic generated from City residents and visitors.

H. The Parties agree that it is in the best interests of the Parties to enter into this Agreement to create a contractual relationship requiring the Tribe to complete certain improvements, as authorized under the Interlocal Cooperation Act, RCW chapter 39.34.

I. This Agreement is not a permit or land use approval authorizing construction of the Improvements or any portion thereof. All the Improvements shall be subject to permitting and approval by the relevant governmental agencies with jurisdiction.

J. The Parties agree that it is in the best interests of the Parties that the Tribe agree to a limited waiver of its sovereign immunity to the extent necessary to enforce this Agreement.

K. The Parties acknowledge and agree that they will work together to further define their relationship and to address ongoing and future issues in a Memorandum of Understanding to be agreed to by the Parties.

L. Pursuant to the Tribe's Environmental Health and Safety Ordinance denominated Ordinance 07-02, The Parties agree to negotiate a separate agreement for law enforcement services pursuant to which the City, in collaboration with the Clark County Sheriff's Office, will provide law enforcement services to the Tribe's Facility. Such an agreement will include but will not be limited to scope of services, financial remuneration for services, and resources to be provided by the Tribe and the City to support such services.

AGREEMENT

In consideration of the above-recited facts, and the mutual promises contained herein, the Parties hereby agree as follows:

1. Recitals. The recitals set forth above are incorporated herein.

2. Property Owned or Subsequently Acquired by the Tribe East of I-5. The Tribe will not seek trust or reservation status for any land it acquires east of Interstate 5 that is 1) south of Paradise Park and 2) north of NW 299th Street. For any business enterprise owned or operated by the tribe on land east of Interstate 5 and within the corporate limits of the City, the Tribe will pay all applicable state and local taxes. The Tribe agrees to assist the City in developing a coordinated subarea plan for the La Center junction area under the Growth Management Act, to implement the City's Urban Area Comprehensive Plan and encourage compatible development.

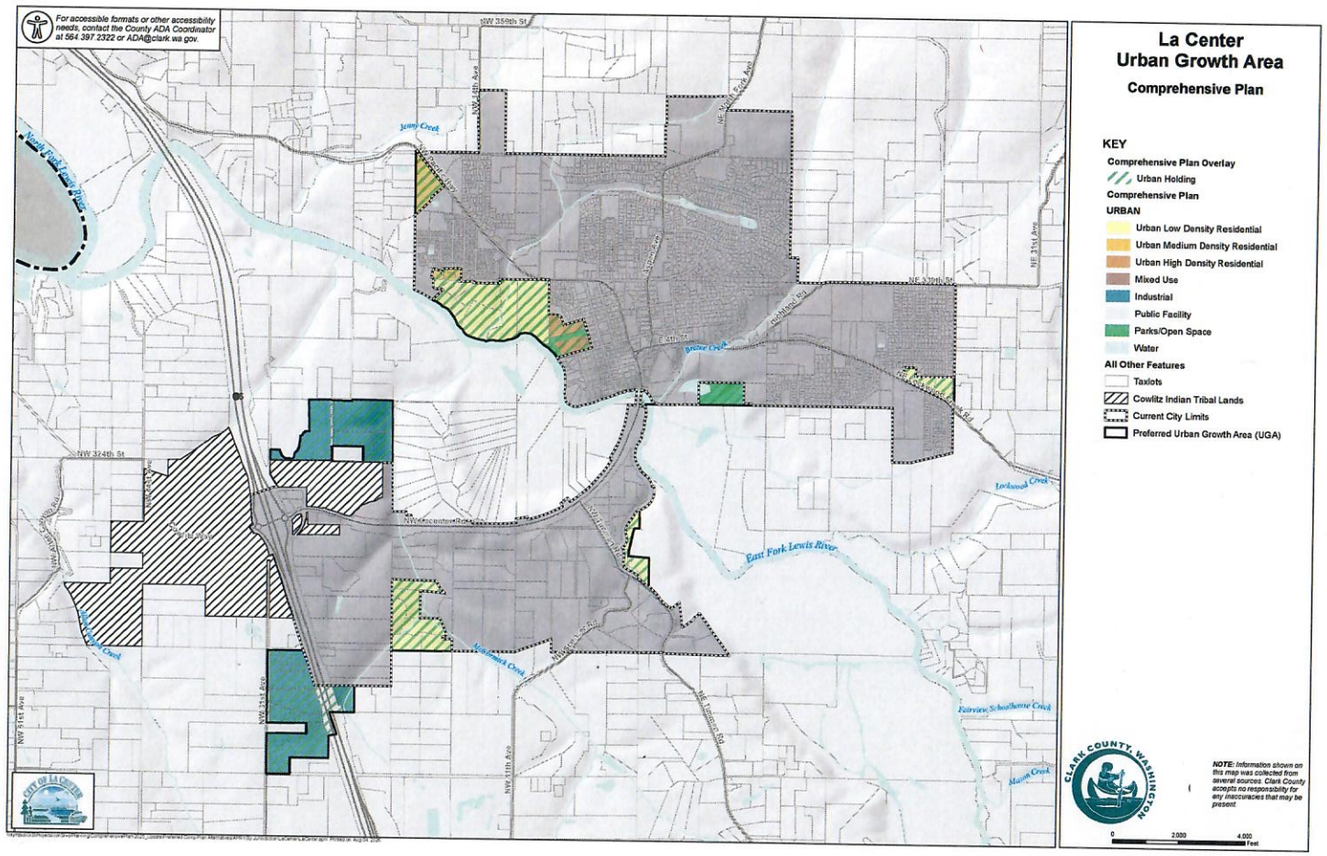
MAPSONLINE
Clark County WASHINGTON

Land Records

Map Sites | Find Parcel | Search | Locate Address | Find Lat/Long | Print Map | Disclaimer

Taxlot (i.e., parcel) boundaries cannot be used to determine the location of property lin




For accessible formats or other accessibility needs, contact the County ADA Coordinator at 564.397.2322 or ADA@clark.wa.gov.
La Center
Urban Growth Area
Comprehensive Plan
KEY
Comprehensive Plan Overlay
Urban Holding
Comprehensive Plan
URBAN
Urban Low Density Residential
Urban Medium Density Residential
Urban High Density Residential
Mixed Use
Industrial
Public Facility
Parks/Open Space
Water
All Other Features
Taxlots
Cowlitz Indian Tribal Lands
Current City Limits
Preferred Urban Growth Area (UGA)
NOTE: Information shown on this map was collected from several sources. Clark County accepts no responsibility for any inaccuracies that may be present.
0
2,000
4,000
Feet
CLARK COUNTY, WASHINGTON
CITY OF LA CENTER
NW 359th St
NW 324th St
NW 11th Ave
NE 31st Ave
NE 339th St
East Fork Lewis River
Jenny Creek
Lockwood Creek
Fairview Schoolhouse Creek
Mason Creek