From:	Cnty 2025 Comp Plan
To:	"Clark County Citizens United, Inc."; Cnty 2025 Comp Plan; Bart Catching; Jeffrey Delapena; Jose Alvarez; Oliver Orjiako
Cc:	Rebecca Messinger
Subject:	RE: Civil and property rights excluded from permitting process - No net loss of function and value must apply to all civil rights and protections for private property rights
Date:	Thursday, October 8, 2026 11:19:00 AM
Attachments:	image001.png image002.png image003.png image004.png

Good day, Susan,

Thank you for submitting CCCU's comments related to the 2025 Comprehensive Plan Update.

This will be added to the Index of Record.

Best regards,

Jeff Delapena
Program Assistant
COMMUNITY PLANNING

564.397.4558

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From: Clark County Citizens United, Inc. <cccuinc@yahoo.com>
Sent: Wednesday, October 7, 2026 5:25 PM
To: Matt Little <Matt.Little@clark.wa.gov>; Michelle Belkot <Michelle.Belkot@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>; CommDev OA Land Use <CommDevOALandUse@clark.wa.gov>; Jeffrey Delapena <Jeffrey.Delapena@clark.wa.gov>; Jose Alvarez <Jose.Alvarez@clark.wa.gov>; Oliver Orjiako <Oliver.Orjiako@clark.wa.gov>
Subject: Fw: Civil and property rights excluded from permitting process - No net loss of function and

value must apply to all civil rights and protections for private property rights

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October 7, 2026

Clark County Council
Clark County Code Enforcement
Clark County Community Development
Clark County Planning Commission
P.O.Box 5000
Vancouver, Washington 98666

FOR THE PUBLIC RECORD AND THE COMPREHENSIVE PLAN

Re: **Civil and property rights excluded from permitting process - No net loss of function and value must apply to all civil rights and protections for private property rights**

Dear Councilor, Commissioners and Staff,

Clark County Citizens United, Inc. has been informed that during an environmental permit process, no net loss of function and value is required. But this must equally apply to all civil rights and protections for private property rights according to the equal goals under (RCW 36.70A.020 Washington State Growth Management Act Goal # 6. The county's comprehensive growth plan was written over three decades ago. It was very controversial then and remains so now. Rural families, who hoped managing their private properties would get easier over time, now realize it is harder, with increased regulations and more environmental conflicts. Despite the requirement for "science-based" regulatory actions by state and federal laws. This is only part of the big picture that has driven sky-rocketing permit fees, costs of housing and declining farm incomes. Washington State ranked last in the nation for agricultural profitability, according to the recent 2025 USDA Economic Research Report.

Across 30 plus years of county comprehensive growth planning, increased environmental regulations and land use zoning have transformed rural economies. Common farming practices and how rural families choose to live their lives have been

forever altered. The county turns a blind eye to actions of staff, that resonates and impact the civil rights of countless rural families.

County staff, when making determinations and mitigating environmental conflicts, have broken the process and created mis-trust with the citizens they are tasked with helping. There are no county policies authorizing standards that staff are required to uphold. Staff works with little oversight and hold lethal powers over private property and civil rights. This paints a very bleak picture of the process, and makes it nearly impossible when permitting any rural project. This includes agricultural structures, common farming practices and hardship permits. The county is not interested in asking why or understanding how regulatory overreach is contributing to problems for their farmers, foresters, equestrians or rural families just trying to build or establishing a home.

Clark County rejects Federal laws, Washington Dept. of Fish and Wildlife, and Washington Department of Ecology recommendations for *science-based* buffers and *exclusions* for critical areas. Instead, the county chooses regulatory overburden. The federal and state recommendations would help open the door to more options for landowners and protections for private property rights. The county regulatory burdens, create a breach of trust with all that are forced to co-exist with staff's actions. Rather than face to face conversations, the process forces permittees to line up an attorney.

This is not how any permitting process is supposed to work. Washington state and Clark County *do not require staff to be qualified* as verifiers of critical areas, wetlands and habitat. This allows for a corrupt process and determinations that fall prey to political pressures rather than scientific facts and federal laws. It creates uncertainty, and makes it hard to predict where the next onerous regulation will pop up. Written, evidentiary standards for county agents are unclear what counts as a "drainage ditch," "stock pond," land "depression" or a "hazard tree." As a result, staff wrongly assumes that every historical man-made disturbance, even common farming practices or a downed tree, is a *"probable"* critical area or habitat and needs to be regulated to the hilt. Common sense, standard practices, health, safety, wellbeing, civil and property rights all take the back seat in the process. The final determination results in negligible environmental improvement, but has major financial implications that restrict civil rights, how rural families live, work and use their private property.

The door is opened when staff are allowed to speculate and make determinations that require fabricated "buffers", and create "environmental loss" that must be mitigated. Before the ink is dry on a permit, entire deeds to private properties are burdened with conservation covenants that extend forever. Staff speculations resonate and directly

conflict with protections for private properties and civil rights obligations. This rampant activity has been allowed to go unabated. This is where the county permitting process is predatory and lethal to property and civil rights. This is *not* how rural permitting is supposed to work.

The county has a responsibility to mitigate damages to private property rights and all civil rights obligations. Staff's work needs to reflect the best biological science, provide balance and predictability. The county needs to clarify standards, clarify protections for private property rights, and acknowledge the health, safety and wellbeing of rural families. We need the permitting process to change, as there are real consequences that resonate and impact civil rights. The county has a responsibility to take in the whole picture and not focus on environmental issues alone. All of the GMA 15 mandatory Goals carry equal importance. Clark County must be compliant to the protection of private property rights.

Sincerely,

Susan Rasmussen, President

Clark County Citizens United, Inc.
P.O. Box 2188
Battle Ground, Washington 98604

Under Washington's Growth Management Act (GMA), the property rights goal states that private property shall not be taken for public use without just compensation, and landowners must be protected from arbitrary or discriminatory actions. [1]

Property Rights Goal Details

- **Just Compensation:** Private property cannot be taken for public use without payment.
- **Arbitrary Protection:** Landowner property rights are protected from arbitrary decisions.
- **Discriminatory Actions:** Regulations must avoid discriminatory treatment of individual owners.
- **Basis for Plans:** It serves as a guiding principle for local comprehensive plans

GMA Goals (RCW 36.70A.020)
1. **Urban growth**. Encourage development in urban areas. 2. **Reduce Sprawl**. Reduce the inappropriate conversion of undeveloped land.

3. **Transportation**. Encourage efficient multimodal transportation systems.
4. **Housing**. Plan for and accommodate housing affordable to all economic segments.
5. **Economic development**. Encourage economic development throughout the state.
6. **Property rights**. Private property shall not be taken for public use without just compensation having been made.
7. **Permits**. Applications should be processed in a timely and fair manner.
8. **Natural resource industries**. Maintain and enhance natural resource-based industries.
9. **Open space and recreation**. Retain open space, enhance recreational opportunities.
10. **Environment**. Protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water.
11. **Citizen participation and coordination**. Encourage the involvement of citizens.
12. **Public facilities and services**. Ensure that those public facilities and services necessary to support development shall be adequate.
13. **Historic preservation**. Identify and encourage preservation.
14. **Climate change and resiliency**. Ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies adapt to and mitigate the effects of a changing climate.
15. **Shoreline management** (RCW 36.70A.480)