

# CLARK COUNTY STAFF REPORT

**DEPARTMENT:** Environmental Services / Legacy Lands

**DATE:** December 15, 2015

**REQUESTED ACTION:** Authorize continuation of the grant conversion and surplus property processes for AP #s 209739-000 and 209695-000 near Paradise Point State Park. Provide direction regarding priority replacement properties identified in the Alternatives Analysis so that staff may contact landowners to determine willingness to commence negotiation of purchase and sale agreements.

Consent       Hearing       County Manager

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## BACKGROUND

On August 11, 2015, through final staff report SR 163-15, the Board of County Councilors considered the requirements of the Washington State Recreation and Conservation Office (RCO) for consideration of grant conversion processes and the fiscal impacts of compliance with those requirements and authorized initiation of grant conversion and surplus property processes for AP #s 209739-000 and 209695-000. The required Alternatives Analysis discussing implications of avoidance of the conversion request and identifying potential replacement properties has been completed. Public comments concerning whether or not to continue with the conversion and surplus property processes and commenting on replacement properties, should the conversion proceed, have been received and are attached to this staff report.

## COUNCIL POLICY IMPLICATIONS

The action affirms prior policy. Next steps in the grant conversion process include:

- The appraisal and review appraisal of AP #s 209739-000 and 209695-000 need to be completed. The appraiser is scheduled to complete the fair market valuation by December 30, 2015.
- Fair market value of the proposed substitute property(ies) has to be established through appraisals and review appraisals of the property(ies) to assure equal market value to the property(ies) proposed for conversion and surplus.
- Substitute property(ies) may only be acquired from willing sellers and for prices substantiated by the appraisals. Notices of voluntary transactions by, and just compensation to, landowners must be provided.
- Due diligence studies, such as legal lot determinations and property boundary surveys must be completed for substitute parcels, including a level 1 environmental assessment.
- RCO would have to find that proposed replacement property(ies) are of equal market value and equivalent recreational value to the property(ies) proposed for conversion and approve the proposed replacement property(ies).
- Purchase and Sale Agreements for the approved replacement property(ies) need to be executed by the Board of County Councilors.



*Handwritten initials/signature*

### **ADMINISTRATIVE POLICY IMPLICATIONS**

County staff will need to pursue acquisition of replacement properties as prescribed in RCO Manual 3, Acquisition Projects. County staff will need to provide documentation of compliance with conversion requirements as prescribed in RCO Manual 7, Long Term Obligations. Once replacement property(ies) is approved by the Recreation and Conservation Funding Board, Clark County's surplus property processes pursuant to Clark County Code Section 2.33A will need to be pursued in order to sell AP #s 209739-000 and 209695-000.

### **COMMUNITY OUTREACH**

Community outreach pertaining to the Board of County Councilors decision to initiate the grant conversion and surplus property processes is discussed in final staff report SR 163-15. An article on the Board's decision was published in The Columbian newspaper on August 11, 2015. Since the August 11, 2015, hearing, the required Alternatives Analysis document has been prepared. The Clark County Parks Advisory Board was briefed on the grant conversion process at the October 9, 2015, meeting. The Public Review Draft Alternatives Analysis document was posted on the Clark County web site on October 20, 2015, with a comment period running through November 25, 2015. A press release calling for public comments on the alternatives analysis was issued on October 26, 2015, and published in The Reflector newspaper on October 28, 2015. The Columbian published an article on November 19, 2015, discussing the property and proposed conversion and highlighting the pending public comment deadline for the Alternatives Analysis. The Washington State Recreation and Conservation Funding Board was briefed on the conversion request at the November 19, 2015, public meeting.

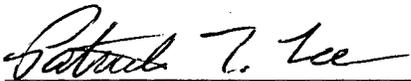
### **BUDGET IMPLICATIONS**

The budget implications of the grant conversion and surplus property processes were described in the August 11, 2015, staff report. An appraiser has been retained to establish the fair market value of AP #s 209739-000 and 209695-000. Once received, the appraisal will need to be reviewed and affirmed or changed via a review appraisal. A fiscal impact attachment was included with the August 11, 2015, staff report and additional budget capacity of \$682,500 was proposed by Environmental Services in the re-adopt of the 2015-16 budget to provide the fiscal capacity necessary to complete the grant conversion and surplus property processes. This total is still believed to be adequate in order to complete the processes. However, if the fair market appraisal indicates a higher value than current assessed value, additional budget authority may be requested through the 2016 First Quarter Supplemental Budget.

### **DISTRIBUTION:**

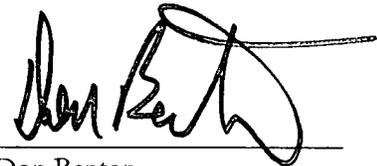
Board staff will post all staff reports to The Grid. <http://www.clark.wa.gov/thegrid>.

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Patrick T. Lee  
Legacy Lands Program Coordinator

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Don Benton  
Environmental Services Director

APPROVED:   
CLARK COUNTY, WASHINGTON  
BOARD OF COUNTY COUNCILORS

DATE: 12-15-15

SR# SR 238-15

APPROVED: \_\_\_\_\_  
Mark McCauley, Acting County Manager

DATE: \_\_\_\_\_

Enclosures:

Summary of Comments Received on the Draft Alternatives Analysis Document

Public Review Comments

Public Review Draft Alternatives Analysis Document

## **Summary of Comments Received**

### **Eleanor Pearson Conversion Alternatives Analysis**

#### Public Information and Outreach

Community outreach pertaining to the Board of County Councilors decision to initiate the grant conversion and surplus property processes for AP #s 209739-000 and 209695-000, purchased in 1996 from Eleanor Pearson included the following:

- An article on the Board's August 11, 2015, decision to initiate the grant conversion process was published in The Columbian newspaper on August 11, 2015.
- The Clark County Parks Advisory Board was briefed on the grant conversion process at the October 9, 2015, meeting.
- Since the August 11, 2015, hearing, the Public Review Draft Alternatives Analysis document was prepared and posted on the Clark County web site on October 20, 2015, with a comment period running through November 25, 2015.
- A press release calling for public comments on the alternatives analysis was issued on October 26, 2015, and published in The Reflector newspaper on October 28, 2015.
- The Columbian published an article on November 19, 2015, discussing the property and proposed conversion and highlighting the pending public comment deadline for the Alternatives Analysis.
- The Washington State Recreation and Conservation Funding Board was briefed on the conversion request at their November 19, 2015, public meeting.

#### Summary of Comments Received

Twenty (20) comments were received during the public comment period for the Eleanor Pearson Conversion Alternatives Analysis. Of these, nineteen (19) opposed the conversion and noted that the properties had high recreational value and should not be surplus by the county.

One (1) comment did not address the proposed conversion or alternatives analysis, but, rather, called for the county to accelerate its efforts to construct the Chelatchie Prairie trail.

Copies of comments received are attached to this summary.

Reasons stated for continuing county ownership of the parcels include the following themes:

- The envisioned Greenway Trail needs access points above the floodplain that offer adequate parking, restrooms, and other amenities that support trail use. The property provides important opportunities to develop facilities that support water-oriented uses without damaging or diminishing the river, shoreline or sensitive riparian areas.
- It is short-sighted to sell this property and lose the option to develop a trailhead at this location. This is a superb piece of property and provides beautiful views of the East Fork Lewis River basin and Cascade Mountains. It has easy access from I-5 to 24<sup>th</sup> Avenue. The views and high-land setting offers a spectacular location for a visitor center, picnic shelter,

picnic areas, potential camping and could include a wheel chair accessible paved trail loop that would allow people with disabilities to also enjoy this area. The parcel will provide a much better parking lot option than the lower quarter. A vista point complementing adjacent County conservation lands can help make the most of the lower river lands.

- Retaining important conservation lands in which investments have already been made is important to our quality of life and environment. It is a dangerous precedent to reverse an earlier conservation acquisition. It is a breach of trust with the citizens of Clark County to tamper with the plans with which the county has invested more than \$20,000,000.
- When the land is withdrawn from public use its gone forever. As the county population grows, large publicly accessible park lands and trails will become more valuable than ever to maintain our quality of life, to acquaint people of all ages with our close-at-hand natural world and help ward off suburban sprawl.
- There are no viable alternative sites to this location. It is not necessary to surplus this property. The County can find ways of joining trails together using, and leveraging, conservation futures revenues as has historically been done. If there are additional properties of value to the Legacy Lands program, then the County should proceed to acquire them. Instead of surplusing the property, Clark County should move ahead, in partnership with Washington State Parks and volunteer organizations, such as the Washington Trails Association (WTA), to develop the proposed trails, trailheads, parking areas, view points and picnic area in the concept plan for the East Fork Lewis River Greenway.
- Kayaking and hiking are ever increasing recreational uses that have assisted in economic development for this Lewis River region. Several groups travel from Oregon to visit our area and consider the region to be a wonderful destination for restaurants and our growing winery businesses. An extension of trails from Paradise Point that would include the mountain views from the properties being considered for surplus would be a desirable addition to the recreational opportunities already available in the area, which in turn would increase the time staying in the area, translating into more dollars spent here in restaurants and shopping, contributing to small businesses and economic development.

#### Purported Deficiencies/Non-Compliance with Recreation and Conservation Office Requirements

In addition to the above themes, one (1) comment stated that there were some specific deficiencies and non-compliance with Recreation and Conservation Office (RCO) requirements for conversion of the subject parcels to non-recreational uses through potential surplus and sale of the property to private parties. Excerpts of the comments, and responses to them, follow:

**Comment 1:** The County's proposal makes no effort to identify and discuss potential alternatives on a sound basis. At a minimum, the County should discuss three primary options: 1) Avoidance or no action, which preserves the existing resource intact; 2) sale of the five-acre tax lot and residence but retention of the undeveloped 15 acres; and 3) the county's conversion proposal. Other options might include, for example, potential partnerships with the Washington State Parks Department to retain the park resource while transitioning management functions.

**Response 1:** The purpose of the Public Comment Draft Alternatives Analysis is to assure that the public is given a reasonable opportunity to participate in the identification, development and

evaluation of alternatives as required by RCO. A discussion of avoidance of the conversion and identification of potential replacement properties is presented. So as not to prejudice or limit the public's identification, development and evaluation of potential alternatives, no recommended alternative was presented in the alternatives analysis document.

As stated in the alternatives analysis document, a broad analysis was undertaken for two reasons: 1) the Clark County Board of Councilors wanted to consider the potential conversion and possible replacement acquisitions within the broad context of the Lower East Fork Lewis River Greenway; and 2) Contacting landowners to assess if they are potentially willing sellers will be done at a later stage. If the Board of County Councilors policy direction, informed by public comments on the alternatives analysis document, is to continue with the conversion process and locate eligible replacement properties, screening a broader selection of parcels may enhance the pool of willing sellers. Until that policy decision is made, each of the three primary options identified in Comment 1 are viable policy directions.

**Comment 2:** Under terms of the Deed of Right, the County must acquire a property that has at least equal fair market value and that has equal value in terms of location and recreation usefulness. It is impossible to know whether the County is complying with these requirements because the proposal doesn't identify a replacement site. Instead, it identifies 52 tax lots, spread over about 10 miles of shoreline and associated uplands, which might qualify as substitute sites. However, because a preferred site is not identified, the public has no opportunity to compare sites in terms of size, location, natural amenities, physical constraints, boundary configuration, water access opportunities, or land cost; nor do we know whether any of the land owners are willing sellers.

**Response 2:** The rationale for the alternatives analysis approach is discussed in Response 1.

The alternatives analysis document clearly states that, if the conversion is not avoided: 1) fair market value of the property to be converted and the substitute property recommended to the State has to be established through appraisals and review appraisals of the properties to assure equal market value; 2) Substitute properties may only be acquired from willing sellers and for prices substantiated by the appraisals; 3) Due diligence studies, such as a property boundary survey and level 1 environmental assessment would have to be completed for the recommended substitute parcel(s).

An appraiser is under contract to complete a fair market evaluation of the parcels under consideration for surplus. Short of a completed appraisal, Final Staff Report SR 163-15, through which the conversion process was initiated on August 11, 2015, clearly indicates the assessed value of each of the two Pearson Parcels that, combined, total \$605,000. The alternatives analysis document also includes assessed values for all 52 candidate replacement properties as a comparative value gauge for the two Pearson parcels.

For each of the five (5) subareas used for screening alternatives in the alternatives analysis document, the following information for each candidate replacement parcel is presented:

- Assessor's parcel number;
- zoning designation;
- size in acres;
- assessed building value;
- assessed land value;

- acres in the floodway
- acres in the floodplain
- acres in other wetlands; and
- acres greater than 25% slope.

For each of the five (5) subareas used for screening alternatives, the tabular information is supplemented by a set of five (5) graphics that illustrate the following:

- the two Pearson parcels;
- existing conservation lands;
- candidate replacement properties;
- other public lands;
- conservation easements held by the County;
- water;
- East Fork Lewis River Greenway boundaries pursuant to the Conservation Areas Acquisition Plan;
- major roads, highways, highway ramps, local roads;
- the city limits of Battle Ground, La Center and Ridgefield;
- steep slopes (greater than 25%);
- wetlands;
- topographic contours (10-foot intervals); and
- one graphic in each of the series is superimposed over an aerial photography base so reviewers could gain a sense of natural amenities and potential river access.

The tabular and graphic information provides a reasonable basis for the public to compare sites in terms of size, location, natural amenities, physical constraints, boundary configuration, water access opportunities, and land cost.

**Comment 3:** The proposal includes 52 tax lots that were selected primarily to facilitate development of a regional trail. Moreover, no preferred site is identified. Under these circumstances, it is impossible to evaluate the two basic requirements established by the Deed of Right, i.e. 1) Does the substitute property have at least equivalent fair market value? and 2) Does the substitute property have equivalent value in terms of location and recreation purpose? If the County's current proposal is simply a mechanism to screen potential sites, the proposal should say as much. If the County is presenting this as the final proposal to meet the requirement for public comment on the conversion, it does not meet requirements for public outreach.

**Response 3:** The rationale for the alternatives analysis approach is discussed in Response 1.

As indicated in the alternatives analysis document, the 52 parcels identified as potential replacement sites were the result of a screening process of property characteristics relevant to achieving the policy goal articulated by the Board of County Councilors – closing gaps in the greenway that could facilitate alignment and construction of a river-oriented regional trail the length of the greenway.

The alternatives analysis also articulated the screening criteria utilized, as follows:

- Parcels with river frontage, or that could expand a narrow strip of river frontage;

- Undeveloped, or with very low value structures;
- Contiguous, or proximate to, concentrations of land ownership that already facilitate development of extended trail segments;
- Physical characteristics reasonably able to support trail alignment.

Public information and outreach documentation provided at the beginning of this "Summary of Comments Received" articulate the County's compliance with the RCO conversion requirements. There are several more policy decisions that the Board of County Councilors will make in public meetings including:

- The policy decision whether or not to continue with the conversion process after review of public comments received on the Alternatives Analysis.
- Prioritize candidate replacement properties, if policy direction is to continue with the conversion.
- Approve purchase and sale agreements for priority replacement properties meeting RCO criteria, including a condition that the RCO approves the property as replacement.
- Accept deed to replacement properties after fulfillment of purchase and sale agreement provisions.
- Declare the Pearson parcels surplus and direct staff to commence the auction process.
- Approve the agreement for sale of the Pearson property to the most responsive bidder.

#### Replacement Properties Comments

Fifty two (52) parcels were discussed in the Alternatives Analysis document. Only three (3) comments specifically addressed potential replacement properties. Many commenters stated that the high ground and view potential of the proposed conversion properties was an important asset and doubted that a comparable replacement property could be acquired. Commenters were also concerned that the candidate replacement properties had not been winnowed down to a more manageable number so that attributes of the conversion and replacement properties could be compared in more detail.

Of the feedback received the following options were mentioned:

- 1) Only surplus the Pearson Parcel with the house on it (AP #209739-000). Retain the surrounding fifteen acre parcel (AP #209695-000) as part of the greenway.
- 2) Acquire AP #209707-000, immediately across 24<sup>th</sup> Avenue from the two Pearson Parcels under consideration for conversion.
- 3) Acquire AP #212154-000, one of ten 20-acre parcels located between the mouth of Mason Creek on the north side of the East Fork Lewis River and the County's Becker property, immediately downstream of the Storedahl Sand and Gravel mine.

**Option One Analysis:** When approving the acquisition of the two Eleanor Pearson parcels being considered for conversion, the then Board of County Commissioners expected that the house be re-sold. Recreation and Conservation Office Policy is that for most grants, including the Water Access category, all structures must be removed or demolished.

AP #209739-000 includes a residence in good condition, thus the County is technically not-in-compliance with RCO policy. If not relocated or demolished, RCO would have to approve a re-use plan for the structure. This would best be completed within the context of development of a formal master plan for the greenway between Paradise Point and La Center Road for which resources are not budgeted.

Selling only the parcel with the home, and purchasing a replacement property meeting RCO criteria, would be consistent with RCO policy and the original intent of the Board of Commissioners and would resolve the existing non-compliance issue with the grant.

**Option Two Analysis:** The Pearson Trust owns a five acre AP #209707-000 on the west side of 24<sup>th</sup> Avenue, opposite the two parcels under consideration as surplus. The parcel includes a residence and two outbuildings. County has a first right of refusal to acquire 209707-000 and the trustee has recently contacted the county to inquire if we wish to exercise or forfeit our right.

Structures would have to be removed to remain consistent with RCO policy. The outbuildings are in poor shape. The residence is in fair shape, but not as good as the house on AP #209739-000 under consideration for conversion. Acquiring AP #209707-000 would square off existing county greenway ownership, including the parcels under consideration for conversion. It may provide a trail-head option and also encompasses some high ground that could provide a view opportunity.

**Option Three Analysis:** AP #212154-000 is one parcel of a cluster of ten parcels referred to as "Daybreak Ranch" on the north side of the river that the alternatives analysis cites as the highest priority acquisition on the north side of the river in Segment 3. These parcels are sandwiched between county conservation ownerships at the mouth of Mason Creek and at the mouth of Dean Creek. The owners of these parcels had approached the County a few years ago about selling the land for conservation. Appraisals for two of the parcels were completed. However, the valuations did not meet seller expectations and acquisition discussions were discontinued. The public comment on the alternatives analysis suggesting this option was submitted by a realtor who is currently marketing AP #212154-000. It is one of three parcels of the ten that have residences constructed on them.

In isolation, AP #212154-000 does not advance the policy objective of regional trail alignment very far. The ten parcels really need to be looked at together. Just upstream of the County's Dean Creek property is the Storedahl sand and gravel mine. Immediately upstream of the mine is County Public Works property. A requirement of the mine's habitat conservation permit is that upon cessation of mining activities, the land needs to be reclaimed and dedicated to a public agency or non-profit organization for conservation and recreation purposes. If the ten Daybreak Ranch parcels could be aggregated as part of the greenway, aligning a trail a distance of three miles from Mason Creek through the Dean Creek and Storedahl properties to Public Works properties in Segment 4 could be accomplished.

**Eleanor Pearson Conversion Alternatives Analysis**  
**Index of Comments Received**

<u>Commenter</u>	<u>Date Received</u>
1. Susan Gilbert -----	November 3, 2015
2. Jackson E. Williams -----	November 4, 2015
3. Friends of Clark County -----	November 10, 2015
4. Carol Macleod -----	November 19, 2015
5. Marie Marshall -----	November 19, 2015
6. Rosilee Smith -----	November 19, 2015
7. Lehman Holder -----	November 19, 2015
8. Steve Cordell -----	November 19, 2015
9. Pam Dougherty -----	November 20, 2015
10. Cathy Steiger -----	November 20, 2015
11. Steve Nelson -----	November 20, 2015
12. Alice Linker -----	November 21, 2015
13. Jean Avery -----	November 21, 2015
14. Susan Saul -----	November 21, 2015
15. Pam Shellenberger -----	November 22, 2015
16. Judith Ann Wait -----	November 22, 2015
17. Marilee McCall -----	November 24, 2015
18. Ed Patterson -----	November 24, 2015
19. Valerie Alexander -----	November 25, 2015
20. Heidi Owens -----	November 25, 2015

## Lee, Patrick

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**From:** Susan Gilbert <sag2600@yahoo.com>  
**Sent:** Tuesday, November 03, 2015 4:14 PM  
**To:** Lee, Patrick  
**Subject:** Pearson property

Pat - I haven't seen anything about this piece of property but I had heard that it is being considered for sale by the County. Holly forwarded me your News Release so I read the Legacy Lands report. I have a couple of comments. This is a superb piece of property with a spectacular view. I can understand that the county does not want to be a landlord. The previous resident of the house on the property wanted to buy it from the County. He was informed that the house would go on the auction block and that he could bid on it along with everyone else. He declined and moved out.

The house and/or the rest of the property never went up for auction.

The County could have had the perfect solution. However, the County should think twice about letting the whole piece go. Why not sell the house on the five acres and retain the rest? At some point in the future, La Center will be putting another bridge across the East Fork.

The Pearson land will become extremely valuable at that time or even prior to that time as investment property. This is sort of throwing out the baby with the bathwater. Those 15 remaining acres are prime. The property designated as the trade seems to be a long way from the majority of communities in Clark County. It mentions that it is on the Clark/Skamania line. Not as user friendly as the Pearson piece, in my view, and will be less utilized.

My second point, and it's minor, I think. I believe that the Howard Pearson Trust is different from the Francis Pearson Trust. Francis Pearson's property (across the street from Howard's piece) is just a "candidate" piece and was mentioned as being held by the "Pearson Trust". I think that they are two separate trusts but I am not sure. If they are separate, that needs to be made clear. Also, the Francis Pearson dwelling is in pretty bad shape. If the county wants it, I would think it would need a whole lot of work to bring it up to code and since the county does not want to be a landlord, tearing it down would have to be the solution. But this piece, too, will be valuable in the future as it faces directly on 24th Ave.

Thanks, Pat.

Susan Gilbert  
Enterprise/Paradise Point Neighborhood Association

11-4-2015

Mr. Patrick Lee,

Enclosed is the article in the Reflector dated Oct. 28, 2015 requesting public input.

Also enclosed is the Fact Sheet for the Chelatchie Prairie Rail with Trail Project.

Why hasn't more attention been paid to this project? It is, right near where I live and would be a perfect trail for a 76 year old like me! I believe over 1 million dollars has already been spent!

I will not walk where autos are speeding by so please use this letter to bring the public up to date on the Rail with Trail Project.

Thank You

Jackson E. Williams  
Jackson E. Williams  
715 N.E. 4<sup>th</sup> St  
Battle Ground, WA

# County calls for comment on East Fork Lewis River property swap

OCT. 28 2013

Comments are due by November 25

A proposal to exchange 20 acres of county property near the East Fork Lewis River for land closer to the river is the subject of an alternatives analysis now available for public comments.

In 1996, the county purchased two parcels between Paradise Point State Park and La Center Road for \$395,500 with local property taxes and a state grant. The purchase was part of

a \$1.8 million effort to establish a two-mile trail to the east.

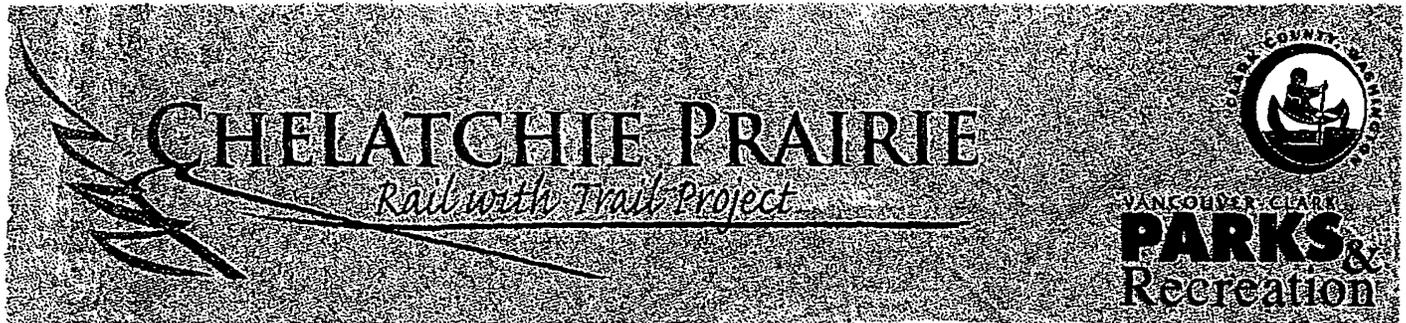
Now, the county is proposing to sell the 20 acres and use proceeds to purchase property of equal value for part of a multi-use trail leading to Sunset Campground in the Gifford Pinchot National Forest, where Clark County borders Skamania County.

Under the state grant, the county is required to examine alternatives and seek public input on the proposed change in use of

the property and state funding. Comments are due by Nov. 25. They may be submitted by U.S. mail, email or in person to

Patrick Lee  
Environmental Services  
Legacy Lands program  
1300 Franklin St.  
P.O. Box 9810, Vancouver, WA  
98666-9810  
Patrick.Lee@clark.wa.gov

Details are online at [www.clark.wa.gov/legacylands](http://www.clark.wa.gov/legacylands)



## Fact Sheet

August 2009

*In spring 2009, Clark County Public Works and Vancouver-Clark Parks and Recreation began designing the first segment of the Chelatchie Prairie Rail with Trail corridor. This project will develop a 2.7-mile-long, multi-use trail between Fairgrounds Park in Battle Ground and Northeast 249th Street near Battle Ground Lake State Park.*

### **When will construction start?**

Construction of the first segment of trail is scheduled to begin no later than spring 2011, after design and permitting have been completed.

### **What is the total budget for development of the first segment of the trail?**

Approximately \$1.7 million.

### **Why did the county select this segment of the trail to be developed first?**

The Chelatchie Prairie Rail with Trail Corridor Study, which was developed in 2007-08, identified several segments of the trail as candidates for early development. The Battle Ground to Battle Ground Lake State Park segment was the most popular candidate at the public open houses held in early 2008, and it received consistent support from user groups, the rail operator and local agencies.

This segment will extend existing hiking, biking and equestrian opportunities and make use of existing trailhead facilities and conveniences. It crosses few roads, has very infrequent rail use and the right-of-way is relatively wide at 100 feet.

### **How will the development of the first segment of trail be funded?**

Funding for this project comes from a federal Transportation Enhancement grant, a grant from the Washington state Recreation and Conservation Office, regional real estate excise taxes and the Clark County Road Fund.

### **Who will operate and maintain this segment of trail once it's developed?**

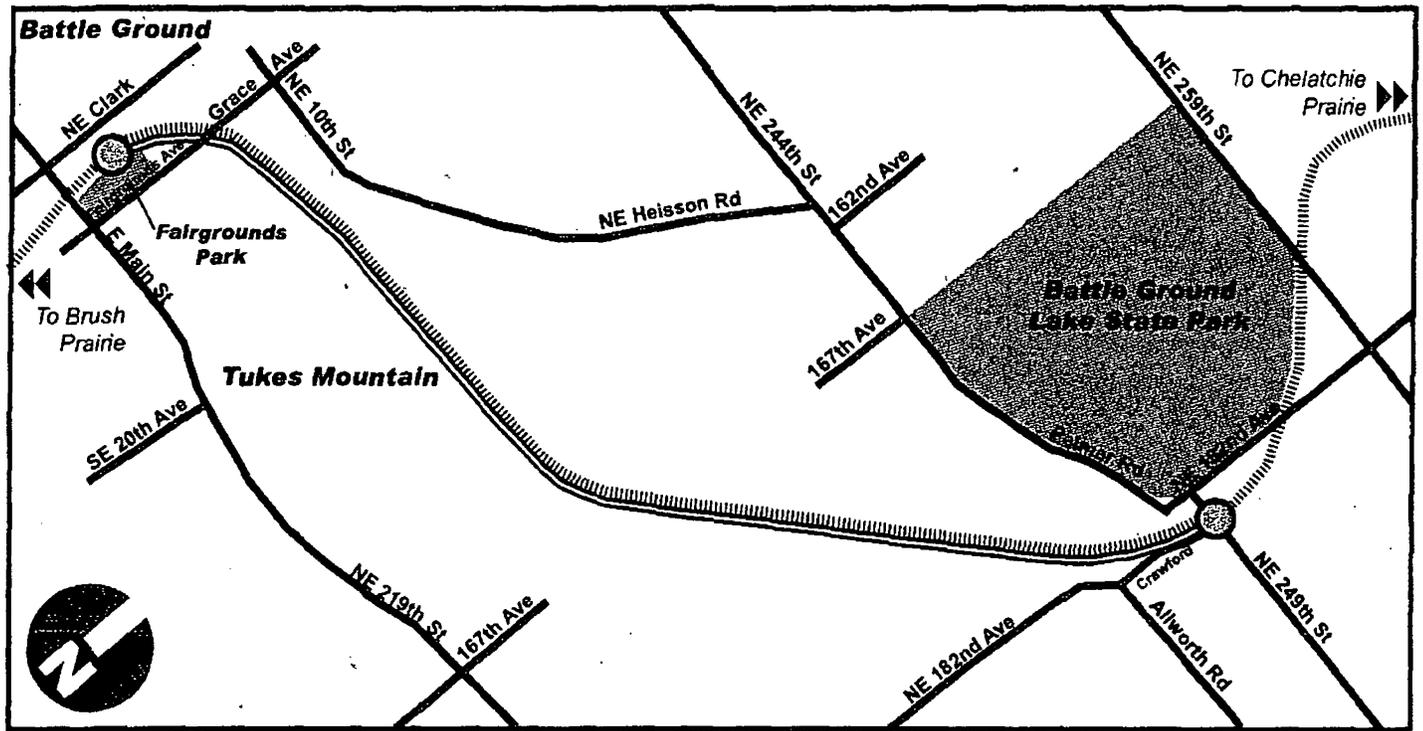
The Clark County Public Works park operations and maintenance office will maintain the trail segment after construction is complete.

### **How will the trail be separated from adjacent properties?**

This will depend on a number of different site-specific variables. Clark County will work with immediately adjacent property owners on this issue during design and permitting.

### **How will the trail be separated from the railroad track?**

The trail is often naturally separated from the track by low hills and gullies. Currently, trains do not run on this section of track. The county will consider placing fencing or another type of barricade between the trail and the railroad track as train traffic increases.



### Will horses be allowed on this segment of trail?

The preliminary plans currently accommodate horseback riding, although specific access details have not been finalized yet.

### When will the rest of the trail be developed?

The rest of the trail will be developed as funding allows.

### When did the County buy the railroad right-of-way?

Clark County purchased the Chelatchie Prairie railroad right-of-way in 1985. The existing rail line, also known as the Lewis and Clark Railroad, extends thirty-three miles diagonally through the county from Burnt Bridge Creek at Interstate 5, to the site of an old paper mill a few miles from Yale Reservoir. Clark County acquired the right-of-way both for commercial transportation use and as a trail corridor. The county is currently leasing the rail corridor to several rail operators who are using the corridor for light-industrial rail commerce and passenger excursion trips.

### Who operates the rail line currently?

The Portland Vancouver Junction Railroad currently holds the county lease and operates the line from Burnt Bridge Creek to south of Heisson. The Battle Ground, Yacolt, and Chelatchie Prairie Railroad Association (BYCX) also operates excursion trains out of Yacolt. Trains do not currently run on the section between Fairgrounds Park and Battle Ground Lake State Park.

### How can I get more information about this project?

For information about the development of the first segment of the trail, contact:

Troy Pierce, Project Manager  
 Clark County Public Works  
 (360) 397-6118 ext. 4403  
 E-mail: Troy.Pierce@clark.wa.gov

Or visit us on the Web: [www.chelatchie.org](http://www.chelatchie.org)

#### Example - Visit a local rail with trail!

##### **Springwater on the Willamette Trail**

SE Ivon Street to SE Umatilla Street in Portland  
 Web Page: [www.portlandonline.com/parks/finder/](http://www.portlandonline.com/parks/finder/)  
 (select "Springwater Corridor" from the "Search by name or keyword" drop-down menu)

November 10<sup>th</sup>, 2015

Clark County Councilors  
P.O. Box 9810  
Vancouver, WA 98666-9810

Oliver Orjiako  
Director, Clark County Community Planning  
P.O. Box 9810  
98666-9810

Pat Lee, Program Manager  
Clark County Legacy Lands  
P.O. Box 5000  
Vancouver, Washington 98666-5000



Dear Councilors, Dr. Orjiako, and Pat,

Thank you for the opportunity to comment on the County's proposal to surplus 20 acres of park land within the East Fork Lewis River Greenway near Paradise Point State Park. The County's proposal was posted on the Legacy Land's web page on October 21<sup>st</sup> and established a public comment period that runs to November 25, 2015.

As you know, Friends of Clark County (FOCC) has been involved for many years with efforts to protect high-value park and conservation lands on the East Fork Lewis River. These efforts include helping to build partnerships and secure funds for many of the public lands mentioned in your conversion proposal. FOCC believes the county's proposal does not comply with state guidelines for converting recreation lands acquired with the assistance of state grants from the Washington Wildlife and Recreation Program. In addition, FOCC believes the lands proposed for conversion are a highly valuable recreation resource that should be preserved for park uses.

This response includes a background statement and comment on four key issues. Issue #1 discusses the recreational value of the conversion site and the county's decision to propose selling off these lands. Issues #2-4 focus on deficiencies and specific noncompliance with RCO conversion requirements.

**Background:**

The land proposed for conversion was purchased in June 1996 and includes two tax lots (209695-000 and 209739-000), which are 14.99 and 5.01 acres respectively. These parcels were part of a 127-acre acquisition known as the Eleanor Pearson property. The Pearson property includes extensive waterfront on the East Fork Lewis River, Clark County's largest free-flowing stream, and a year-round tributary known as McCormick Creek. In addition, the Pearson property was the "anchor site" in a larger, IAC/RCO grant project that included 247 acres of waterfront property and associated uplands. These greenway properties cover about two-miles

on the East Fork Lewis River and provide almost continuous public access/ownership from Paradise Point State Park to the La Center Bridge

Funds used to acquire these lands include the County's Conservation Futures Account and grants from the Water Access category of the Washington Wildlife and Recreation Program. Under terms of the state grant agreement, the public's long-term interest in these lands is protected by a "Deed of Right" which "conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the outdoor recreation purposes described in the Project Agreement . . ." The County may not convert these lands unless the County can ensure it will acquire "other outdoor recreation land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent usefulness and location for the public recreation purposes for which state assistance was originally granted . . ."

Deeds of Right are not simply locally approved documents that can be vacated by local boards or commissions. Rather, they convey the recreation use of acquired properties forever to all the people of the State of Washington. For this reason, the State provides certain guidelines that must be followed before any of these lands can be converted or sold. FOCC believes the County's proposal does not comply with the state's guidelines and should either be withdrawn by Clark County, or, if necessary, denied by the Washington State Recreation and Conservation Board. Issues and deficiencies are discussed below.

**Issue #1 – Value of Conversion Property:** A first, overriding issue is, should this property even be considered for conversion? FOCC believes it should not be. The proposed conversion covers 20 acres that were part of a 127-acre acquisition that included extensive waterfront on the East Fork Lewis and McCormick Creek. This acquisition as a whole presented a unique and remarkable opportunity, and the 20 acres proposed for conversion are an integral part of the recreation resource. These 20 acres occupy the highest points on the Pearson property and provide stunning views of the EFL Basin and Cascade Mountains. This area provides important opportunities to develop facilities that support water-oriented uses without damaging or diminishing the river, shoreline or sensitive riparian zones. Potential improvements could include trailheads, trails, viewpoints, picnic tables, picnic shelters, parking, restrooms, and signage within easy reach of the East Fork Lewis waterfront.

In addition, this project has been subject to rigorous review at the local and state levels. It is consistent with multiple local parks and conservation plans. The entire Pearson property, including the conversion area, lies within the county-approved boundaries for the lower East Fork Lewis Conservation Area. In terms of state review, the Pearson property was part of a project proposal submitted to the IAC/RCO in the mid-1990s. This larger project included over two miles of shoreline on the East Fork Lewis River and McCormick Creek. This project established almost continuous public access/ownership over a two mile section of the East Fork Lewis River that connects Paradise Point State Park to the city of La Center. This project was vetted by IAC/RCO staff; it was reviewed and scored by IAC evaluation teams in the WWRP water access category; and it was approved for funding by the IAC/RCO board. This entire land area is a wonderful part of the county's park and greenway system and should not be dismantled.

**Issue #2 – Alternatives Analysis:** Under the state’s guidelines, Clark County must provide “a list and discussion of all alternatives for replacement or remediation of the conversion, including avoidance.” Further, all practical alternatives “must be evaluated on a sound basis.” The County’s proposal makes no effort to identify and discuss potential alternatives on a sound basis. At a minimum, the County should discuss three primary options: 1) Avoidance or no action, which preserves the existing resource intact; 2) sale of the five-acre tax lot and residence but retention of the undeveloped 15 acres; and 3) the county’s conversion proposal. Other options might include, for example, potential partnerships with the Washington State Parks Department to retain the park resource while transitioning management functions.

FOCC believes options 1 and 2 can be reasonably achieved and must be evaluated on a sound basis. The sale of the proposed conversion site, for example, is not needed to generate funds for a new acquisition. The County’s Conservation Futures Program provides an annual source of revenue that is dedicated to the acquisition of farm, forest, and open space lands, including shorelines and water-oriented recreation lands. Conservation Futures funds have been used extensively within the East Fork Lewis Greenway. These funds could be used to acquire some new site identified in the conversion proposal without having to dispose of the Pearson property.

As to the Pearson house, this structure was, and continues to be, a subordinate part of the 127-acre Pearson property and larger lower East Fork Lewis Greenway. This tax lot occupies the highest point of the Pearson property and entire lower greenway. Before the County and State agree to dispose of this 5-acre property, the county should be required to evaluate all options including re-location of the house, demolition or re-use of the house as a caretaker’s residence or other purpose, which would allow retention of the five-acre parcel. Currently, the County has no master plan for this site, and the conversion proposal should fully explore all options and possibilities that will protect this important land area.

**Issue #3 – Site Evaluation/Compliance with Deed of Right:** Under terms of the Deed of Right, the County must acquire a property that has at least equal fair market value and that has equal value in terms of location and recreation usefulness. It is impossible to know whether the County is complying with these requirements because the proposal doesn’t identify a replacement site. Instead, it identifies 52 tax lots, spread over about 10 of miles of shoreline and associated uplands, which might qualify as substitute sites. However, because a preferred site is not identified, the public has no opportunity to compare sites in terms of size, location, natural amenities, physical constraints, boundary configuration, water access opportunities, or land cost; nor do we know whether any of the land owners are willing sellers.

In addition, the County states that “the intended purpose of the proposed conversion is to generate resources with which to close gaps in the Lower East Fork Lewis River Greenway so as to facilitate construction of a regional trail.” The Deed of Right requires that any substitute lands be consistent with the original purpose of the grant proposal. Lewis River Greenway Phase II was submitted and evaluated in the WWRP Water Access category; the WWRP has a separate category for trails. Many of the tax lots identified as substitute properties would serve a trail function but either wouldn’t be technically eligible for water access funding, or would compete poorly in the water access category because of physical constraints and other issues. Again, any comparison is impossible because no preferred site is identified in the County’s proposal.

**Issue #4 – Public Involvement:** Under the state’s guidelines, the County must provide, at a minimum, a 30-day comment period to give the public “a reasonable opportunity to participate in the identification, development, and evaluation of alternatives.” However, the proposal includes 52 tax lots that were selected primarily to facilitate development of a regional trail. Moreover, no preferred site is identified. Under these circumstances, it is impossible to evaluate the two basic requirements established by the Deed of Right, i.e. 1) Does the substitute property have at least equivalent fair market value and 2) Does the substitute property have equivalent value in terms of location and recreation purpose? If the County’s current proposal is simply a mechanism to screen potential sites, the proposal should say as much. If the County is presenting this as the final proposal to meet the requirement for public comment on the conversion, it does not meet requirements for public outreach. Instead, if the county decides to move forward, once a preferred site is selected, the County should submit a new proposal with a 30-day comment period which provides adequate specificity and time to allow the public to comment.

Thank you for the opportunity to comment.

Sincerely,



Sydney Reisbick, President



Bill Dygert, Advisory Board

Copies:  
Washington State Recreation and Conservation Board  
Board of Clark County Councilors  
The Columbian

*Friends of Clark County PO Box 513 Vancouver, WA 98666*

*“Development decisions affect many of the things that touch people’s everyday lives — their homes, their health, the schools their children attend, the taxes they pay, their daily commute, the natural environment around them, economic growth in their community, and opportunities to achieve their dreams and goals. What, where, and how communities build will affect their residents’ lives for generations to come”. United States Environmental Protection Agency*

## Lee, Patrick

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**From:** Macleod, Carol <cmacleod@ucsd.edu>  
**Sent:** Thursday, November 19, 2015 8:53 AM  
**To:** Lee, Patrick  
**Cc:** Cordell, Steve  
**Subject:** Selling 20 Acres near Paradise Point State Park

Dear Mr. Lee,

I read in the Columbian Newspaper about the proposed sale of 20 acres of County Property near the East Fork of the Lewis River. I want to express my strong opposition to the proposal. This land should remain in the public domain for possible development of trails to reach this scenic part of the Lewis River.

I realize other sites are being considered to replace this one, but it is not replaceable. Hence, my strong objection!

I hope the County will realize the value of this prime property and keep it for the enjoyment of all recreational users.

With kind regards,

Carol L MacLeod, PhD.  
12604 NE 40th Avenue  
Vancouver, WA 98686

## Lee, Patrick

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**From:** marie marshall <ms\_marie\_marshall@yahoo.com>  
**Sent:** Thursday, November 19, 2015 3:06 PM  
**To:** Lee, Patrick  
**Subject:** Fw: Proposed 20 acre sale

----- Forwarded Message -----

**From:** ms\_marie\_marshall <ms\_marie\_marshall@yahoo.com>  
**To:** [lee@clark.wa.gov](mailto:lee@clark.wa.gov)  
**Sent:** Thursday, November 19, 2015 9:04 AM  
**Subject:** Proposed 20 acre sale

Thanks for the opportunity to share my opinion. As per the sale of 20 acres of Legacy lands along the Lewis River, I, of course, am against it. I think it kills the souls of our county councilors to see any land that doesn't have houses on it. Please listen to those people who actually care about our quality of life and our environment.

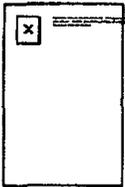
Sent via the Samsung GALAXY S® 5, an AT&T 4G LTE smartphone

**Lee, Patrick**

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**From:** rosilee Smith <wildroserealty@gmail.com>  
**Sent:** Thursday, November 19, 2015 9:30 AM  
**To:** Lee, Patrick  
**Subject:** Dean & Delverna Swanson Lewis River Property/Paula Davis Lewis River Property

Good Morning Mr. Lee,  
I currently have the DayBreak Ranch property for sale, I know you are taking public comment soon, and we are wondering if these parcels may work to continue the trail that the County has been considering.  
I can send you the listings if you would like as well.  
Thank you for your time, let me know if I can be of any assistance  
Rose Smith



**Rose Smith-Realtor**

*360-901-5735 cell*

*360-263-4626 home office*

*wildroserealty@gmail.com*

*rosesmithrealtor.com*

## Lee, Patrick

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**From:** Tripsguy@aol.com  
**Sent:** Thursday, November 19, 2015 9:58 AM  
**To:** Lee, Patrick  
**Subject:** Proposed sale near Paradise Point

I strongly oppose County Councilor Tom Mielke's proposed sale of the property near Paradise Point (The Columbian, Nov. 19). I have visited this property and I firmly believe it should stay in county ownership. The recreation potential of this property is exceptional.

Lehman Holder  
Vancouver WA resident and voter

**Lee, Patrick**

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**From:** Cordell, Steve <scordell@ucsd.edu>  
**Sent:** Thursday, November 19, 2015 10:23 AM  
**To:** Lee, Patrick  
**Subject:** Against the Proposed 20 acre sale near the Lewis River

Dear Mr. Lee,

I am against the proposed sale of 20 acres of County Property near the East Fork of the Lewis River. This land should remain in the public domain for possible development of trails to reach this scenic part of the Lewis River.

I realize other sites are being considered to replace this one, but it is not replaceable. Hence, my strong objection!

I hope the County will realize the value of this prime property and keep it for the enjoyment of all recreational users rather than the hungry builders that will gain at our loss.

Sincerely,

Steve Cordell Engineer, MS Sociology  
12604 NE 40th Avenue  
Vancouver, WA 98686

**Lee, Patrick**

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**From:** pam dougherty <89pamspny@gmail.com>  
**Sent:** Friday, November 20, 2015 10:58 AM  
**To:** Lee, Patrick  
**Subject:** Trouble Near Paradise

Please do not consider selling this open space of 20 acres. We so need to keep our environment untouched for us and generations to come.

Thank you for this chance to express our concerns.

## Lee, Patrick

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**From:** Cathy Steiger <cathyns@teleport.com>  
**Sent:** Friday, November 20, 2015 3:32 PM  
**To:** Lee, Patrick  
**Subject:** 20 acres not surplus near East Fork of Lewis River

Patrick Lee, Coordinator of Clark County Legacy Lands Program

I have great faith in the well researched, educated opinion of Bill Dygert. He has worked extremely hard to save some of the best of Clark County. I add my voice to the cry to keep the 20 acres of public land near the East Fork of the Lewis River. No way a vista point complementing adjacent County conservation lands should be identified as "surplus" holdings. This area can help make the most of the lower river lands.

My first reaction to suggesting this area as surplus is that Mielke is being pressured by someone of power to have the land for their own purposes. Mielke doesn't do much. Why this parcel, why now, unless someone wants to use his current, short-lived position for their better good.

Please keep the 20 acres upland public for recreation, open space, habitat, as a lightly impacted part of the East Fork lands. The opportunity cannot be replaced. I believe the County can find ways of joining trails together. This is a one time.

Thank you for your consideration.

Cathy Steiger  
16101 NE 183rd St  
Brush Prairie, WA 98606

## Lee, Patrick

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**From:** Steven Nelson <kumtux@aol.com>  
**Sent:** Friday, November 20, 2015 4:02 PM  
**To:** Lee, Patrick  
**Subject:** McCormick Creek surplus land sale proposal

Two of our esteemed County Councilors continue to act in their own self-interest at the expense of the citizens of Clark County for generations to come. This property was purchased with grant moneys for conservation and recreation purposes of the public good, rather than profiteering by pro-developers. It is certainly unethical and immoral and likely illegal, just like their foolish proposed alternative land use so-called plan. Please advise against the sale of this property as surplus. It wouldn't be surplus if the councilors devoted efforts and resources to expanding our parks and recreation trails. When the land is withdrawn from public use its gone forever. There are no viable alternative sites at this location. What a foolish, short-sighted and selfish proposal!

Steve Nelson  
Brush Prairie, WA

**Lee, Patrick**

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**From:** Alice Linker <twolinkers1960@gmail.com>  
**Sent:** Saturday, November 21, 2015 12:11 PM  
**To:** Lee, Patrick  
**Subject:** comment on proposed property sale near East fork

To Patrick Lee:

I am writing to oppose the sale of 20 acres (Pearson property) near Paradise Point State Park and adjacent to other properties owned by Clark County. This entire area can provide a network of river and upland trails, while, at the same time, providing a 'wild' state that is hospitable to birds and other wildlife. The county should try to maintain as much wildlife connectivity, especially along the creeks and rivers, as is possible in this time of increased urbanization.

Thank you for considering my comment.

Alice Perry Linker  
8821 NE 111th Avenue  
Vancouver, WA 98662

**Lee, Patrick**

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**From:** Jean Avery <jeanmavery@gmail.com>  
**Sent:** Saturday, November 21, 2015 3:20 PM  
**To:** Lee, Patrick  
**Subject:** Proposed 20-acre property sale

Hello, Mr. Lee:

I am writing regarding the proposed land sale of 20 acres near the East Fork of the Lewis River.

First, I strongly urge the decision-makers to keep the land as natural as possible, so as to enhance opportunities for outdoor recreation. As an avid hiker, I welcome more scenic areas for hiking and enjoying the outdoors.

Second, I am concerned about the dangerous precedent of reversing an earlier conservation acquisition. If funding came from the Washington Wildlife and Recreation Program and from Clark County's Conservation Futures program, then the land should remain as intended.

Please preserve this acreage as intended -- for the benefit of residents, wildlife, and our green environment.

Thank you for this opportunity to share my comments.

Jean M. Avery

13314 SE 19th St.  
Vancouver, WA 98683  
214-923-4149

**Lee, Patrick**

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**From:** Susan Saul <susan103saul@gmail.com>  
**Sent:** Saturday, November 21, 2015 10:43 PM  
**To:** Lee, Patrick  
**Subject:** East Fork Lewis River property

I am opposed to Clark County selling the 20 acre parcel along the East Fork Lewis River near Paradise Point State Park.

Instead, Clark County should move ahead, in partnership with Washington State Parks and volunteer organizations, such as the Washington Trails Association (WTA), to develop the proposed trails, trailheads, parking areas, view points and picnic area in the concept plan for the East Fork Lewis River Greenway.

WTA has been holding volunteer work parties at Paradise Point State Park to improve the park's trails, which could be easily extended onto county land. WTA volunteers have been improving the trails at Whipple Creek Regional Park and building new trails at Vancouver Lake Regional Park. It would be natural evolution of that partnership to invite WTA to extend the long-envisioned trail east from Paradise Point State Park toward the LaCenter Bottoms.

The envisioned Greenway Trail need access points above the floodplain that offer adequate parking, restrooms, and other amenities that support trail use. The 20 acres were identified as flat ground that could accommodate a parking area, restrooms, picnic area, interpretive signs, view points and connector trail to the Greenway Trail. It is short-sighted to sell this property and lose the option to develop a trailhead at this location.

Susan Saul  
10102 NE 10th Street  
Vancouver, WA 98664

**Lee, Patrick**

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**From:** Pam Shellenberger <hornrepair@yahoo.com>  
**Sent:** Sunday, November 22, 2015 6:13 PM  
**To:** Lee, Patrick  
**Subject:** Sale of 20-acre parcel near East Fork

Please do not allow this county land to be sold. As the county population grows, large publicly accessible park lands and trails will become more valuable than ever to maintain our quality of life, to acquaint people of all ages with our close-at-hand natural world and help ward off Los-Angeles style suburban sprawl. It seems unlikely that an another area of this size and quality, with riverfront so close, will be available as equal "replacement", considering the purchase was made in the 90's. We do not support selling off vacant land that was earmarked expressly for conservation and recreation, and financed by state grants.

Pam Shellenberger and Don Howard  
5411 NW Walnut Street

**Lee, Patrick**

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**From:** Wait, Judith Ann <judith.wait@wsu.edu>  
**Sent:** Sunday, November 22, 2015 10:02 PM  
**To:** Lee, Patrick  
**Subject:** Continue to protect Legacy Lands in the E. Fork Lewis River watershed

Dear Pat,

Thank you very much for your work to protect Legacy Lands in the East Fork Lewis River watershed and other regions in Clark County. Please continue to protect already protected areas. Additions would of course be welcome. But trading away, selling, or "surplusing" already protected areas such as the 20 acres "between Paradise Point State Park and La Center Road" would have long term and irreversible adverse cumulative impacts that the County ownership helps to mitigate. If there are additional properties of value to the Legacy Lands program, then the County could proceed to acquire and expand them. However, there is no justifiable cause to sacrifice already acquired fish and wildlife habitat (Fish and Wildlife funded acquisition) in a critically important watershed in a Greenway corridor that should only grow!

These are my simple comments due by 25 November 2015. I respectfully object to the proposal which would only serve to fragment a plan, un-protect critical habitat, violate the good science and stewardship that went into developing the plan and conserving the land, dismiss the partners' intent, erode biodiversity and ecosystem integrity, and destroy part of the Legacy for future generations of citizens and native fish and wildlife.

I leave the detailed analyses to the Friends of the East Fork watershed, Friends of Clark County, the conservation and fish and wildlife agencies, environmental and conservation scientists and advocates, and land trust organizations. The experts have likely said it all recently and indeed when they helped propose the plan and acquisition, notably Bill Dygert, and Richard Dyrlund. As a watershed scientist myself, I do understand that adverse cumulative impacts of urbanization, land use development, habitat fragmentation and ecosystem disruption can indeed be irreversibly detrimental. Instead of reductions or trades, further expansion and restoration should be prioritized.

Please continue to model stewardship of Legacy Lands and the visionary program.

Thank you for your consideration of these comments and others' who object to the misguided plan to sell our grandchildren's future.

For the soil, the fish, happy children, and future generations' sustainability,

Jude Wait,  
conservation land use geomorphologist and sustainability leader,  
commenting on my own behalf

**From the desk of Marilee McCall  
Mayor Pro-Tem/Councilmember Seat #3  
City of Woodland, WA**

To: Patrick Lee, Legacy Lands program manager  
David Madore, Clark County Council Chair  
Tom Mielke, Clark County Councilor  
Jeanné Steward, Clark County Councilor

November 24, 2015

Public Comment regarding East Fork Lewis River property swap proposal for Legacy Lands

In review of the proposed property swap, I have comments regarding my concern for the potential loss of the Legacy Lands property in the Paradise Point park area.

The Paradise Point destination in this region, along with the Port of Ridgefield and Lake Merwin, is a desirable and highly publicized location for kayakers and hikers. Several of the paddling clubs from Oregon regularly post group trips during the warmer months for the Clark County area and also includes Lacamas Lake.

<http://nextadventure.net/community/blog/kayaking-lewis-river-ridgefield>

The Parks and Recreation department has spent the last several years developing a water trail and water trail markers:

<http://www.clark.wa.gov/publicworks/parks/documents/PaddlingGuide.pdf>

Ridgefield has hosted a Paddle Fest for the last four years increasing outreach for this recreational use and has done much to promote the area as a recreational destination:

<http://www.ridgefieldkayak.com/trips.html>

<http://www.ci.ridgefield.wa.us/sites/default/files/fileattachments/Community/page/952/lrvl-watertrail-report-web-version.pdf>

Kayaking is an ever increasing recreational use that has assisted in economic development for this Lewis River region. I have met and spoke with several groups of kayakers that travel from Oregon to visit our area and who also consider the region to be a wonderful destination for restaurants and our growing winery business locations.

Most of those kayakers are also hikers, and an extension of the trails from Paradise Point that would include the mountain views from the properties being considered would be a desirable addition to the recreational opportunities already available in the area, which in turn would increase the time staying in the area, translating into more dollars spent here in restaurants and shopping, contributing to small business owner economic development.

With the Cowlitz Casino being constructed at that same intersection, it would not be a stretch to imagine that some of those travelers may be tempted to stay longer in the area to enjoy other recreational offerings of our beautiful county.

There is also the consideration that the Port of Kalama has just obtained an award from the State of Washington and there is significant job growth in that area, which is less than 25 miles north of I-5. I realize that it is not Clark County's responsibility to provide recreation for Cowlitz County's residents, but I ask that you consider the I-5 connection and proximity to this property as an investment in the region for all of our SW Washington residents.

The key purpose of the Legacy Lands is to preserve them for future generations. However a part of your considerations must also consider the best investment of tax dollars. I am asking that you consider keeping your investment that has already been made in North County near our Lewis River for the reasons listed above.

We have been partnering across city and county boundary lines to build a great area to live, work and play in that also promotes healthy, family activities. It would be a loss to the area to trade these valuable properties that we have already invested in.

I appreciate your taking the time to consider my comments and input to this process.

In service,



Marilee McCall

Mayor Pro-Tem and Council Position #3

City of Woodland, WA

[mccallm@ci.woodland.wa.us](mailto:mccallm@ci.woodland.wa.us)

**Lee, Patrick**

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**From:** Tmt2edward@aol.com  
**Sent:** Tuesday, November 24, 2015 5:31 PM  
**To:** Lee, Patrick  
**Subject:** 24th Ave. property sale

My name is Ed Patterson of Ridgefield Wa.. I have heard of the sale of 20 acres of public property on NW 24 Ave. near Paradise Point St. Park. I think this property is unique because it is near the east fork of th Lewis River and is sorounded by other public properties  
I have lived in North Clark County for over 40 years and seen too much land like this lost to development. The sale of this this property a mistake.

**Lee, Patrick**

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**From:** Coyote Ridge Ranch <coyoteridge@tds.net>  
**Sent:** Wednesday, November 25, 2015 2:41 PM  
**To:** Lee, Patrick  
**Subject:** Pearson Property

Dear Pat,

As you know, Friends of Clark County has sent you a letter regarding the potential sale of the Pearson property. As a board member of Friends of the East Fork, I want to say that our organization also strongly objects to dividing and selling any part of the Pearson property. It is an important part of the East Fork Lewis River Greenway system and one of the starting points for kayakers and canners as well as people wanting to fish or hike. The upper part is perfect for a visitor center, parking or picnicking and must be left intact. It is a breach of trust with the citizens of Clark County to tamper with the plans with which the county has invested more than \$20,000,000.

We will continue to object to any attempt to divide that property with the state, county and the citizens who need to be notified of the intent to sell. We will make sure that people get a chance to testify and let the county councilors know how they feel about this. It was their money who went into the purchase as well as state and federal funds and we all will need to be involved.

It also is critical that any decision to move forward with this wait until the new board members are able to be involved. Thank you for hearing my concerns.

Valerie Alexander  
Coyote Ridge Ranch  
2404 NW Coyote Ridge Rd.  
La Center, WA 98629  
Phone & Fax: 360-263-2521  
cell: 360-607-8797  
[coyoteridge@tds.net](mailto:coyoteridge@tds.net)

**Lee, Patrick**

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**From:** Heidi Owens <heidi.owens@comcast.net>  
**Sent:** Wednesday, November 25, 2015 4:15 PM  
**To:** Lee, Patrick  
**Cc:** Tilton, Rebecca  
**Subject:** Pearson Property Surplus  
**Attachments:** Pearson Property.docx

Hello Patrick,

Please find attached my letter stating my concerns with the Pearson Property Surplus. In a nutshell, I think this project is under defined at this point in time, and have concerns that the value of the proposed surplus Pearson Property is being undervalued.

Thanks You,  
Heidi Owens

Lee, Patrick

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**From:** Coyote Ridge Ranch <coyoteridge@tds.net>  
**Sent:** Wednesday, November 25, 2015 2:47 PM  
**To:** Bill Dygert; Lee, Patrick  
**Subject:** Photo from Nov 25, 2015, Upper Pearson Property View



November 25, 2015

Dear Patrick Lee & the Board of County Councilors,

Currently, I feel quite concerned about proposed surplus of approximately 20 acres of the Pearson Property, which was purchased in 1996 with both WWRP and County Conservation Future Funds. Here are the reasons:

1. The original purchase of these lands was to include this property and the adjacent areas into the Regional Trails and Bikeway Systems Plan. It was a promise to Clark County residents.
2. It is not clear exactly what property will be acquired if this property is surplus.
3. The project suggested candidate properties to acquire; however, there is no guarantee. I am against putting a property as valuable as the Pearson property into surplus without the specific plan and contracts of the replacement.
4. I have visited and walked this property. This particular piece is high-land and provides beautiful views to the east, including Mt. Hood. And, it has easy access to I-5.
5. The location, because of its views and high-land setting offers a spectacular location for a picnic shelter, picnic areas, potential camping.
6. The parcel will provide a much better parking lot option than the lower quarter, which is more sloped, in my estimation, and borders the El Paso Natural Gas Property.
7. Because of the ease to I-5, the view, the access from 24<sup>th</sup> Avenue, the potential for a flat parking lot, the property could include a wheel chair accessible paved trail loop that would allow people with disabilities to also enjoy this area.

Although a number of candidate sites are shown in the Public Comment draft, a clear understanding of what is specifically planned is not clear. As I understand it, because of the method by which the Pearson property was purchased, an exchange of property of equal value (both monetarily and to the legacy land program) must be identified. This exchange property is not readily identifiable – if it has been identified. There are proposed candidate sites along the river, and in theory the value of these sound good; however, where is the opportunity for the views, disability access, high-land parking for picnicking available. Please do not underestimate the value of this property. The public needs more time and information to understand the exact implication of putting this property into surplus.

Thank you,  
Heidi Owens  
1101 W 16<sup>th</sup>  
Vancouver, WA 98660

CC'd - Boce

November 24, 2015  
Battle Ground  
Washington

I am writing in regards to the proposed sale of 20 acres of land purchased with the intent of providing a green belt with extensive trails available to the citizens of Clark County. The river needs to be accessible and protected by a buffer which was the idea when the property in question was bought, partially by grants.

I own property within walking distance of the East Fork of the Lewis River and many years ago my family was stopped by "new" neighbors in a "new" subdivision" from accessing the river the way we always had, because now it was "private property". Then the county started buying land along the river and seemed to have the vision that we would have access as a family, via trails that did not go through private property or property in danger of becoming developed.

I ask that the county reconsider it's costly endeavor to give up prime habitat that will enable the citizens of Clark County the ability to access and enjoy one of the county's crown jewels, the East Fork of the Lewis River.

Thank you for your careful consideration to this matter.

Margaret Grant  
26716 NE 96th Ct.  
Battle Ground  
Washington

**Description of the Original Project**

Grant Agreement 96-074 A provided \$893,790 of WWRP-Water Access Account revenues, matched by \$893,790 of County Conservation Futures funding to acquire the following Assessor’s Parcel Serial Numbers:

<u>AP Number</u>	<u>Acquired From</u>	<u>Acres</u>
209480-000	White, Vickie	2.00
209279-000	Mitcham, Robert	23.60
209486-000	Barnhardt, William	19.09
209489-000	Kays, Phyllis	11.91
209749-000	Pearson, Eleanor	69.53
209744-000	Pearson, Eleanor	37.50
209695-000	Pearson, Eleanor	14.99
209739-000	Pearson, Eleanor	5.01
209747-000	Pearson, Francis	47.85
210119-000	Pearson, Francis	<u>12.09</u>
	Total Acres	243.57

Recorded Deeds of Right to the state encompassing all of the above parcels were submitted as required by the grant agreement.

The acquisitions established a 2-mile long greenway segment along the south shoreline (left bank) of the East Fork of the Lewis River between Paradise Point State Park and La Center Road. Map 1.1 shows the 2-mile greenway segment. It also shows the two parcels that are being considered for conversion. The Concept Plan for this greenway segment was to establish a view point and a river-oriented trail system as shown on Exhibit A.

The Regional Trails and Bikeway Systems Plan identifies the East Fork Lewis River Trail as a 28.4 mile multi-use trail extending from the confluence of the North and East Forks of the Lewis River to Sunset Campground near the Skamania County boundary. The plan seeks to accommodate pedestrians, bicycles, equestrians and a water trail. Map 1 places the 2-mile segment toward which grant 96-074 contributed within the context of the 15-mile Lower East Fork Greenway, the area where the greatest acreage of land has been assembled.

The Vancouver Lake - Lewis River Water Trail extends up the East Fork Lewis River to La Center. Both Paradise Point State Park and La Center Bottoms provide paddle craft launch areas. A small boat ramp is

also located at Pollock Road, across the river from La Center Bottoms. The trail system in Paradise Point State Park has been extended into AP # 209747-000. No formal master plan of facilities has been completed for the 2-mile greenway segment and no other public use improvements have been developed. However, informal use of the greenway for swimming, fishing and boating occurs.

#### **Description of the Proposed Conversion**

The proposed conversion involves AP #s 209695-000 and 209739-000. All four parcels owned by Eleanor Pearson were purchased simultaneously to establish the bulk of the greenway. AP #s 209749-000 and 209744-000 are undeveloped with extensive river frontage. AP #s 209695-000 and 209739-000 do not have river frontage, but are on the slope and hilltop adjacent to the parcels with river frontage. AP #209695-000 is undeveloped, but horses graze under a lease agreement in order to keep maintenance costs down. AP #209739-000 includes the Pearson home, which is leased to a residential tenant, with proceeds contributing toward maintenance of conservation lands. The location of these parcels in the context of the greenway is shown on maps 1 and 1.1.

When the Board of County Commissioners authorized the acquisition of AP#s 209695-000 and 209739-000, it was their intent to resell the Pearson home. The staff report requesting authorization to purchase these parcels is attached as Exhibit B. It is unclear why this did not happen. The legal description of the property attached to the Deed of Right included the parcel with the home and may have complicated the resale process. There was also a significant institutional reorganization going on at the time that culminated in 1997 with the consolidation of Clark County Public Works Parks Division with the City of Vancouver Parks and Recreation Department to create the Vancouver-Clark Parks and Recreation Department. Significant staff transition occurred during the reorganization.

While much land has been aggregated by Clark County and partners, particularly along the lower 15 miles of the East Fork Lewis River, some significant gaps remain. The Board of County Councilors wishes to consider whether proceeds from sale of AP #s 209695-000 and 209739-000 may be used to close gaps in the greenway, especially parcels with river frontage, in order to facilitate trail alignment and development.

#### **Discussion of Alternatives**

The Recreation and Conservation Office has a defined process for considering conversions. Key elements include:

- County must complete an alternatives analysis of all opportunities for avoiding the conversion and for replacement properties that provide equivalent recreation value consistent with the grant category for which state funds were awarded.
- County must provide evidence that the public has been given a reasonable opportunity to participate in the identification, development and evaluation of alternatives. The minimum requirement is publication of a notice initiating a 30-day public comment period on an alternatives analysis and a response comments received.

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- If the conversion is not avoided, fair market value of the property to be converted and the substitute property recommended to the State has to be established through appraisals and review appraisals of the properties to assure equal market value.
- Substitute properties may only be acquired from willing sellers and for prices substantiated by the appraisals. Notices of voluntary transactions by, and just compensation to, landowners must be provided.
- Due diligence studies, such as a property boundary survey and level 1 environmental assessment would have to be completed for the recommended substitute parcel(s).

The working draft alternatives analysis was introduced to the Clark County Parks Advisory Board on October 9, 2015. The Public Comment period on the analysis commences October 21, 2015 and closes November 24, 2015.

### **Avoidance of Conversion**

The intended purpose of the proposed conversion is to generate resources with which to close gaps in the Lower East Fork Lewis River Greenway so as to facilitate construction of a regional trail. The trail is planned to extend from the confluence of the East Fork and North Fork of the Lewis River to the Sunset Campground in the Gifford Pinchot National Forest near the Clark/Skamania County Boundary. Only 4.1 miles are currently developed, approximately one mile in Lewisville Regional Park and three miles between Lucia Falls and Moulton Falls Regional Park.

Current Recreation and Conservation Office Policy is that for most grants, including the Water Access category, all structures must be removed or demolished. As indicated above, AP #209739-000 includes a residence in good condition. If not relocated or demolished, RCO would have to approve a re-use plan for the structure. Selling the parcel and purchasing a replacement property would be consistent with RCO policy and the original intent of the grant.

AP #209695-000 is undeveloped. Portions of the parcel along the driveway to the house on AP #209739-000 are on higher ground that is fairly level and could still provide a view opportunity as originally envisioned in the concept plan submitted with the grant application. The view to the east would be obscured by the residence, unless it was removed. If removed, or reused, the home site provides a better viewpoint location.

Water Access Grants are for projects that predominately provide physical access to shorelines for non-motorized, water-related recreation activities such as, but not limited to, boating, fishing, swimming, and beachcombing. The ten parcels acquired with the assistance of grant 96-074 facilitated public access to approximately two miles of the East Fork Lewis River. While purchased simultaneously with parcels providing river access, the two parcels under consideration for conversion do not have river frontage. Sufficient land for a trailhead and other public access amenities exists on other parcels acquired with the assistance of grant 96-074.

Whether or not these parcels are approved for conversion and sold by Clark County, closing gaps in the East Fork Lewis River Greenway and developing a regional trail will continue to be priorities. Resources

generated from the sale of the two properties under consideration for conversion may accelerate the timeframe in which this could be accomplished.

### **Replacement Properties Screening**

The starting point for the alternatives analysis is an inventory of tax lots with river frontage not already dedicated to conservation or recreation along the Lower East Fork from the confluence with the North Fork to Lewisville Park. Some parcels without river frontage are also included where the strip of frontage is narrow or where there is flexibility for linkages and trail alignment. This approach was taken for two reasons:

- Members of the Clark County Board of Councilors wanted to consider the potential conversion and possible replacement acquisitions within this broader context; and
- Contacting landowners to assess if they are potentially willing sellers will be done at a later stage. Screening a broader selection of parcels may enhance the pool of available sellers.

An appraiser has been contracted to assess the market value of the potential conversion parcels with a deliverable anticipated October 23, 2015.

Initial screening criteria included:

- Parcels with river frontage, or that could expand a narrow strip of river frontage;
- Undeveloped, or with very low value structures;
- Contiguous, or proximate to, concentrations of land ownership that already facilitate development of extended trail segments;
- Physical characteristics reasonably able to support trail alignment.

Through this screening, 52 parcels were identified for further review. Map 2.0 overlays candidate replacement parcels with existing conservation lands along the Lower East Fork Lewis River.

### Initial Screening

The study area was divided into five subareas for screening purposes as follows:

Segment 1 – Confluence of the North Fork and East Fork to La Center Road;

Segment 2 – La Center Road to Mason Creek;

Segment 3 – Mason Creek to the Public Works Operations parcels near the abandoned Ridgfield Pits;

Segment 4 – Public Works parcels to Daybreak Road;

Segment 5 – Daybreak Road to Lewisville Park.

## PUBLIC COMMENT DRAFT

Following is a discussion by each of the segments with subsections for parcels north and south of the East Fork Lewis River. Maps 1 and 2 show the enlargement area for each segment. For each segment the following series of exhibits is provided:

- Existing conservation lands;
- Candidate parcels for replacement;
- Aerial photographs with existing conservation lands and candidate replacement properties;
- Environmental constraints;
- Topographic map (10-foot contours).



CLARK COUNTY STAFF REPORT

DEPT/DIVISION: Public Works/Parks and Recreation  
DATE: May 28, 1996  
REQUEST: Board of County Commissioners Accept and Approve Statutory Warranty Deed for Lewis River Greenway  
CHECK ONE:  Consent  Routine

**BACKGROUND:** In November, 1993, the Board of County Commissioners authorized the Parks and Recreation Division to seek acquisition of 19 projects as part of the conservation futures project. These projects largely followed the recommendations of the citizen Open Space Commission and included, as a high priority, acquisitions on the East Fork of the Lewis River.

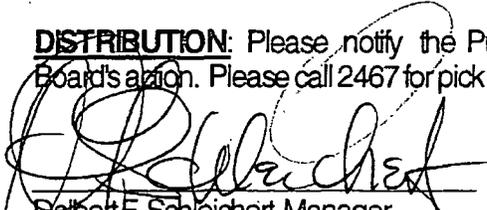
This acquisition is for a portion of the Howard and Eleanor Pearson property, located on the East Fork Lewis River immediately upstream from Paradise State Park. This 20 acre parcel includes the Pearson family home, which will be resold. This parcel is currently held by the Pearson Family Trust.

**ACTION REQUESTED:** It is requested that the Board of County Commissioners accept and approve the Statutory Warranty Deed for placing in escrow for closing.

**BUDGET IMPLICATIONS:** The purchase price of \$395,500.00 is within the amount budgeted for this project, and has been previously authorized.

**POLICY IMPLICATIONS:** This request for acceptance of the deed is consistent with previous Board approval regarding conservation futures and this acquisition.

**DISTRIBUTION:** Please notify the Public Works Department, Parks and Recreation Division of the Board's action. Please call 2467 for pick up of the document.

  
Delbert F. Schleichert, Manager  
Parks and Recreation Division

Approved: 6/18/96  
Clark County Board of Commissioners

  
Ron S. Bergman  
Director of Public Works

SR 213-96

Attachments: Resolution  
Statutory Warranty Deed  
Map

Serial #: Portion of 209695 & 209739  
Project:: Lewis River Greenway  
W. O. # 16200

9606250411

9

CCT 46859CF

STATUTORY WARRANTY DEED

THE GRANTOR, ELEANOR L. PEARSON, Sole Trustee, or her Successors in Trust, under the Pearson Family Living Trust, Dated February 16, 1996, and any amendments thereto, for and in consideration of valuable consideration as set out in part below, conveys and warrants to CLARK COUNTY, WASHINGTON, A Municipal Corporation, its heirs and assigns, the following described real estate situated in the County of Clark, State of Washington, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO, WHICH, BY THIS REFERENCE, IS INCORPORATED HEREIN

The Grantor represents and warrants that he is not aware of any hazardous or toxic waste, substance or materials on or under the subject property.

NOTE: It is understood and agreed that the delivery of this deed is hereby tendered and the terms and obligations hereof shall not become binding upon Clark County, Washington, until this document is accepted and approved by the Clark County Board of County Commissioners.

NOTE: The provisions of the Real Estate Purchase and Sale Agreement dated May 23, 1996 shall survive closing.

CONSIDERATIONS: Three Hundred Ninty Five Thousand, Five Hundred and No/100 Dollars (\$395,500.00)



DATED this 18 day of June, 1996

*Eleanor L. Pearson*  
Eleanor L. Pearson Trustee

Eleanor L. Pearson, Sole Trustee, or her Successors in Trust under the Pearson Family Living Trust dated February 16, 1996, and any ammendments thereto

BOARD OF COUNTY COMMISSIONERS  
CLARK COUNTY, WASHINGTON  
*Dave Sturdevant*  
Dave Sturdevant, Chair

Real Estate Engineer  
Ch. 11 Rev. Laws 1991

398804

Betty Sue Morris, Commissioner

\$6,051.15 has been paid

PL # 398804 Date 6/25/96

Mel Gordon, Commissioner

67, 253 Ad. No.

Doug Leshar

Clark County Treasurer

PARKS AND RECREATION DIVISION ♦ CLARK COUNTY PUBLIC WORKS

R.S.

NOTARIAL ATTACHMENT  
STATUTORY WARRANTY DEED

Serial #: Portion of 208595 & 208739  
Project:: Lewis River Greenway  
W. O. #: 16200  
Grantor: Eleanor L. Pearson  
Grantee: CLARK COUNTY, WASHINGTON, a Municipal Corporation

STATE OF WASHINGTON

COUNTY OF CLARK

I hereby certify that I know or have satisfactory evidence that Eleanor L. Pearson is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATE: June 21, 1996

Cheryl J. Flack

Notary public in and for the State of WA  
residing at Battle Ground  
My commission expires 2/1/98.





DEPARTMENT OF  
PUBLIC WORKS

Superior service that is responsive and cost justified.

DESIGN & ENGINEERING  
SURVEY

### DESCRIPTION 20 ACRE PARCEL

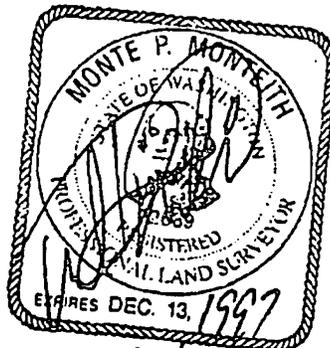
A parcel of land lying in the Northwest 1/4 and the Northeast 1/4 of Section 4, Township 4 North, Range 1 East of the Willamette Meridian, said parcel being more particularly described as follows:

Commencing at a stone with "+" marking the Southwest corner of Section 33, Township 5 North, Range 1 East and running thence S88°23'22"E a distance of 1272.21 feet along the Northerly line of said Section 4 to the Northeast corner of that certain tract of land described in that certain Real Estate Contract recorded November 26, 1975 under Auditor's file G 707347, Deed Records of Clark County, Washington; thence S 00°59'55" W, parallel with the Westerly line of said Section 4 a distance of 643.80 feet to a point on the South boundary line of the North half of the Northeast quarter of the Northwest quarter of said Section 4, said point being on the centerline of NW 24th Avenue, formerly known as Cowley Road; thence along said centerline S 01°53'40" W a distance of 111.31 feet to the True Point of Beginning; thence continuing along said centerline run S 01°53'40" W a distance of 532.00 feet; thence S 88°18'41" E a distance of 722.62 feet; thence along an existing fence run S 02°40'15" W a distance of 254.56 feet; thence S 01°49'47" W a distance of 116.46 feet; thence S 02°00'28" W a distance of 82.91 feet; thence S 89°39'42" E a distance of 224.06 feet; thence S 08°24'18" E a distance of 136.90 feet; thence S 72°09'57"E a distance of 4.70 feet; thence N 56°14'40" E a distance of 65.37 feet; thence N 02°45'00" E a distance of 100.17 feet; thence departing from said fence line S 89°39'42" E a distance of 260.60 feet; thence N 02°26'04"E a distance of 692.37 feet; thence N 72°34'27" W a distance of 61.78 feet; thence N 59°13'50" W a distance of 546.25 feet; thence N 88°18'41" W a distance of 755.35 feet to the True Point of Beginning, all in Clark County, Washington.

This parcel contains 20.00 acres, more or less, based on calculations using the double meridian distance method.

FILED FOR RECORD  
CLARK COUNTY TITLE  
JUN 25 2 30 PM '95

REGISTERED  
ELIZABETH A. LUCE

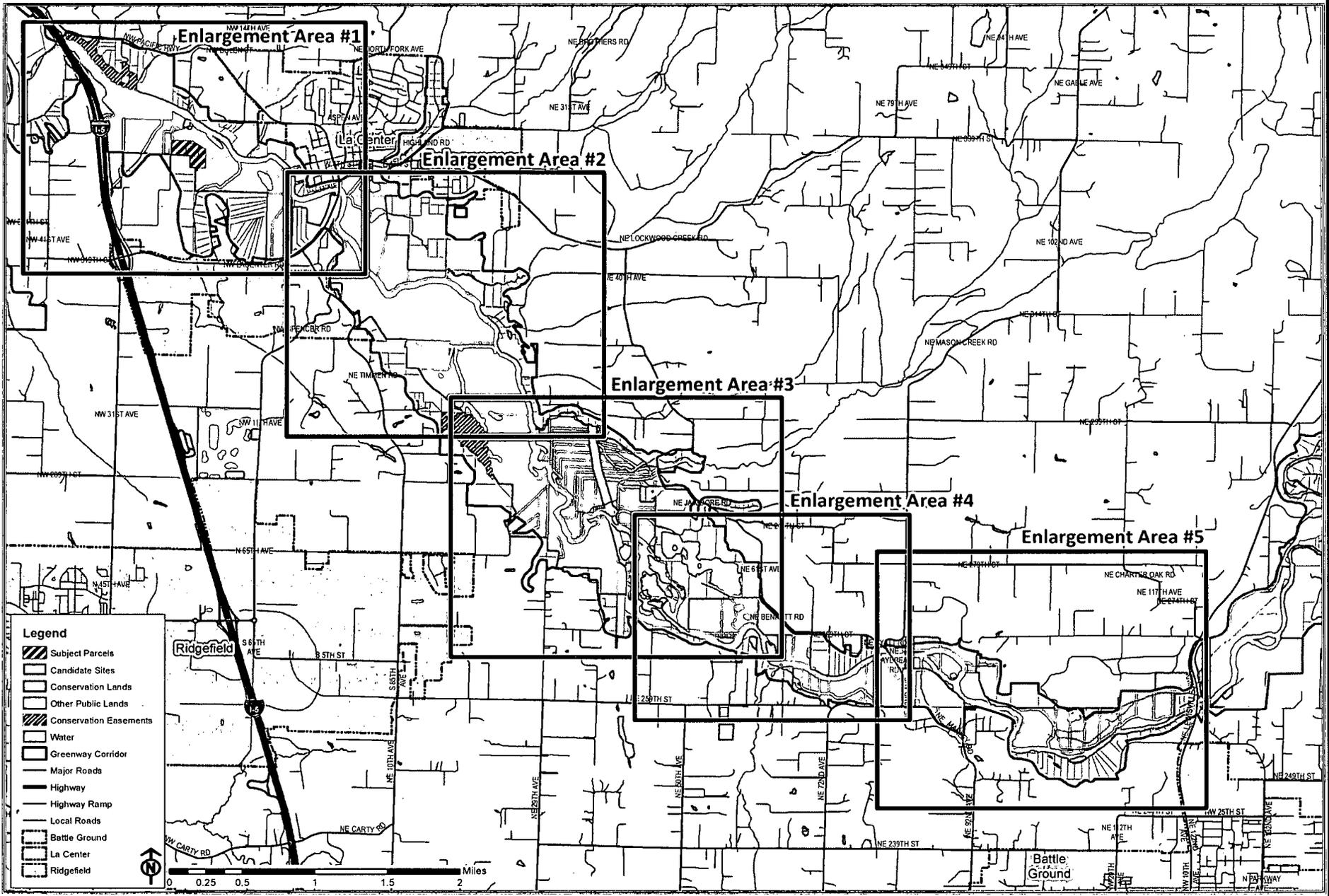


10/25/95

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**MAP 2: Overview - East Fork Lewis River Greenway**  
Candidate Parcels for Replacement

**Segment 1:**

**Conservation and Recreation Land – North side of the River:** West of I-5, the Washington Department of Fish and Wildlife owns the 48.5 acre “Two Forks” property at the confluence of the North and East Forks of the Lewis River. East of I-5 a conservation easement covers approximately 30 acres extending north from the river across ten parcels including four owned by Clark County, two owned by the Columbia Land Trust and four owned by private parties. All of these have building envelopes identified outside of the easement area.

Adjacent to this cluster of parcels is a large 40-acre property (AP #258654-000) with a home and some outbuildings. It has 1,385 linear feet of river frontage as well as frontage on Pacific Highway. It is the best opportunity to make a significant addition to the greenway on the north side of the river between I-5 and La Center Road. East (upstream) of this property a high degree of parcelization has occurred. While there are some undeveloped properties with river frontage and a few parcels larger than ten acres in size, they are interspersed with smaller lots, many with homes constructed on them.

**Conservation and Recreation Land – South side of the River:**

Paradise Point State Park encompasses six parcels totaling 80 acres. Between I-5 and La Center Road, there is almost continuous conservation and recreation ownership along the river except for two small gaps. The Pearson Trust owns a five acre AP #209707-000 on the west side of 24<sup>th</sup> Avenue, just down the hill from the two parcels under consideration as surplus. Parcel includes a residence and two outbuildings. County has a first right of refusal to acquire 209707-000. El Paso Natural gas holds an easement interest in a 1.13 acre parcel with river frontage immediately downhill from the County-owned property under consideration for surplus. AP #s209297-000 and 209285-000 are contiguous parcels owned by the same family slightly downstream of La Center Road. These are irregularly shaped parcels that create about a 200 foot gap in conservation ownership along the river. One is undeveloped and one has an expensive home on it, although it is located adjacent to La Center Road. Much of the parcels are wetland, including the area with river frontage, although an existing levee may provide a trail alignment opportunity.

**Segment 1 Recommendation:**

Closing the small gaps in the large swath of public lands on the south side of the river is a higher priority in this segment than seeking to expand a non-continuous greenway on the north side. All four parcels identified through the screening are worth consideration as candidate replacement properties. West of I-5, AP #209904-000 is a 2.08 acre private inholding within the park. It is undeveloped, with a portion apparently being used for park purposes. State Parks would be the logical owner/manager of this property if it was to be acquired.

County has first right of refusal to acquire AP #209707-000. Structures would have to be removed to remain consistent with RCO policy. The outbuildings are in poor shape. The residence is in fair shape, but not as good as the house on AP #209739-000 under consideration for conversion. Acquiring AP #209707-000 would square off existing county greenway ownership, including the parcels under

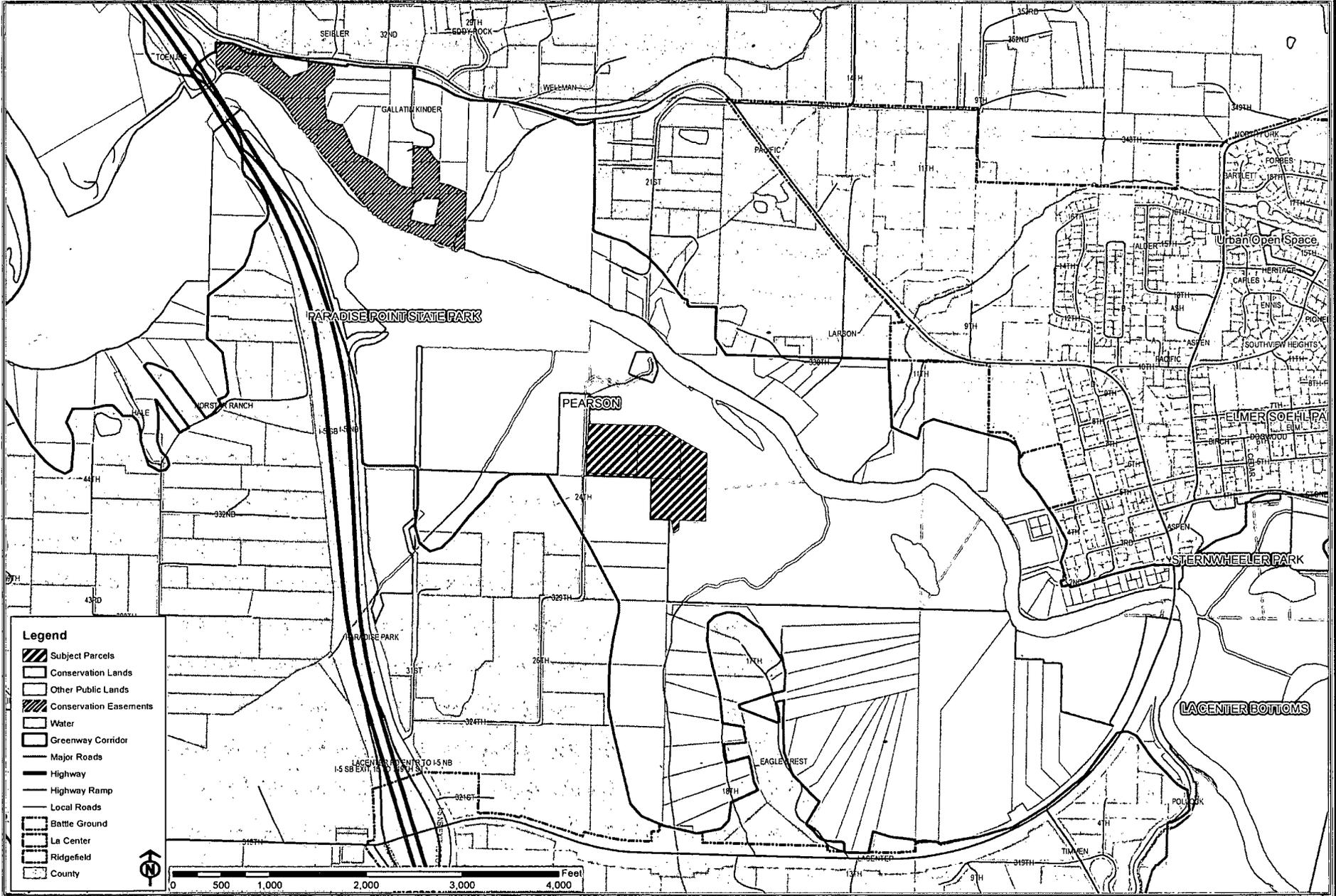
PUBLIC COMMENT DRAFT

consideration for conversion. It also encompasses some high ground that could provide a view opportunity.

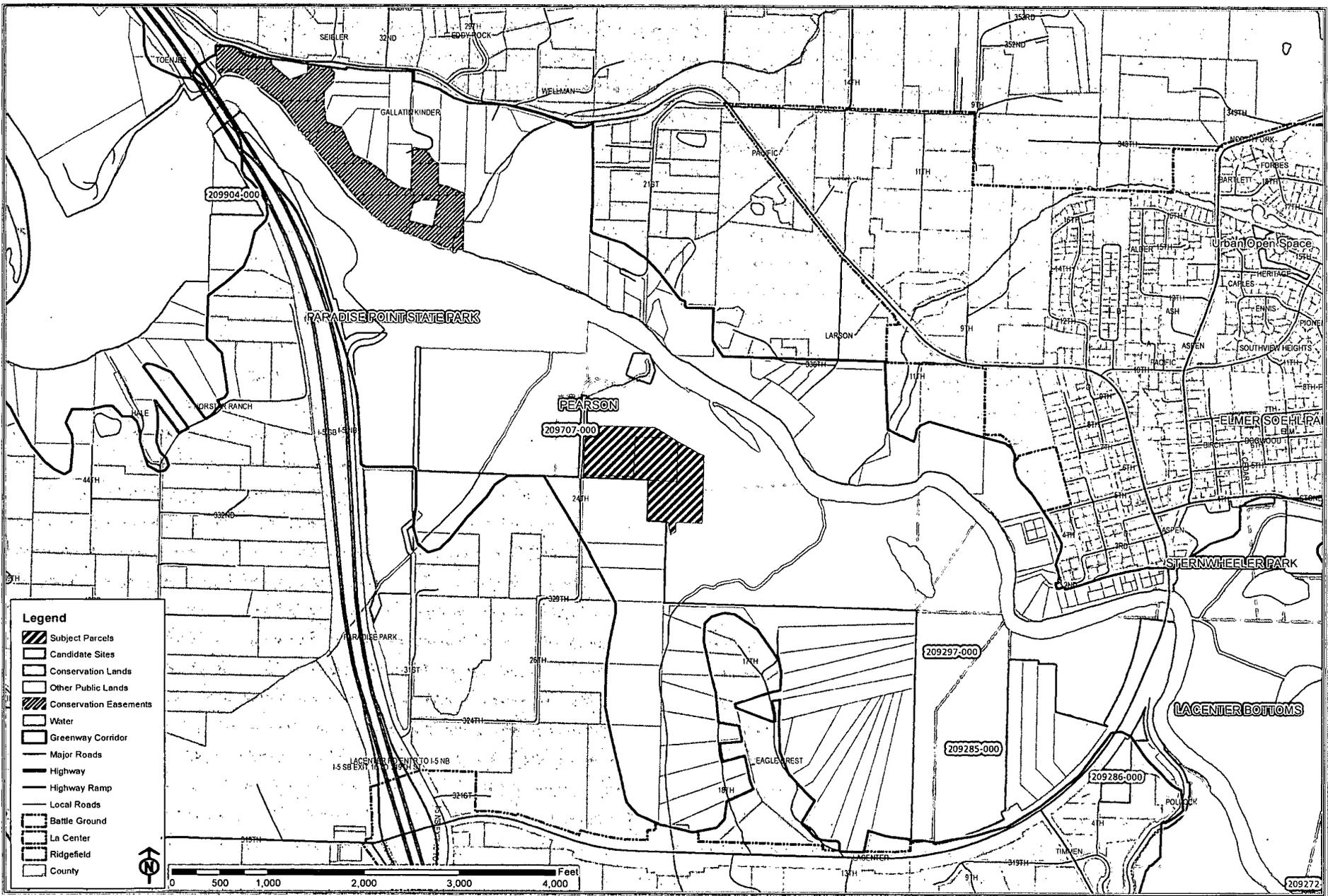
AP #s 209297-000 and 209285-000 are the highest priorities for acquisition as replacement properties in Segment 1. Acquisition would close a gap in public ownership along the greenway. Zoning for these parcels is Agriculture 20-acre minimum lot size. Together they encompass approximately 50 acres. A likely acquisition strategy would be to boundary line adjust the parcels to create a ten-acre conveyance parcel. This would allow the existing parcels to remain consistent with zoning minimum lot size requirements while effectively squaring-off public ownership of the greenway, including the direct river frontage. This area is largely wetlands, but there is a levee along the river that could provide a trail opportunity.

An added reason to focus on replacement properties in this segment is that a significant habitat restoration project along McCormick Creek, funded in part through Salmon Recovery Funding Board grant no. 15-1119, is scheduled for construction in 2016. McCormick Creek is about half way between Paradise Point State Park and La Center Road. The proposed construction access would begin along NW 24<sup>th</sup> Avenue between the potential conversion parcels and AP #209707-000, then follow the El Paso Natural Gas Easement a short way before traversing the field between the potential conversion parcels and the East Fork Lewis River, through a narrow forested slope to the restoration area. Restoration will occur on county properties on both side of the Creek and a fish friendly crossing of the creek could be constructed to access the east side of the restoration area. After construction is complete it would be possible to utilize the construction access as a trail corridor along the greenway. From the east side of the McCormick Creek restoration area a trail extension of less than 1,000 feet would enable access to the levee, which could then be an alignment through which to complete the greenway trail to La Center Road.

Segment 1 – Priority Candidate Replacement Properties								
Parcel #	Zoning	Acres	Assessed Building Value \$	Assessed Land Value \$	Acres Floodway	Acres Floodplain	Acres - Other Wetland	Acres >25% Slope
209904-000	R-5	2.28	0	103,708	0.17	1.00	0.33	0.73
209707-000	Ag-20	5.03	164,110	153,006	0.00	0.00	0.00	0.00
209297-000	Ag-20	22.00	0	260,045	12.88	5.96	0.00	1.88
209285-000	Ag-20	30.00	383,596	304,543	10.55	12.71	0.00	4.65

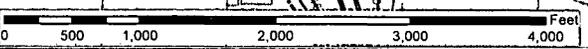


**MAP 1.1: Enlargement Area #1 - Parcel Map**  
Existing Conservation Lands

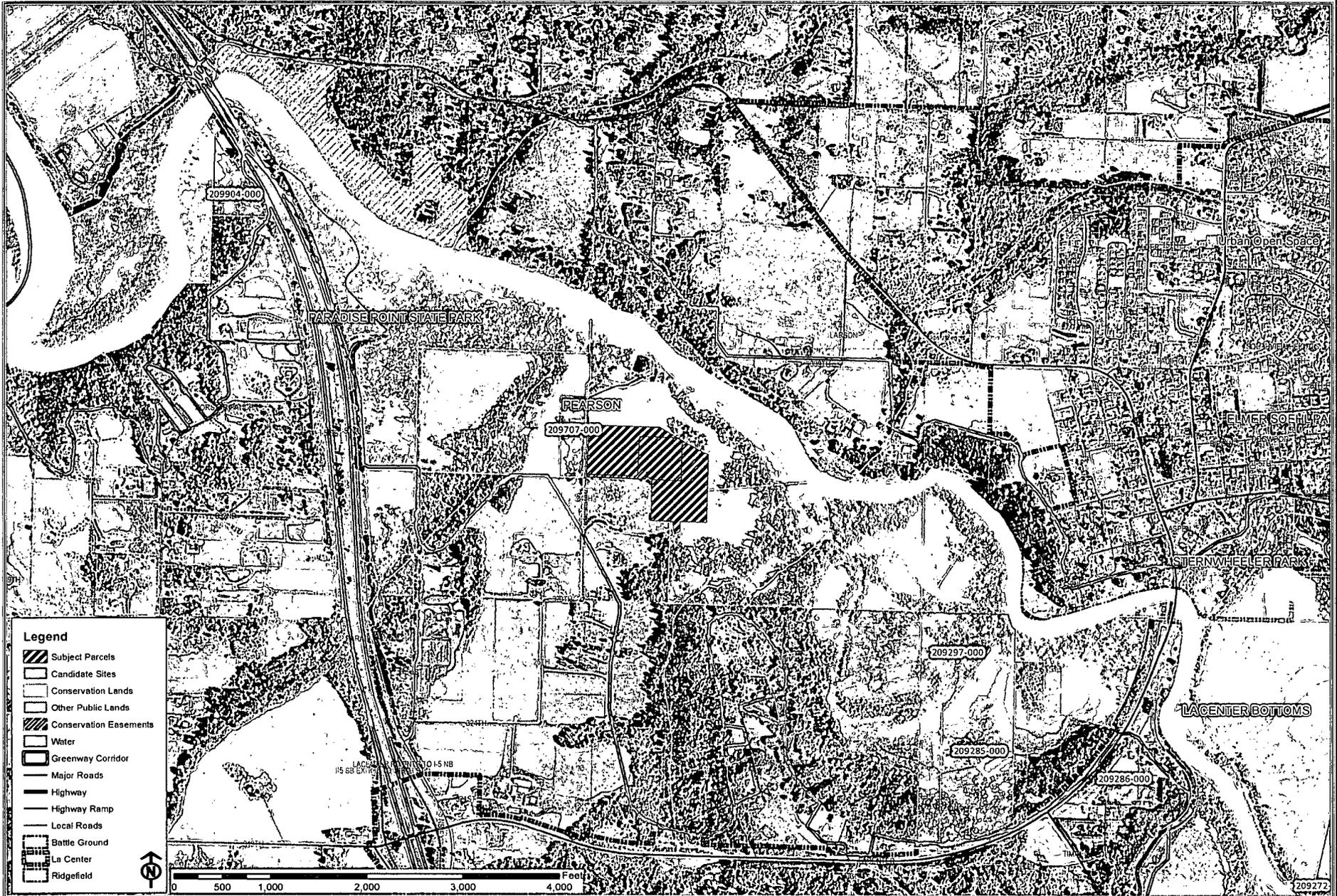


**Legend**

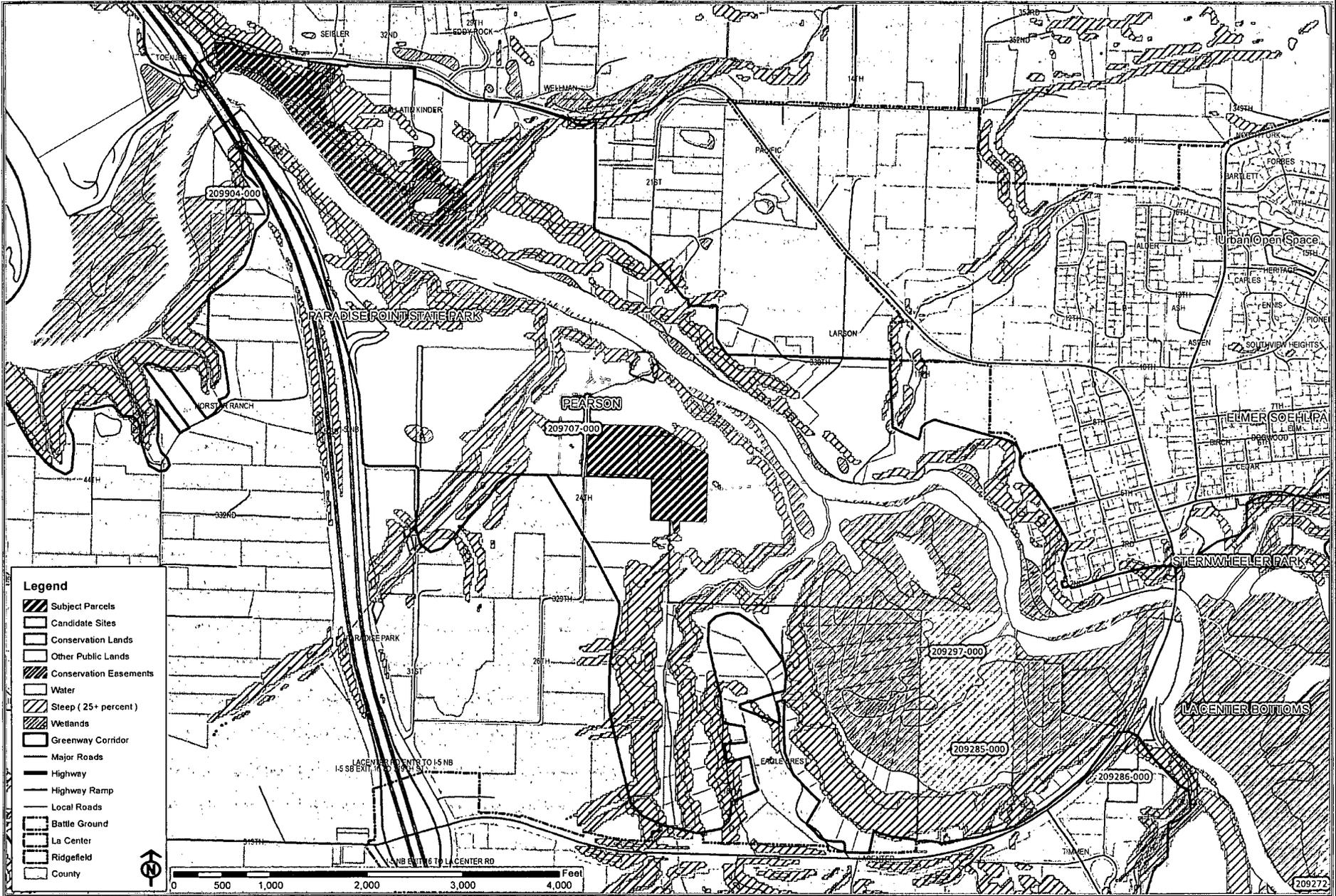
- Subject Parcels
- Candidate Sites
- Conservation Lands
- Other Public Lands
- Conservation Easements
- Water
- Greenway Corridor
- Major Roads
- Highway
- Highway Ramp
- Local Roads
- Battle Ground
- La Center
- Ridgefield
- County



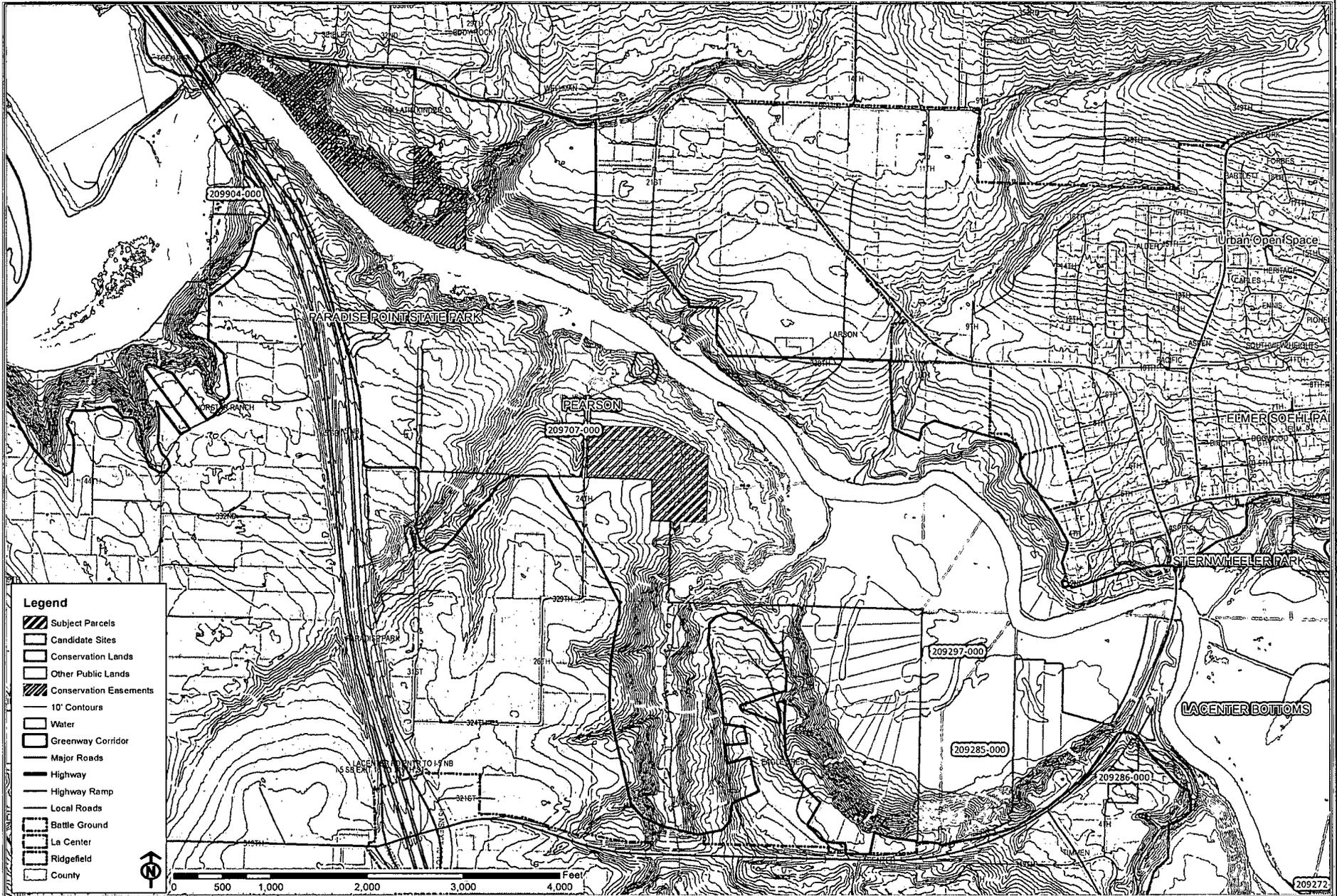
**MAP 2.1A: Enlargement Area #1 - Parcel Map**  
 Candidate Parcels for Replacement



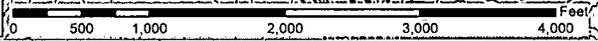
**MAP 2.1B: Enlargement Area #1 - Aerial Map**  
 Candidate Parcels for Replacement



**MAP 2.1C: Engagement Area #1 - Environmental Constraints**  
 Candidate Parcels for Replacement



- Legend**
- Subject Parcels
  - Candidate Sites
  - Conservation Lands
  - Other Public Lands
  - Conservation Easements
  - 10' Contours
  - Water
  - Greenway Corridor
  - Major Roads
  - Highway
  - Highway Ramp
  - Local Roads
  - Battle Ground
  - La Center
  - Ridgefield
  - County



**MAP 2.1D: Enlargement Area #1 - Topographic Map**  
 Candidate Parcels for Replacement

**Segment 2:**

**Conservation and Recreation Land – North side of the River**

Clark County Parks and Clark County Legacy Lands own 6 parcels totaling 117 acres immediately west of La Center Road. The City of La Center also a 5.24-acre parcel dedicated to park uses. Moving upstream there are several large undeveloped parcels and parcels with low value structures that would make excellent extensions of the Greenway. These include: AP #s 209272-000, 211682-000, 211710-000, 211709-000, 611546-000, and 211690-000. There are also two parcels, AP #s 211703-000 and 211687-000, each about 20 acres in size with residences but that also have significant shoreline frontage that may be considered. Topography is fairly gentle from La Center Bottom to Stoughton Road and then it becomes more challenging. There is also denser development at NE 315<sup>th</sup> Street/NE 26<sup>th</sup> Avenue and at Stoughton Road. Aligning a trail through these areas may be a challenge.

**Conservation and Recreation Land – South side of the River:**

The biggest challenge for continuing the greenway trail upstream along the South side of the East Fork Lewis River is crossing La Center Road. The road has fairly steep embankments on either side. There is one small parcel owned by Clark County Parks on the east side of the road at the river. However accessing it may be a challenge. Acquiring all or a portion of AP #209286-000 may provide some flexibility in trail alignment between La Center Road and Pollock Road. Otherwise, an on-street trail along La Center Road to Timmen Road to Pollock Road is possible. From Pollock Road east, there is continuous conservation land ownership for approximately four river miles. This includes the entirety of Segment 2 and a portion of Segment 3. Equestrians frequently use Segments 2 and 3 South. Hunting is also popular on the Washington Department of Fish and Wildlife land in Segment 2.

**Segment 2 Recommendation:**

There are opportunities to facilitate significant trail extensions on both the north and south sides of the East Fork Lewis River in segment 2. On the north a developed trailhead, park with restroom and paddle craft launch area are constructed at La Center Bottoms. Also constructed is a 0.7 mile trail extending from the trailhead through an upland area, over Brezee Creek and then accessing the bottomlands with the trail ultimately extending along the right bank levee. Viewing blinds have been constructed to observe waterfowl and other wildlife using the bottomlands.

From the end of the levee trail there is a ranch road that extends approximately 1.4 miles through most of the candidate replacement parcels in this segment until Fairview Schoolhouse Creek. Utilizing the road as a trail corridor would be feasible were the parcels publicly-owned. AP #s 209272-000 and 211682-000, both undeveloped, would facilitate nearly a 0.6 mile extension of the trail. AP #211703-000 would enable another 0.3 mile extension. However, there is a residence constructed at the upstream end of the parcel. Exploring trail easements from AP #211703-000 upstream may be more

PUBLIC COMMENT DRAFT

viable than fee acquisition due to the denser development at NE 315<sup>th</sup> Street/NE 26<sup>th</sup> Avenue and at Stoughton Road.

On the south side of Segment 2, the house on AP #209286-000 is located on that portion of the parcel nearest to Timmen Road. Zoning is Mixed Use, so it may be possible to boundary line adjust to acquire the portion closest to the river to provide flexibility for aligning a trail across La Center Road. This would also complement the Pollock Road boat launch located between that property and the river.

A habitat restoration project is also underway in the south side of Segment 2. Temporary construction access is using an old, little used maintenance road from Pollock Road to a planned channel reconnection site near River Mile 5 that may be transitioned into a trail connection through this segment.

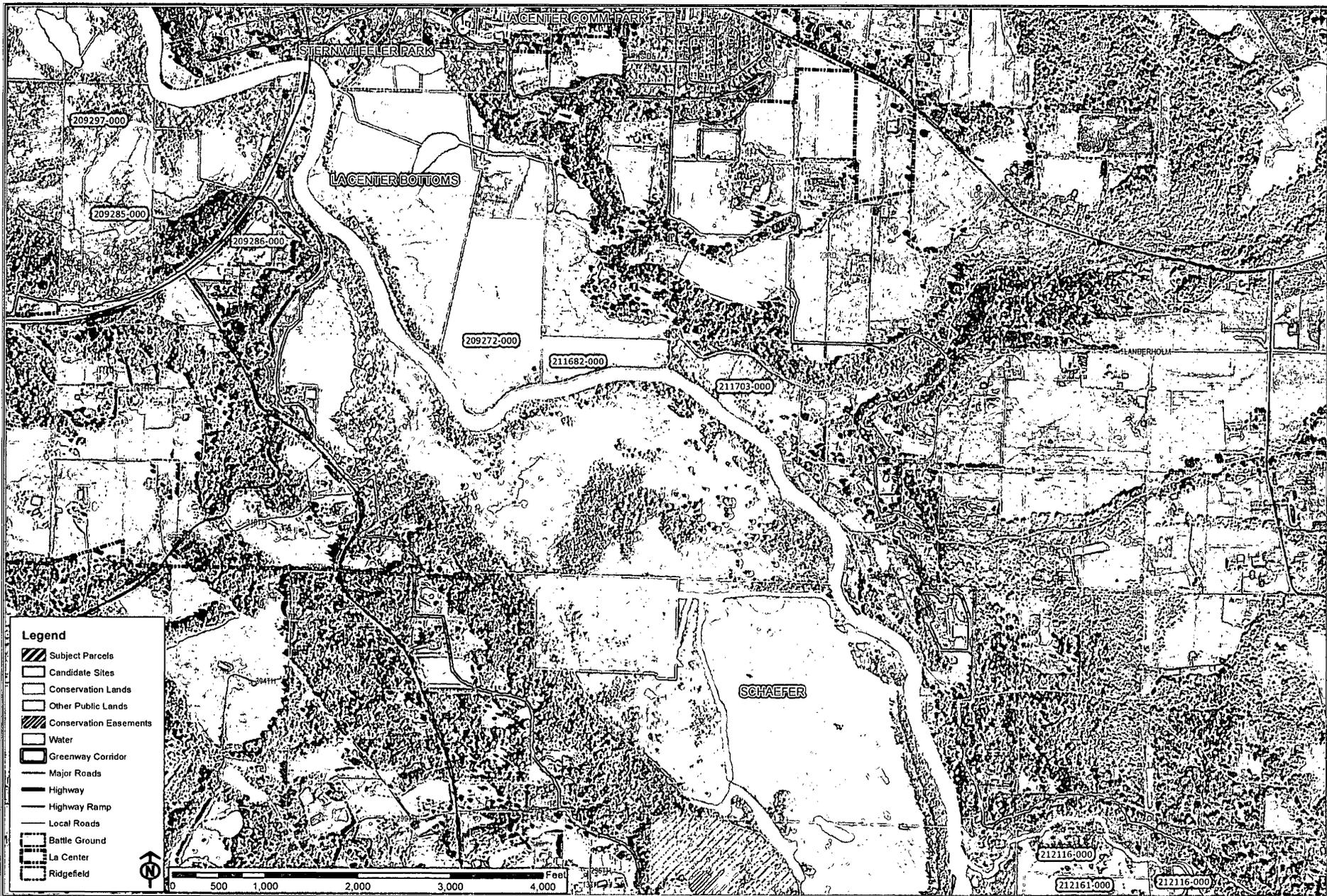
Segment 2 – Priority Candidate Replacement Properties								
Parcel #	Zoning	Acres	Assessed Building Value \$	Assessed Land Value \$	Acres Floodway	Acres Floodplain	Acres Other Wetlands	Acres > 25% Slope
209272-000	P/WL	44.90	0	206,843	28.30	16.60	0.00	0.00
211682-000	Ag-20	13.06	0	144,912	4.99	8.07	0.00	0.00
211703-000	Ag-20	20.56	192,509	180,211	2.21	18.35	0.00	0.00
209286-000	MU	6.70	255,281	178,663	0.00	0.00	0.00	0.08



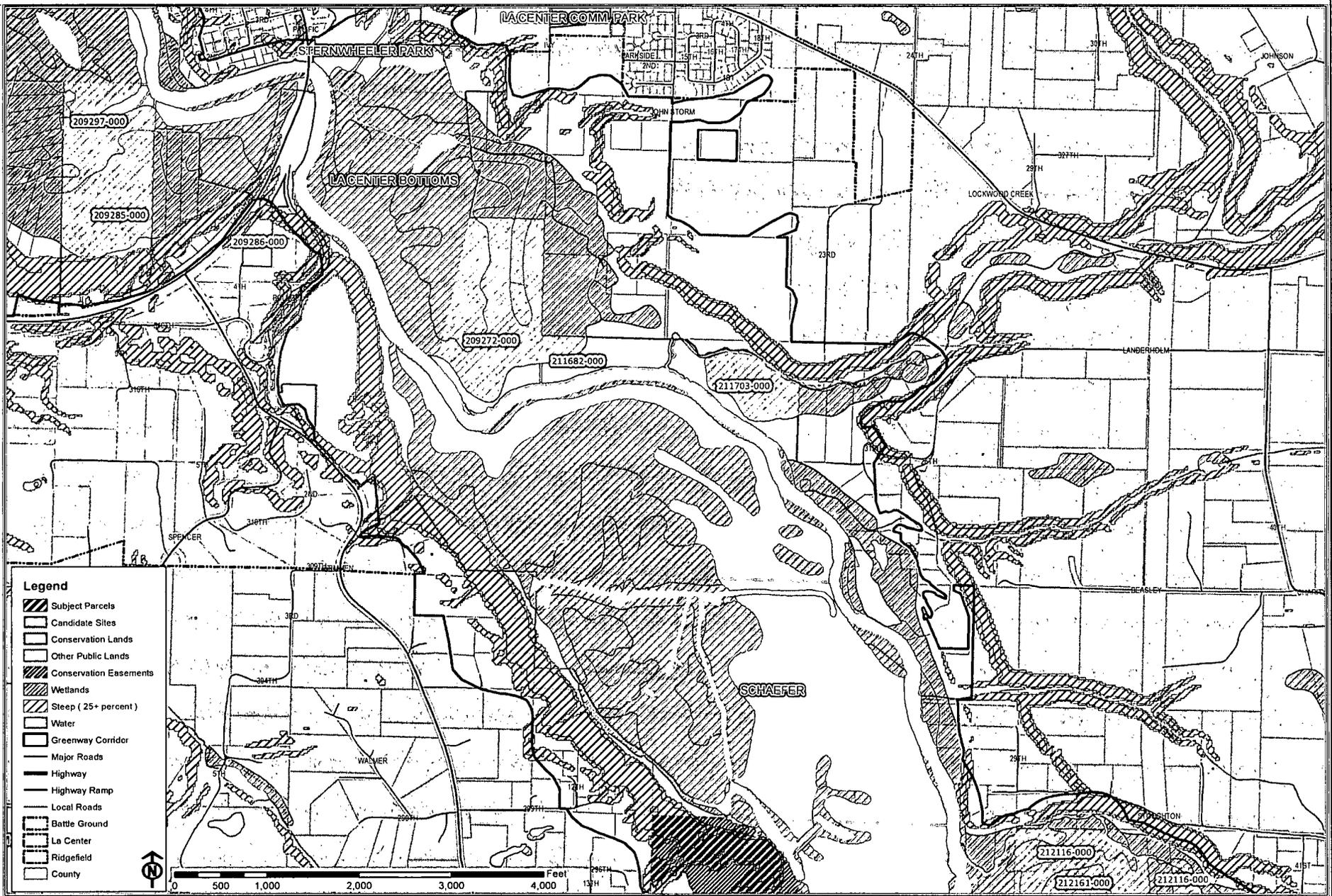
**MAP 1.2: Enlargement Area #2 - Parcel Map**  
 Existing Conservation Lands



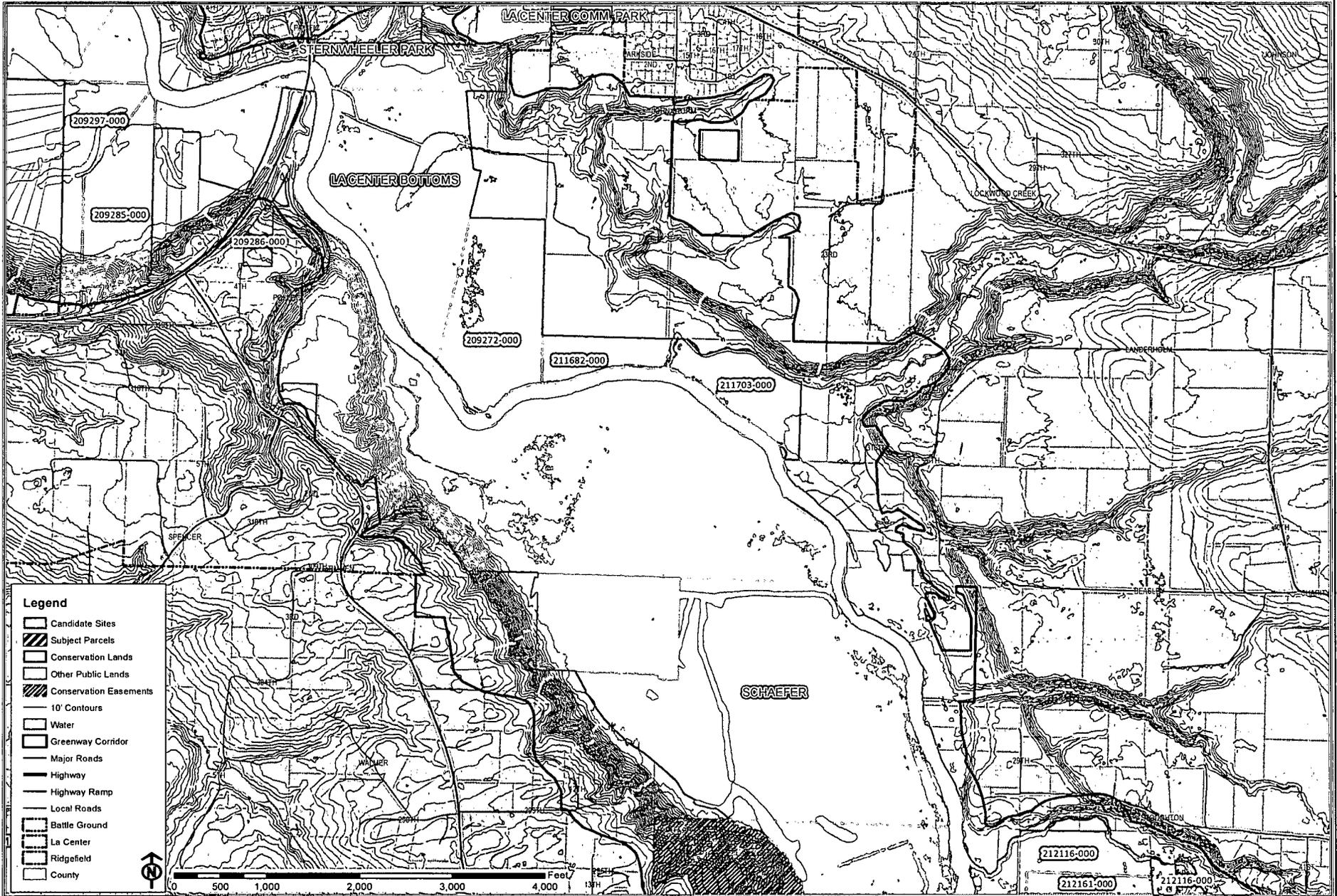
**MAP 2.2A: Enlargement Area #2 - Parcel Map**  
 Candidate Parcels for Replacement



**MAP 2.2B: Enlargement Area #2 - Aerial Map**  
 Candidate Parcels for Replacement



**MAP 2.2C: Enlargement Area #2 - Environmental Constraints**  
 Candidate Parcels for Replacement



**MAP 2.2D: Enlargement Area #2 - Topographic Map**  
 Candidate Parcels for Replacement

**Segment 3:**

**Conservation and Recreation Land – North side of the River**

There is about 70 acres of conservation land in this segment including a 19-acre parcel at the mouth of Mason Creek and a 52-acre parcel near the mouth of Dean Creek. Acquisition in fee or a trail easement across ten properties is needed to connect the ownership at Mason Creek with the Dean Creek ownership. Connecting these properties would enable a mile long river-oriented trail segment.

From the Dean Creek property a connection to parcels owned by Public Works can be made through the Storedahl property and property owned by the Pacific Rock Environmental Enhancement Group. The Pacific Rock property is the abandoned Ridgefield sand and gravel mine. The East Fork Lewis River avulsed through the pits in 1996 resulting in interspersed uplands and the river and former gravel washing ponds.

The Storedahl property is actively being mined for gravel. However, a requirement of the habitat conservation plan is to reclaim the property and to make it available to a governmental or non-profit conservation entity, together with a stewardship fund to maintain the reclaimed mine. Storedahl parcels through which trail connections may be explored as habitat conservation plan conditions are fulfilled include: AP #212110-000, 212163-000, 212114-000 and 214676-000.

**Conservation and Recreation Land – South side of the River:**

There is about 280 acres of conservation land in this segment that encompasses most of the bottomlands. However there is a very narrow strip along the river where five parcels extend from the uplands, down the south wall of the river valley and onto the bottomlands. Acquiring those portions that extend onto the bottomlands would provide some flexibility for trail alignment. The parcels include: 212382-000, 212375-000, 212378-000, 212380-000, and 212109-000.

Pacific Rock Environmental Enhancement Group AP #214735-000 is adjacent to the conservation ownership. At the southeastern end of this parcel the sheer cliff that forms the south river valley wall precludes alignment of an all-weather multi-purpose trail on the south side of the river. Alternatives are to try to connect to the north side of the river across the Pacific Rock property, or to switch back up the slope to the top of the cliff across several private properties that take access off of NE 259<sup>th</sup> St. As indicated, the Pacific Rock property is very fragmented. Significant landform modification or a series of bridges across the property may be necessary to align a trail.

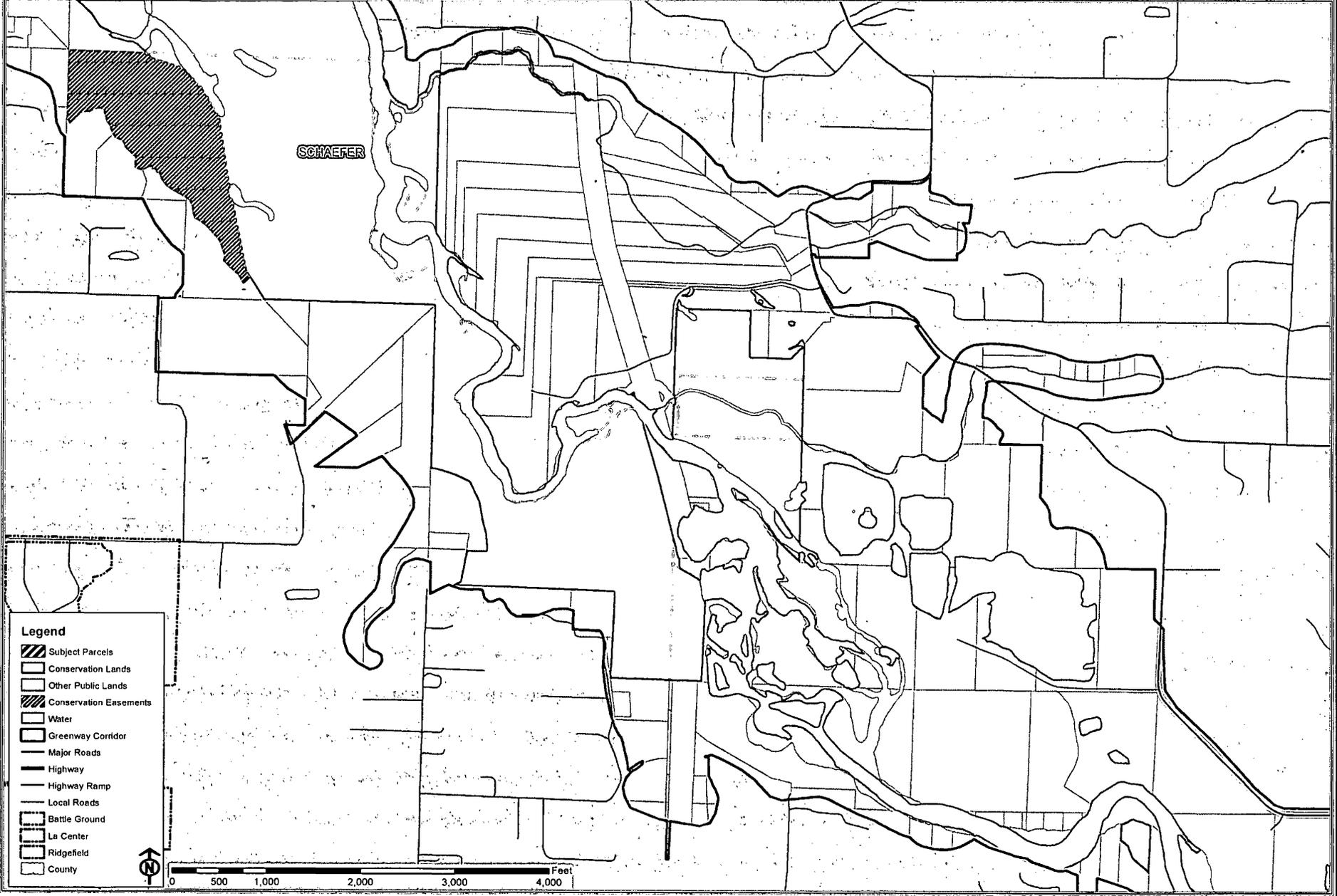
**Segment 3 Recommendation:**

The highest priority would be to pursue acquisition of the ten parcels on the north side of the river. This would enable aligning a trail from Mason Creek through the Public Works properties in Segment 4, a distance of three miles. The owners of these parcels had approached the County a few years ago about selling the land for conservation. Appraisals for two of the parcels were completed. However, the valuations did not meet seller expectations and acquisition discussions were discontinued.

PUBLIC COMMENT DRAFT

On the south side, four of the five candidate replacement parcels are zoned Agriculture – 20 acre minimum lot size and one is split-zoned Agriculture 20 (Ag-20) and Rural 5 (R-5). The agriculturally zoned properties barely meet the minimum lot size requirement per property owner, so boundary line adjustments to acquire those portions in the bottomlands is not possible. AP #s 212382-000 and 212109-000 are undeveloped and acquisition in fee could be considered. For the other parcels, it may be best to seek conservation easements over the bottomlands.

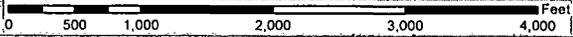
Segment 3 – Priority Candidate Replacement Properties								
Parcel #	Zoning	Acres	Assessed Building Value \$	Assessed Land Value \$	Acres Floodway	Acres Floodplain	Acres Other Wetlands	Acres > 25% Slope
212116-000	Ag-20	24.63	0	144,363	20.38	4.25	0.00	0.00
212161-000	Ag-20	25.17	0	148,410	22.07	3.10	0.00	0.00
212160-000	Ag-20	21.21	0	162,079	10.82	10.39	0.00	0.00
212159-000	Ag-20	20.52	0	164,287	16.63	3.89	0.00	0.00
212158-000	Ag-20	20.57	6,685	162,495	16.92	3.65	0.00	0.00
212157-000	Ag-20	20.50	0	163,799	18.20	2.30	0.00	0.00
212156-000	Ag-20	21.70	296,627	132,011	19.57	2.13	0.00	0.00
212155-000	Ag-20	20.30	0	161,831	18.74	1.56	0.00	0.00
212154-000	Ag-20	20.63	260,763	129,708	18.84	1.79	0.00	0.00
212151-000	Ag-20	29.80	164,363	160,298	27.79	2.01	0.00	0.00
212382-000	Ag-20	20.76	0	263,046	0.00	17.10	0.00	1.75
212375-000	Ag-20	14.31	867,282	278,255	0.00	6.89	0.00	2.28
212378-000	Ag-20	5.85	0	173,131	0.00	1.53	0.00	1.96
212380-000	Ag-20	19.88	321,865	332,005	0.00	10.53	0.00	2.80
212109-000	Ag-20/ R-5	12.00	0	259,813	0.00	0.00	0.00	2.53



SCHAEFER

**Legend**

-  Subject Parcels
-  Conservation Lands
-  Other Public Lands
-  Conservation Easements
-  Water
-  Greenway Corridor
-  Major Roads
-  Highway
-  Highway Ramp
-  Local Roads
-  Battle Ground
-  La Center
-  Ridgefield
-  County

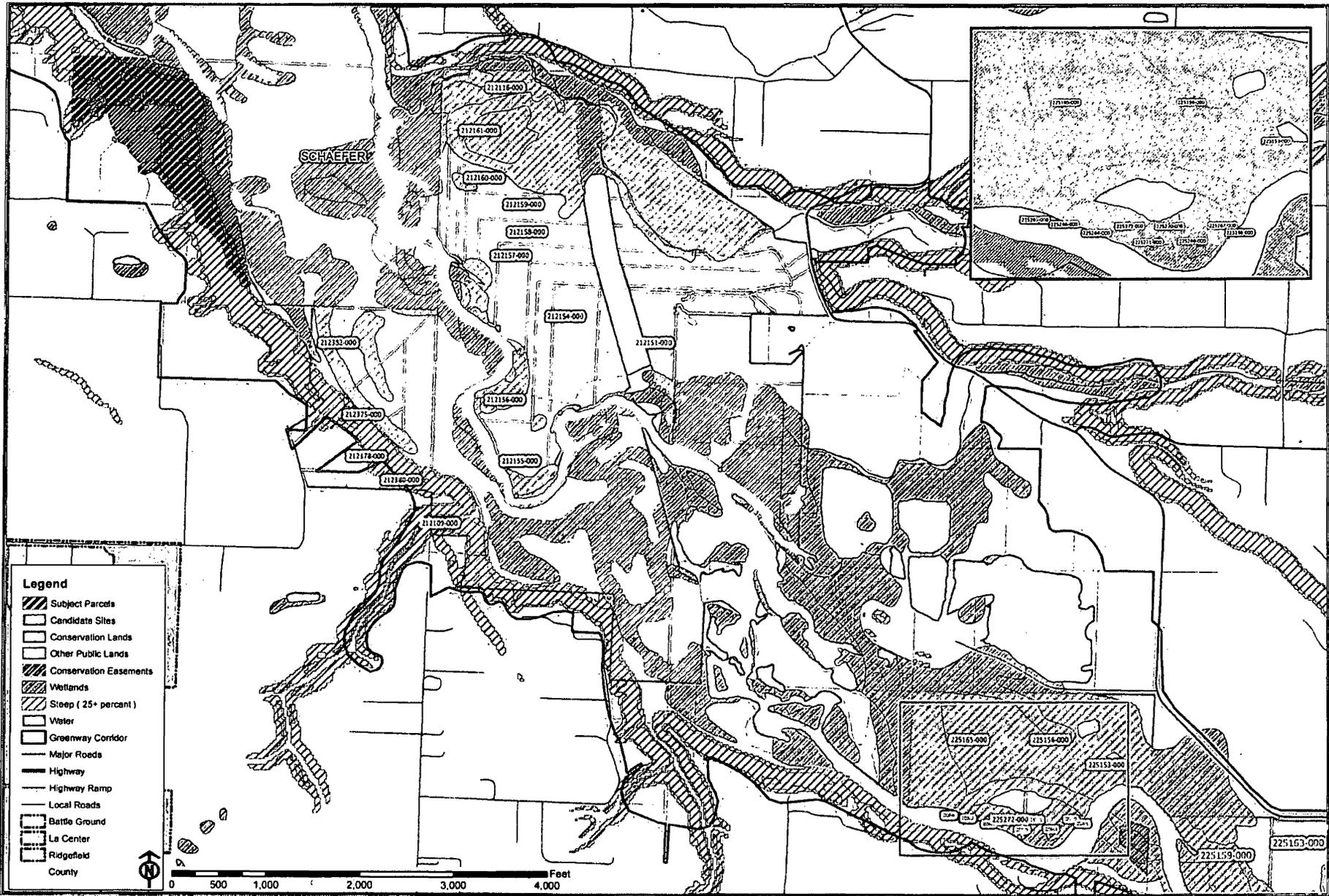


**MAP 1.3: Enlargement Area #3 - Parcel Map**  
Existing Conservation Lands

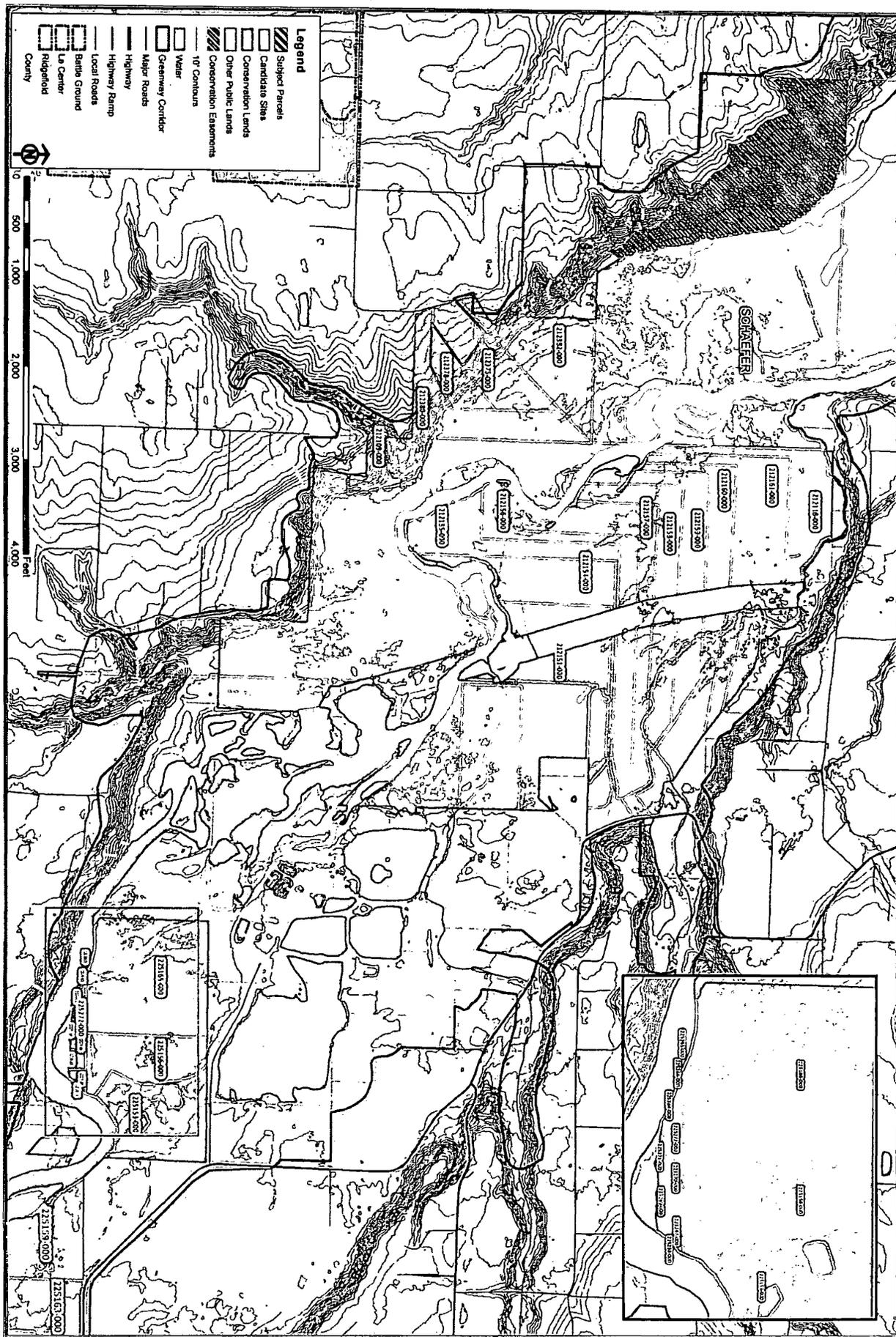




**MAP 2.3B: Enlargement Area #3 - Aerial Map**  
**Candidate Parcels for Replacement**



**MAP 2.3C: Enlargement Area #3 - Environmental Constraints**  
 Candidate Parcels for Replacement



**MAP 2.3D: Enlargement Area #3 - Topographic Map**  
**Candidate Parcels for Replacement**

**Segment 4**

**Conservation and Recreation Land – North side of the River**

There are no parcels dedicated to conservation on the north side of the river. However, Clark County Public Works owns five parcels totaling 121 acres south and east of the Storedahl mining operation purchased with road funds. Composite river frontage of these parcels is 3,280 feet. Between the public works ownership, Storedahl owns AP #986028-417, a 19.5 acre parcel that the habitat conservation plan requires to be donated to a government or non-profit organization for conservation.

South of Public Works properties on the west side of the Storedahl AP #986028-417, there are nine small parcels between the Public Works parcels and the river. Collectively, these include 9.5 acres and 1,726 feet of shoreline. Parcels include AP #s 225265-000, 225266-000, 225264-000, 225272-000, 225271-000, 225270-000, 225269-000, 225267-000, and 225268-000.

Between the eastern two Public Works parcels and Daybreak Road there is a 0.7 mile gap in public ownership. A trail easement would have to be acquired through at least 11 privately owned parcels to make this connection. Parcels include AP #s 225194-000, 225408-000, 225417-000, 225384-000, 225405-000, 225400-000, 225399-000, 225397-000, 225389-000, 225409-000 and 225401-000. An on-street trail alignment along J.A. Moore Road is another option.

**Conservation and Recreation Land – South side of the River:**

There is about a mile gap in conservation ownership from the downstream end of Segment 4 to Clark County owned AP #225161-000, a 2.3 acre parcel that straddles the river opposite Public Works AP# 225153-000. Much of the gap is characterized by the steep high cliff that forms the south valley wall of the East Fork Lewis River. There are no good trail alternatives along the cliff face. Land ownership includes fourteen lots, mostly five acres or less in size, many with residences. A better trail option is to cross back to the north side of the river to publicly owned parcels.

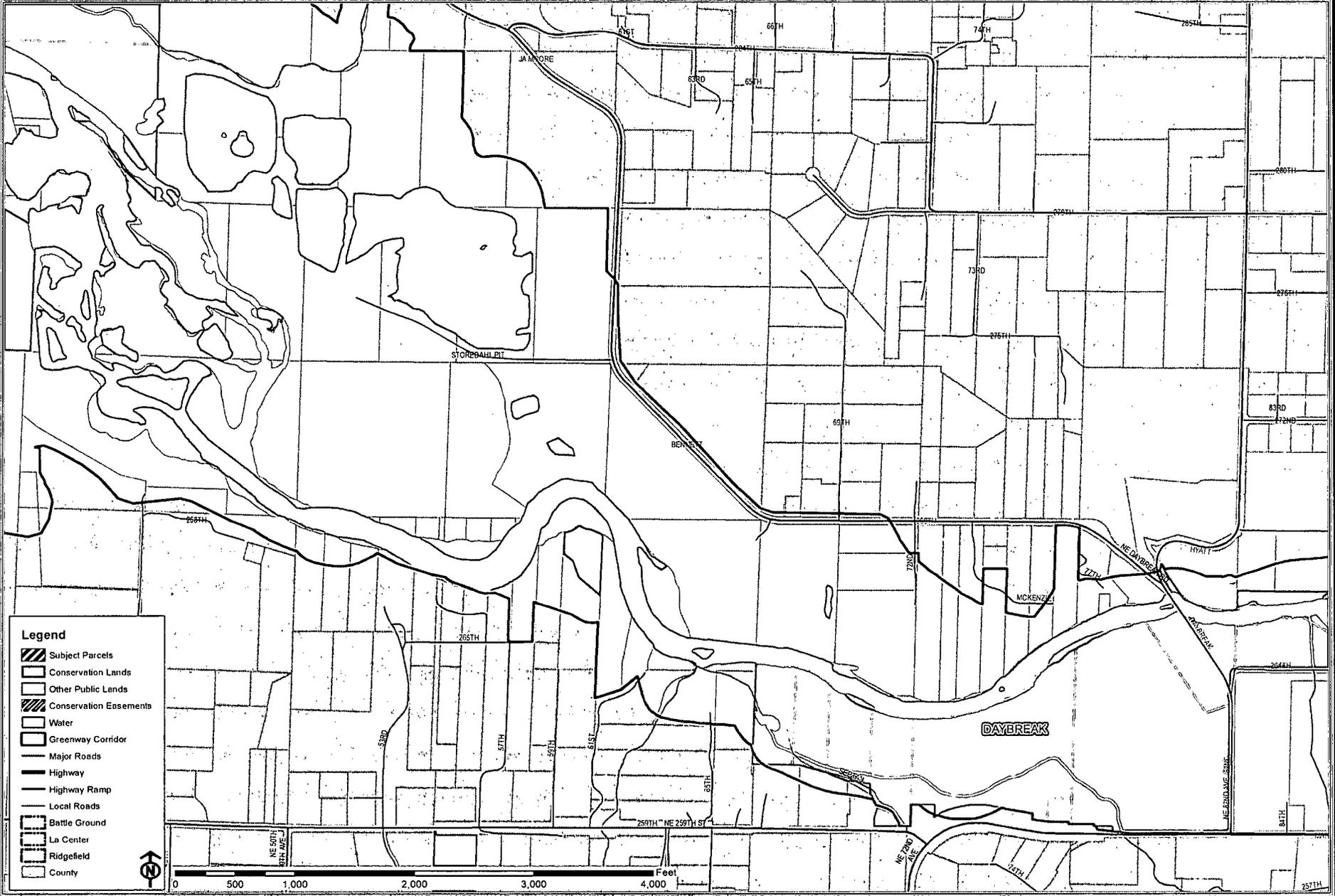
Continuing upstream six private parcels intervene between the 2.3 acre parcel and the county's Lower Daybreak property, a distance of about 2,000 feet. Again, most of the parcels in this gap are 5-acres or less in size with residences. They are not good candidates for replacement properties. Lower Daybreak is a 112-acre property that is planned to be a future regional park, including a multi-purpose river-oriented trail.

**Segment 4 Recommendation:**

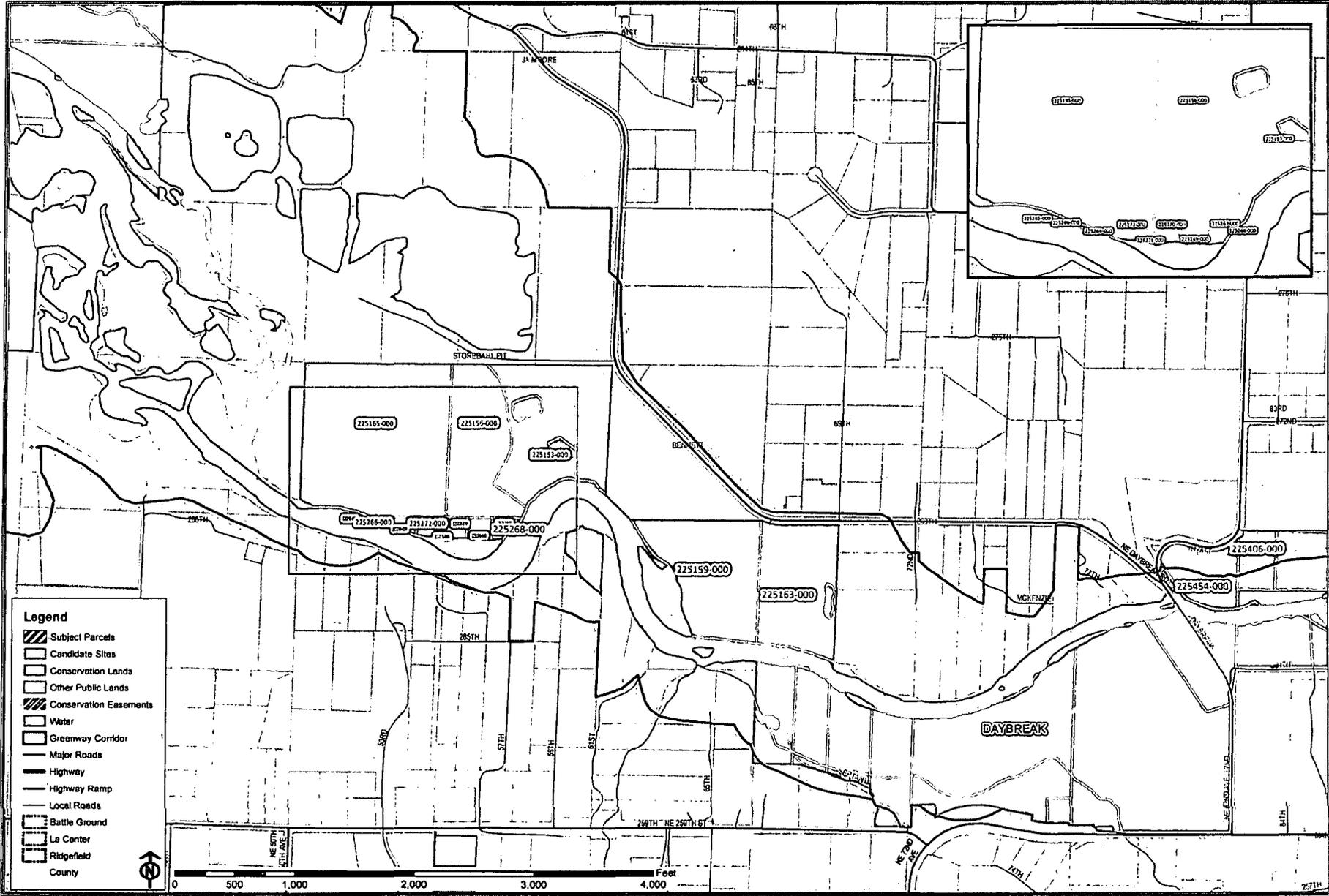
Highest priority for replacement properties in this segment are the County-owned AP #s 225165-000, 225156-000 and 225153-000 and the nine small private ownerships that separate the county parcels from the river. Particularly if coupled with acquisition of the ten priority parcels on the north side of the river in Segment 3, the greenway could be extended from Mason Creek to JA Moore Road, inclusive of the Storedahl properties in segments 3 and 4 that are required to be reclaimed and dedicated for conservation by the approved habitat conservation plan.

PUBLIC COMMENT DRAFT

Segment 4 – Priority Candidate Replacement Properties								
Parcel #	Zoning	Acres	Assessed Building Value \$	Assessed Land Value \$	Acres Floodway	Acres Floodplain	Acres Other Wetlands	Acres > 25% Slope
225165-000	Ag-20	37.52	0		37.33	0.19	0.00	0.00
225156-000	Ag-20	10.00	0		8.46	1.54	0.07	0.00
225153-000	Ag-20	27.50	0		14.19	11.89	0.38	0.00
225159-000	Ag-20	26.30			12.33	11.83	0.00	0.00
225163-000	Ag-20	20.00			6.56	7.25	0.00	0.00
225265-000	R-5	0.46	0	0	18.20		0.00	0.00
225266-000	R-5	0.57	0	13,810	19.57		0.00	0.00
225264-000	R-5	1.45	0	27,015	18.74		0.00	0.00
225272-000	R-5	1.20	0	29,505	18.84		0.00	0.00
225271-000	R-5	0.33	0	7,622	27.79		0.00	0.00
225270-000	R-5	1.40	0	32,701	0.00		0.00	1.75
225269-000	R-5	1.67	0	41,062	0.00		0.00	2.28
225267-000	R-5	1.52	0	37,373	0.00		0.00	1.96
225268-000	R-5	0.93	0	22,866	0.00		0.00	2.80



**MAP 1.4: Enlargement Area #4 - Parcel Map**  
Existing Conservation Lands



**MAP 2.4A: Enlargement Area #4 - Parcel Map**  
**Candidate Parcels for Replacement**







**Segment 5**

**Conservation and Recreation Land – North side of the River**

Clark County Parks owns an .82 acre AP #225403-000 adjacent to Daybreak Road. AP#225454-000 is an 8-acre privately-owned parcel with a relatively low value structure immediately upstream. Two acres of 20.18 acre AP #225382-000, owned by Clark County Parks, are on the north side of the river adjacent to the private parcel. However, that section is entirely within the floodway of the East Fork Lewis River. Adjacent to the floodway is a steep slope that forms the north valley wall of the East Fork and precludes trail alignment along the river. The best trail alignment may be above the valley wall, either along NE 269<sup>th</sup> Street or along the top of the slope across AP #s 225454-000, 225406-000, 225382-004 and 225389-092.

From AP #225389-092, the county owns parcels with river frontage a distance of over 2 miles, much of it included in 89-acre AP #227019-000, the Lewis River Ranch property, at which point county ownership is confined to a narrow strip of land that traverses north away from the river to connect w to NE Park Road on the west side of Lewisville Highway. Across Lewisville Highway from the Park Road terminus, Clark County Parks owns 152 acres in Lewisville Park and the Washington Department of Fish and Wildlife owns 7 acres in Lewisville Park.

Making the connection from Daybreak Park to Legacy Lands' Lewis River Ranch Property is the most critical connection. In Sub-segment 5, the upstream end of the Legacy Lands parcel is very narrow and on a slope adjacent to the access road (an extension of Park Drive) to the CEMEX Sand and Gravel Mine. Expanding this section of the trail corridor and finding a way to cross Lewisville Highway to connect to the trail system within Lewisville Regional Park are the biggest challenges. Working with the families that own the Lewis River Ranch, LLC, to acquire additional land in AP #s 225668-000 and 225669-000 may be the most feasible. Alternatively, working with the owners of AP #s 225924-000, 225926-000, 225925-000 and 225837-000 to expand the trail corridor could be considered.

**Conservation and Recreation Land – South side of the River:**

Clark County Parks owns 70-acre Daybreak Regional Park immediately adjacent to Daybreak Road and 102-acre Camp Lewisville on the South side of the river east of Lewisville Highway. Columbia Land Trust owns 12 acres along Roper Road that forms the entrance to Camp Lewisville from Lewisville Highway.

All or portions of AP #s 225373-000 and 225375-000 would make excellent additions to Daybreak Regional Park. However beyond these two parcels there are 42 parcels, generally about 5 acres in size, each, and many with expensive residences. Thus, no trail alignments have been explored South of the river since the north trail alignment has been contemplated for many years and is quite feasible to complete.

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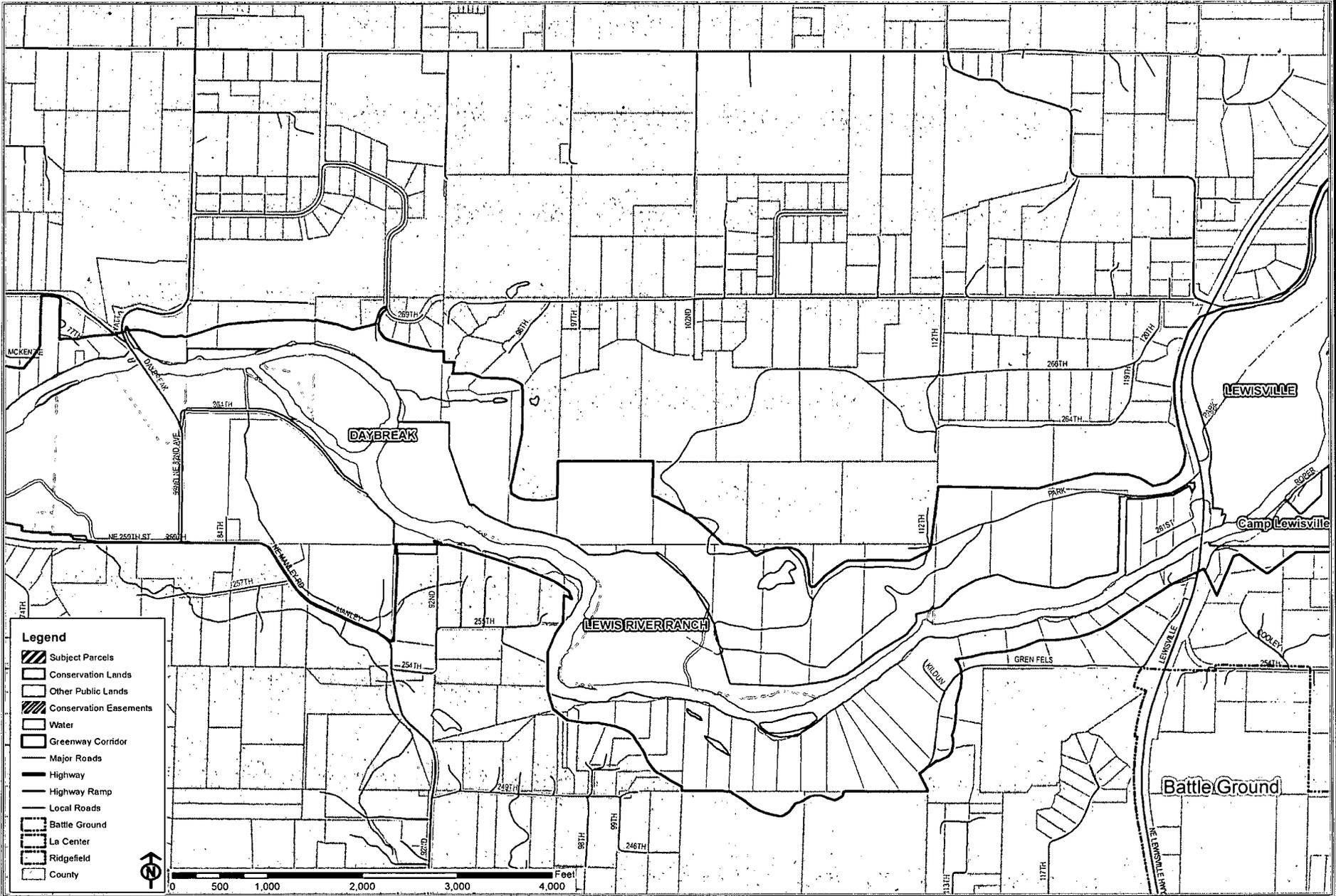
Acquiring private inholdings in Camp Lewisville AP #s 225853-000 and 226974-000 is desirable although both of these parcels are small (1.74 and 3.86 acres, respectively) and have residences and are not strong candidates as replacement properties.

**Segment 5 Recommendation:**

Making the connection from Daybreak Park to Legacy Lands' Lewis River Ranch Property is the highest priority in Segment 5. Connections would have to be made through AP #s 225454-000, 225406-000 and 225382-004. It may be possible to boundary line adjust properties without affecting the residences on AP #s 225406-000 and 225382-004. AP #225389-092 is owned by the Daybreak Homeowners Association and it may be possible to work with the Association to allow a trail connection through that property that would then connect to the Lewis River Ranch parcel.

At the upstream end of this segment, expanding the narrow county ownership through acquisition of all or portions of AP #s 225668-000 and 225669-000 is a second priority. This would allow sufficient room to create a parking and trailhead opportunity.

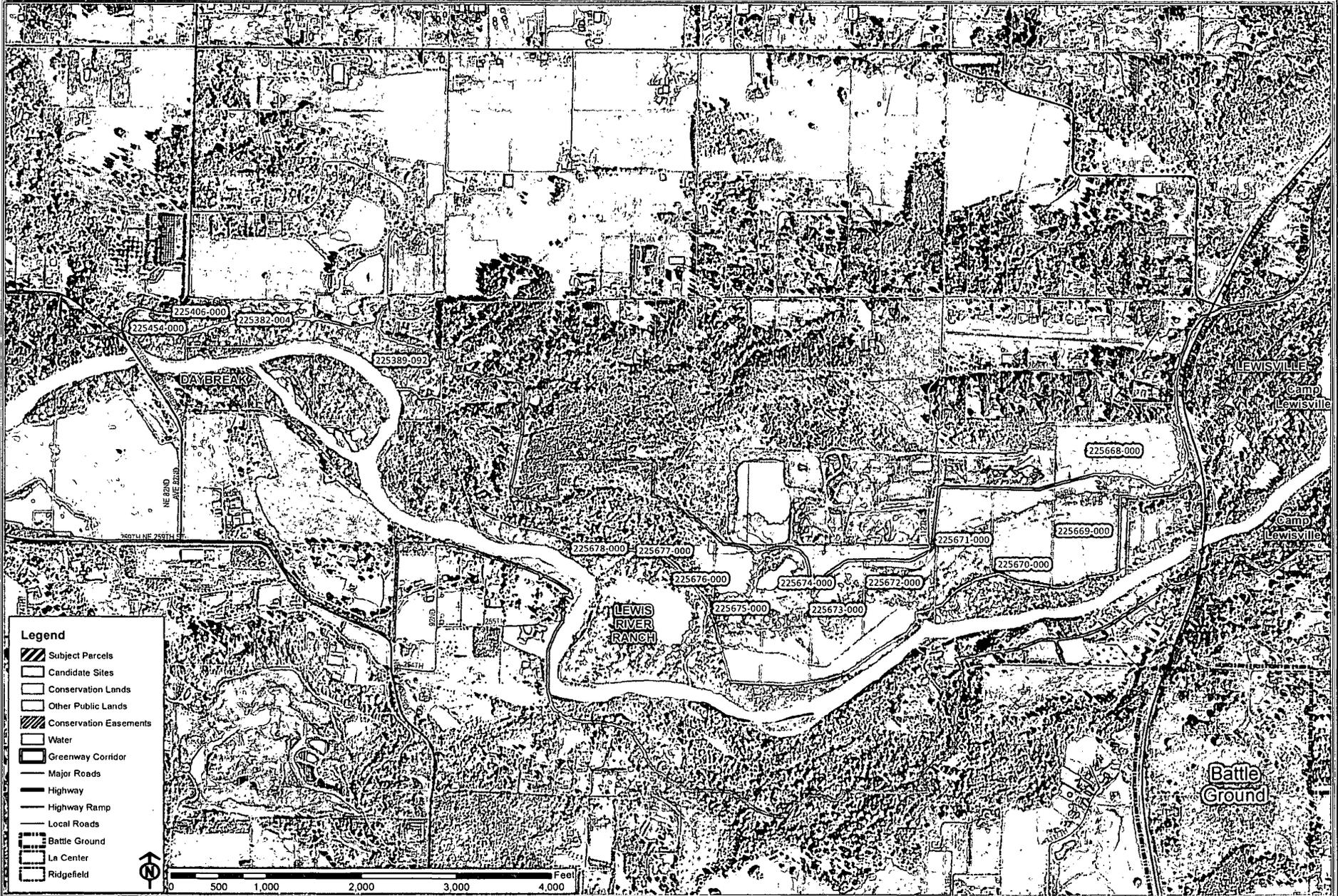
Segment 5 – Priority Candidate Replacement Properties								
Parcel #	Zoning	Acres	Assessed Building Value \$	Assessed Land Value \$	Acres Floodway	Acres Floodplain	Acres Other Wetlands	Acres > 25% Slope
225454-000	R-5/ P/WL	8.00	37,040	126,201	1.70	0.55	0.07	1.44
225406-000	R-5	25.17	0	148,410	22.07	3.10	0.00	0.00
225382-004	R-5	21.21	0	162,079	10.82	10.39	0.00	0.00
225389-092	R-5	20.52	0	164,287	16.63	3.89	0.00	0.00
225678-000	FR-40	0.75	0	2,204	0.17	0	0.56	0.00
225677-000	FR-40	3.43	0	10,168	3.32	0	0.04	0.00
225676-000	FR-40	7.73	0	23,185	1.12	0	0.03	1.18
225675-000	FR-40	17.20	0	58,754	0	0	2.52	0.27
225674-000	FR-40	18.15	0	62,267	0	0	2.85	0.00
225673-000	FR-40	17.66	0	55,108	0	0	2.55	0.62
225672-000	FR-40	16.74	6,900	70,532	0.00	0.00	1.14	0.87
225671-000	FR-40	14.52	0	47,562	0.89	0	0.41	0.98
225670-000	FR-40	12.75	0	44,025	0.68	4.45	0.00	2.05
225669-000	FR-40	15.23	0	54,831	0.41	5.53	0.00	0.26
225668-000	FR-40	24.32	0	86,454	0.00	0.00	0.00	3.35



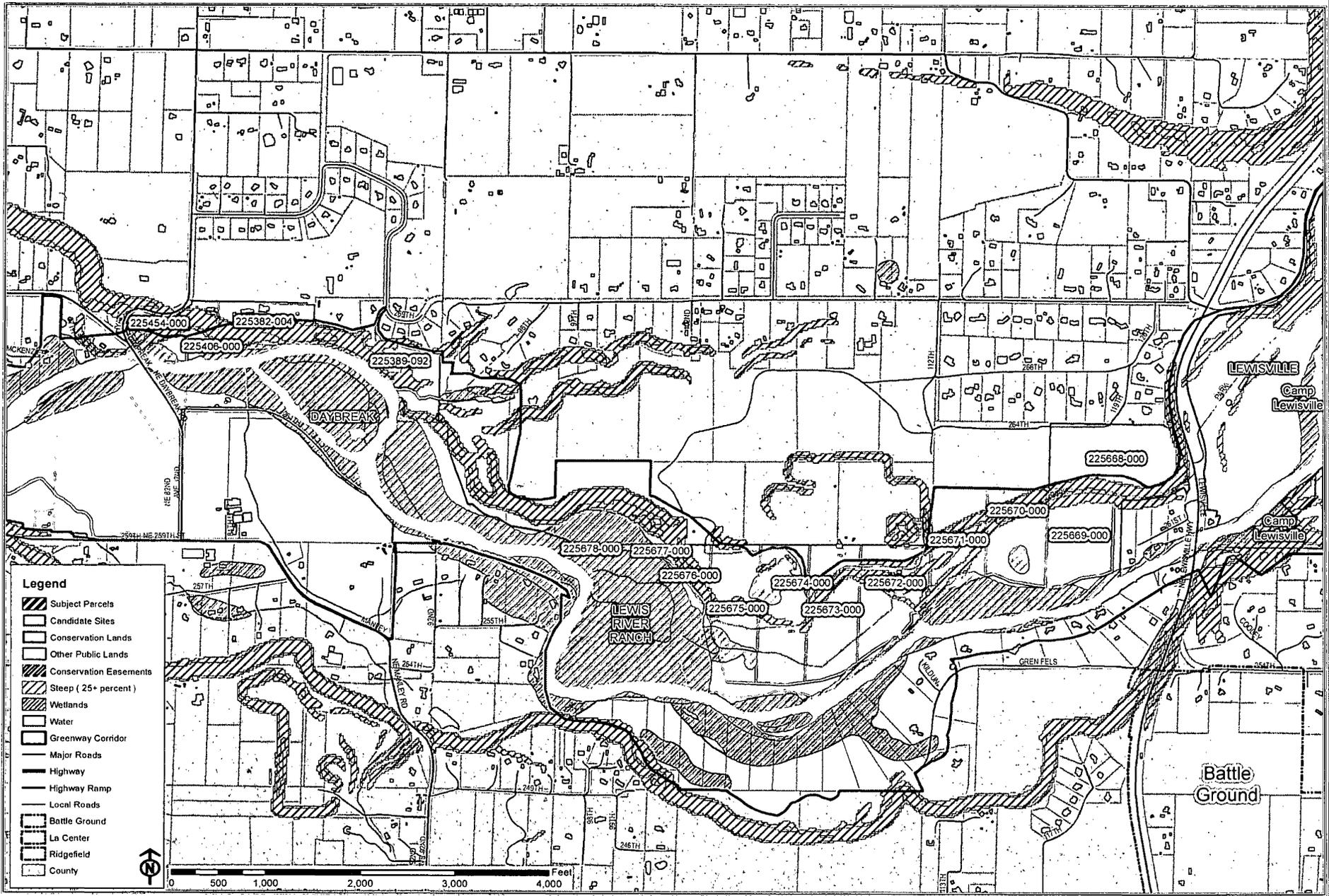
MAP 1.5: Enlargement Area #5 - Parcel Map

Existing Conservation Lands



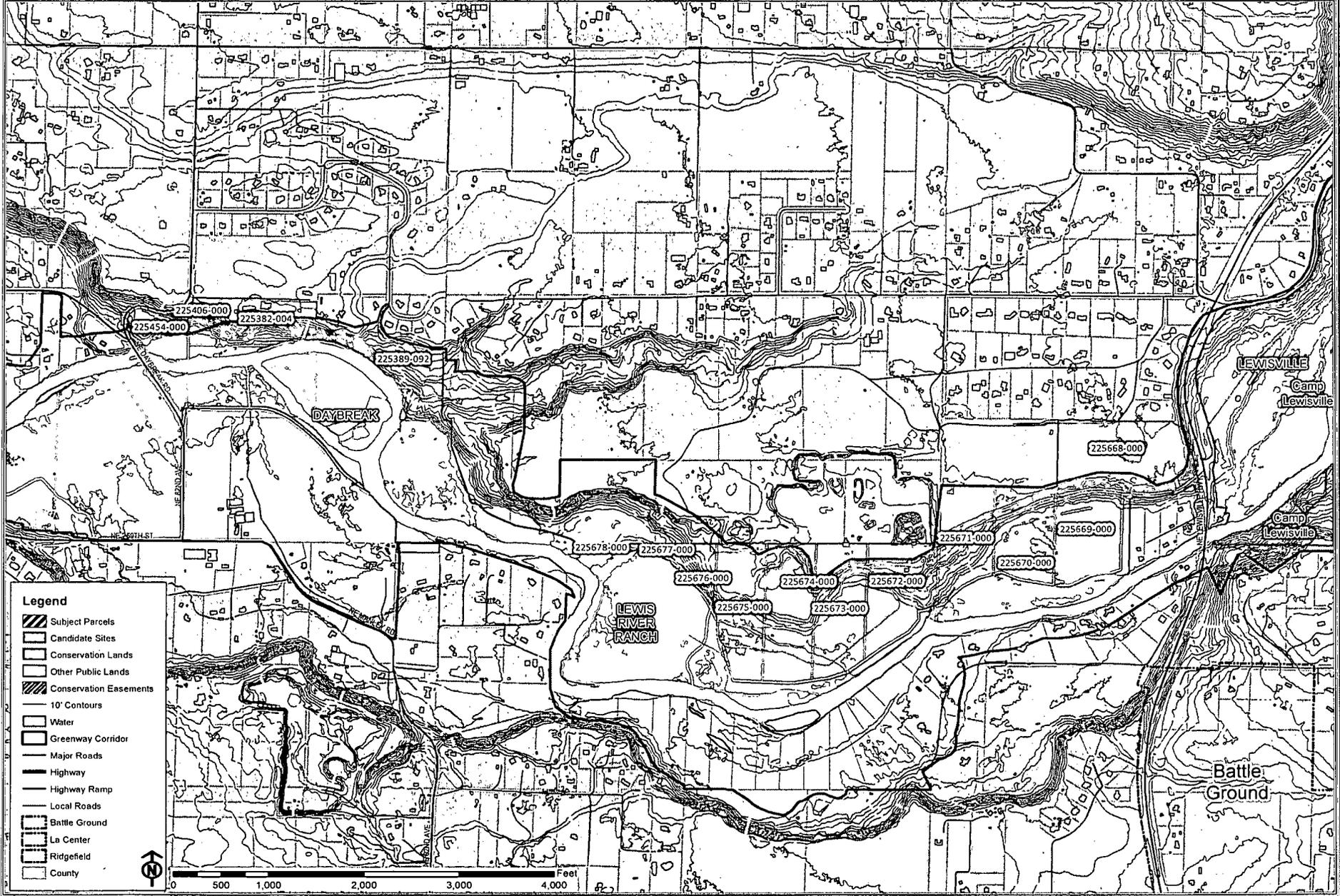


**MAP 2.5B: Enlargement Area #15 - Aerial Map**  
 Candidate Parcels for Replacement



- Legend**
- Subject Parcels
  - Candidate Sites
  - Conservation Lands
  - Other Public Lands
  - Conservation Easements
  - Steep (25+ percent)
  - Wetlands
  - Water
  - Greenway Corridor
  - Major Roads
  - Highway
  - Highway Ramp
  - Local Roads
  - Battle Ground
  - La Center
  - Ridgefield
  - County

**MAP 2.5C: Enlargement Area #5 - Environmental Constraints**  
 Candidate Parcels for Replacement



**MAP 2.5D: Enlargement Area #5 - Topographic Map**  
 Candidate Parcels for Replacement