

SEWER FACT SHEET

West and East Fairgrounds and Mill Creek Urban Holding Areas



SERVICE AREA

6% of the District's Service Area is within Urban Holding.

The District's service area encompasses more than 51 square-miles, generally coinciding with the Urban Growth Area (UGA) boundary and includes incorporated and unincorporated lands in the Cities of Ridgefield, Battle Ground and Vancouver. Properties within Urban Holding must petition the District to be annexed before service can be provided, which also requires County approval (RCW 57.24).

UGA	Area (acres)	Urban Holding
Clark Co. / Vancouver UGA	25,560	Area (acres)
Ridgefield UGA	6,314	2,100
GRAND TOTAL	32,874	

POPULATION GROWTH

10% of the forecasted growth is within Urban Holding.

Development of the vacant and buildable lands in the District's service area will nearly double the demand for wastewater services over the 20-year planning horizon (8.3 million gallons/day (mgd) to 16 mgd).

UGA	ERUs		Urban Holding
	2016	2036	
Clark Co. / Vancouver UGA	38,768	63,278	ERUs 2036
Ridgefield UGA	4,579	17,267	5,000
GRAND TOTAL	43,347	80,545	

CAPITAL IMPROVEMENT PLAN

39% of the Capital Projects are associated with Urban Holding.

Development of the Urban Holding area will directly or indirectly require approximately \$44 million in capital projects over the planning horizon. The total District Capital Improvement Plan, includes \$147 million of investment in the collection system, including more than \$102 million in capital projects, accommodating growth, along with an additional \$45 million in the restoration and replacement (R&R) of existing assets.

CAPITAL PROGRAM	Est. Cost (Millions)	Urban Holding
6-YEAR (2017-2022)	\$ 36.8	\$ 16.4
Clark Co. / Vancouver UGA	\$ 22.7	
Ridgefield UGA	\$ 14.1	
20-YEAR (2036)	\$ 64.8	\$ 28.0
Clark Co. / Vancouver UGA	\$ 42.5	
Ridgefield UGA	\$ 22.3	
GRAND TOTAL	\$101.6	\$ 44.4

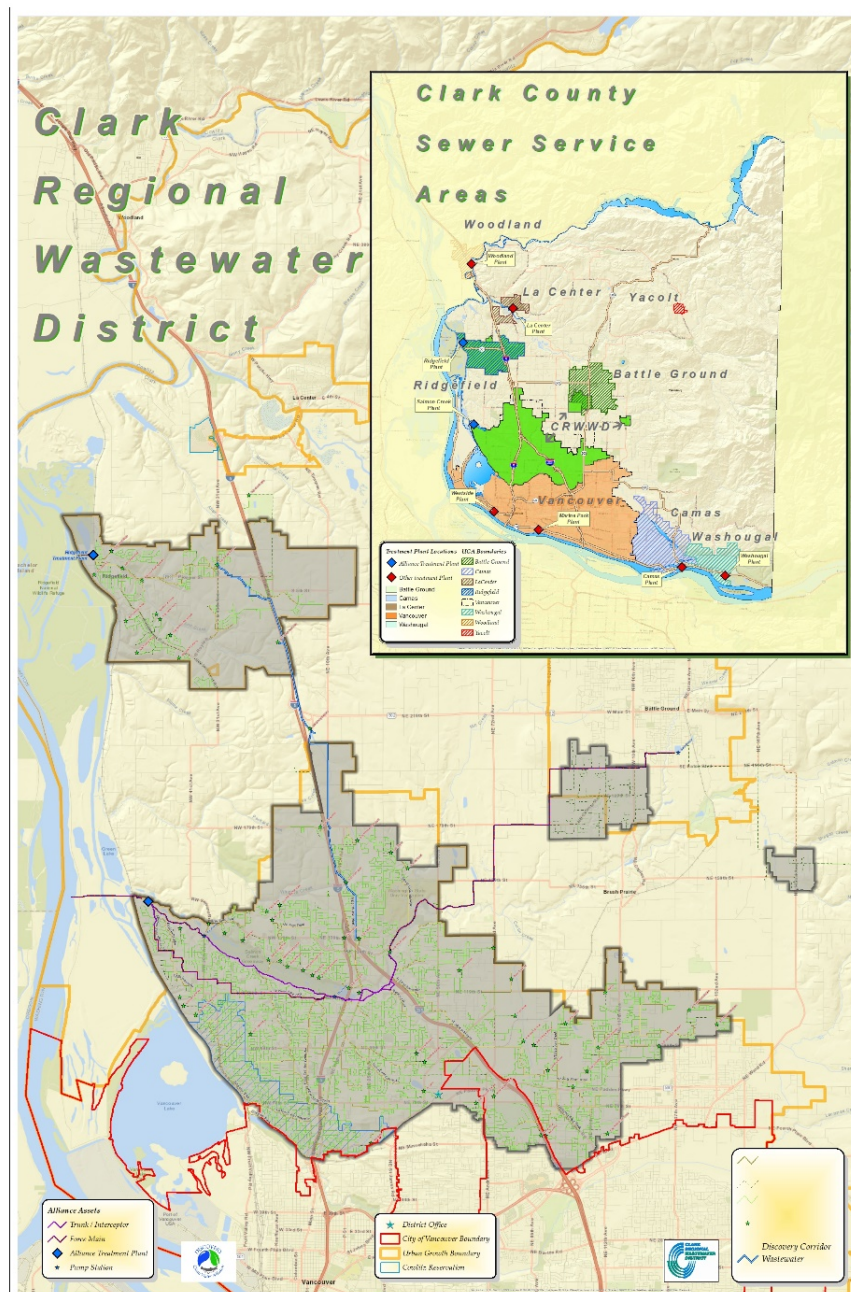
FINANCIAL PLAN

Modest adjustments to rates and charges are forecast.

The District financial strategy is built upon two primary sources of funding, charges for service (monthly rates) and System Development Charges (SDCs) collected from new development. A multi-year program of modest increases in both rates and SDCs has been adopted in order to meet the total cost of providing wastewater services and execute the current 6-year Capital Improvement Plan.

Monthly Sewer Rate Forecast (per ERU)				
	2019	2020	2021	2022
Base Rate	\$39	\$40	\$41	\$42
Ridgefield	\$61.16		\$61 +/-	

Sewer System Development Charge Forecast (per ERU)				
	2019	2020	2021	2022
Ridgefield UGA	\$7,950	\$8,350	\$8,750	\$8,750
Salmon Creek WWTP	\$5,108	\$5,508	\$5,908	\$5,908
Westside WWTP	\$2,120	\$2,520	\$2,920	\$2,920



SEWER FAQ

West and East Fairgrounds and Mill Creek Urban Holding Areas



Does the District have a plan for serving the Urban Holding Area?

The 2017 Comprehensive General Sewer Plan (GSP) provides the basis for the District's plans to support development of the urban areas, including the Urban Holding areas (UH Area). The GSP provides a plan for a system of sewers and the efficient extension of services over a 20-year planning horizon (2017-2036). The GSP was vetted with and adopted locally by the District, as well as Clark County and the Cities of Battle Ground, Ridgefield and Vancouver.

Are capital improvements required for development of the Urban Holding Area?

Approximately \$44 million in capital improvements will ultimately be required to support the development of the entire UH Area (see Map). This includes \$17 million of improvements whose primary purpose is to serve properties within the UH Area. Approximately \$15 million is required for improvements to downstream facilities, which provide varying degrees of benefit to currently developable properties. An additional \$12 million of improvements are planned in the area but are not required to support the development of the UH Area – like a new force main for the Neil Kimsey Regional Pump Station, which is planned for the NE 10th Avenue corridor. It would be beneficial if projects are installed in coordination with the proposed transportation improvements and developments.

How will the capital improvements be funded?

Capital projects are generally funded from System Development Charge (SDC) revenues, which is collected from new development. The District has adopted a multi-year program for SDC increases, which are necessary to support a level of capital investment, consistent with the current 6-Year Capital Program. Local infrastructure is the responsibility of the developer.

When will the improvements be constructed?

The District maintains and annually updates a 6-Year Capital Program. The current program (2019-2024) includes funding and a tentative schedule for improvements over the 6-year period. The District updates the program annually as projects are completed and as priorities and demands may change, particularly for improvements programmed in the later years of the 6-year program.

What if the cost of the capital improvements exceeds District revenues?

The District would engage with the stakeholders and actively pursue other funding options before delaying capital investments. Other common funding options include but are not limited to an increase in SDCs, establishing a Local Facilities Charge for properties in the UH Area, and a debt issuance using sewer revenue bonds.

Are facilities in place to support the first phases of development?

Most of the properties within the UH Area do not currently have sewers on or adjacent to the property, with a few exceptions. The District works with property owners and developers to ensure that service can be provided in an efficient and equitable manner. Whenever feasible, the District seeks to build the permanent facilities; which often requires the parties to enter into an agreement for the developer to fund and construct off-site and/or capital improvements. If this is not feasible, a developer can request the District to authorize the installation of temporary facilities, which are constructed at the expense of the developer. Policies are in place, such as the Interim Pump Station Policy (Resolution No. 1642), to ensure that services are available at the time of development.

Phase 1 – Killian (North): Service is currently available in NE 179th St. Construct capital facilities in the frontage of NE 179th St (within the 6-yr program) along with the local extension of service within the limits of the project.

Phase 2 – Holt: Construct a capital pump station on-site, which is within the 6-year program. Requires District approval for the developer to fund and construct a temporary extension of the proposed force main.

Phase 3 – Hinton: Service is immediately available at two locations along the southern boundary. Developer construct local sewers throughout the project and extend service to adjoining properties.

Phase 4 – Wollam: Requires District approval of an Interim pump station with a temporary discharge East in NE 179th St.

What else can be done to help support development of the Urban Holding Area?

The District is seeking to capitalize on existing investments and provide for the logical progression of infrastructure and services in the UH Area. Continued efforts for coordinated planning in the UH Area, particularly along the NE 179th Street corridor, (east of I-5), NW 10th Avenue and NW 11th Avenue, are appreciated. Preliminary planning for the NE 179th Street corridor (NE 15th Avenue to NE 50th Avenue) has shown that significant changes in the elevation of the roadway are necessary; which prohibits construction of permanent sewer facilities before the roadway is improved.

District Capital Improvement Plan - Urban Holding Area

Map ID	CIP No.	Description	Status	Total Project Cost	Developer Amount	Net District Cost	2017 - 2024 Projected Improvements: GSP Begin Thru Current 6-Year Plan (Schedule updated annually with budget process)								2025 - 2036 Projected Improvements: Remaining 20-Year Plan (For financial planning purposes only, schedule subject to change)												Total Project Cost	UH Related Development & Notes			
							2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036					
1	2-1502A	Pleasant Valley North Pump Station - South and Force Main	Construction	\$3.68		\$3.68	\$0.16	\$0.41	\$2.79	\$0.31																		\$3.68	Holt		
2	2-1502D	Pleasant Valley North Pump Station D (north) and Force Main	Planning	\$1.26		\$1.26				\$1.26																		\$1.26	Holt, FM includes interim connection to PVNPS via 50th Ave		
3	2-1503A	Mill Creek Pump Station Restoration	Planning	\$0.23		\$0.23					\$0.02	\$0.21																\$0.23	Hinton		
4	2-1603A	NE 20 th Avenue Trunk Upgrade - Phase II	Planning	\$3.36		\$3.36					\$0.53	\$2.84																\$3.36	NA - Supports System		
5	2-1604A	NE 10 th Avenue Pump Station and Force Main	Complete	\$2.10		\$2.10	\$0.25	\$1.66	\$0.18																			\$2.10	UH area vicinity Fairgrounds/10th Ave		
6	2-1605A	NE 179 th St CRP (NE Delfel Rd to NE 10 th Ave) Fairground PS Removal	Planning	\$1.85		\$1.85					\$0.03	\$0.09	\$1.73															\$1.85	Killian South		
7	2-1605B	Whipple Creek Trunk (Killian Commercial)	Planning	\$1.19	\$0.87	\$0.32			\$0.32																				\$0.32	Killian South	
8	2-1605C	Whipple Creek North PS Capacity Increase - Fairgrounds PS removal - Ph II	Planning	\$0.60		\$0.60					\$0.06	\$0.54																	\$0.60	Killian South	
9	2-1605G	Union Road Pump Station Upgrade	Construction	\$0.94		\$0.94		\$0.10	\$0.76	\$0.08																			\$0.94	NA - Supports System	
10	2-1605I	Union Road Force Main Upgrade	Complete	\$0.67		\$0.67	\$0.04	\$0.63																					\$0.67	NA - Supports System	
11	CRP	NE 10th Avenue CRP (Whipple Creek Bridge), NE 154th St - NE 164th St	Complete	\$1.33		\$1.33	\$0.79	\$0.43	\$0.11																				\$1.33	UH area vicinity Fairgrounds/10th Ave	
12	CRP	NE 10th Avenue CRP (Whipple Creek Culvert), NE 149th St - NE 154th St	Design	\$0.10		\$0.10			\$0.02	\$0.08																			\$0.10	NA - Serves Local	
13	CRP	NE 15th Avenue CRP (NE 179th St - NE 10th Ave)	Planning	\$0.00		\$0.00																							\$0.00	Killian - possible inclusion of Neil Kimsey 2nd FM (2-1606B)	
Subtotals				\$17.29	\$0.87	\$16.42	\$1.25	\$3.23	\$4.16	\$1.74	\$0.00	\$0.63	\$3.68	\$1.73	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16.42				
14	2-1501A	Mt Vista Trunk Upgrade (downstream of Pleasant Valley North Force Main)		\$0.69		\$0.69									\$0.69														\$0.69	NA - Supports system Pleasant Valley area	
15	2-1502C	Pleasant Valley North Pump Station C (northeast) and Force Main		\$2.66		\$2.66										\$0.53	\$2.13												\$2.66	Holt, Permanent Solution	
16	2-1603B	Legacy Pump Station and Force Main (extend 12-inch FM to NE 129 th)		\$1.97		\$1.97														\$0.39	\$1.57								\$1.97	NA - Supports System	
17	2-1604B	Whipple Creek South Pump Station B (west) and Force Main		\$1.15		\$1.15													\$0.23	\$0.92									\$1.15	UH area vicinity Fairgrounds/10th Ave	
18	2-1605E	Whipple Creek East Pump Station E (central) and Force Main		\$1.53		\$1.53													\$0.31	\$1.22									\$1.53	Developments north of 179th between 15th and ~50th Ave	
19	2-1605F	Whipple Creek East Pump Station F (east) and Force Main		\$1.23		\$1.23														\$0.25	\$0.98								\$1.23	Developments north of 179th between 15th and ~50th Ave	
20	2-1606A	Neil Kimsey Trunk (from 209th Street PS to Neil Kimsey PS)		\$0.54		\$0.54													\$0.54										\$0.54	Killian North	
21	2-1606B	Neil Kimsey Pump Station Force Main		\$9.58		\$9.58																\$0.58	\$0.58	\$4.98	\$3.45				\$9.58	NA - Ridgefield Capacity. Build sections with UH development	
22	2-1606C	209th Street Pump Station Trunk		\$1.76	\$1.41	\$0.35														\$0.35									\$0.35	Killian North	
23	2-1606D	I-5 Corridor (aka 209th Street) Pump Station and Force Main		\$1.20		\$1.20														\$0.24	\$0.96								\$1.20	Killian North	
24	2-202A	149 th Street PS Elimination		\$0.55	\$0.22	\$0.33											\$0.33												\$0.33	Wollam, permanent solution	
25	2-203A	Whipple Creek West PS A (NW 11th Ave - south) and Force Main - Ph I		\$1.00		\$1.00									\$0.20	\$0.80													\$1.00	Wollam, permanent solution	
26	2-203B	Whipple Creek West PS A (NW 11th Ave - south) and Force Main - Ph II		\$0.49		\$0.49											\$0.49												\$0.49	Wollam, permanent solution	
27	2-203C	Whipple Creek West Pump Station B (north) and Force Main		\$2.98		\$2.98									\$0.29	\$0.31	\$2.38												\$2.98	Wollam, permanent solution	
28	2-203C	Whipple Creek West Trunk (12-inch)		\$1.27	\$1.01	\$0.25									\$0.25															\$0.25	Wollam, permanent solution
29	CRP	NE 179th Street @ NE 29th Avenue CRP		\$0.00		\$0.00																							\$0.00	Served with 179th St CRP (15th Ave -50th Ave) & 2-1605E	
30	CRP	NE 179th Street @ NE 50th Avenue CRP		\$0.00		\$0.00																							\$0.00	Served with 179th St CRP (15th Ave -50th Ave) & 2-1605F	
31	CRP	NE 10th Avenue CRP, NE 164th St - Fairgrounds Entrance		\$1.84		\$1.84																\$0.37	\$1.47						\$1.84	NA ~ 2000-ft gravity to serve Fairgrounds area	
32	CRP	NE 179th Street CRP, NE 15th Ave - NE 50th Ave		\$0.00		\$0.00																							\$0.00	Improvements included in 2-1605E/2-1605F	
33	CRP	NW 179th Street CRP- NE Delfel Rd - NW 11th Ave		\$0.92		\$0.92													\$0.18	\$0.74									\$0.92	Parcels near NW 179th St/NW 11th Ave ~ 1000-ft gravity	
34	CRP	NW 11th Ave CRP - NE 139th St - NE 149th St		\$0.00		\$0.00																							\$0.00	Area appears to be served with existing infrastructure	
Subtotals				\$30.66	\$2.64	\$28.02	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.89	\$1.87	\$3.26	\$2.38	\$0.77	\$1.82	\$2.61	\$2.11	\$2.52	\$2.05	\$4.98	\$3.45	\$28.02					
Totals				\$47.95	\$3.51	\$44.44	\$1.25	\$3.23	\$4.16	\$1.74	\$0.00	\$0.63	\$3.68	\$1.73	\$0.89	\$1.87	\$3.26	\$2.38	\$0.77	\$1.82	\$2.61	\$2.11	\$2.52	\$2.05	\$4.98	\$3.45	\$44.44				

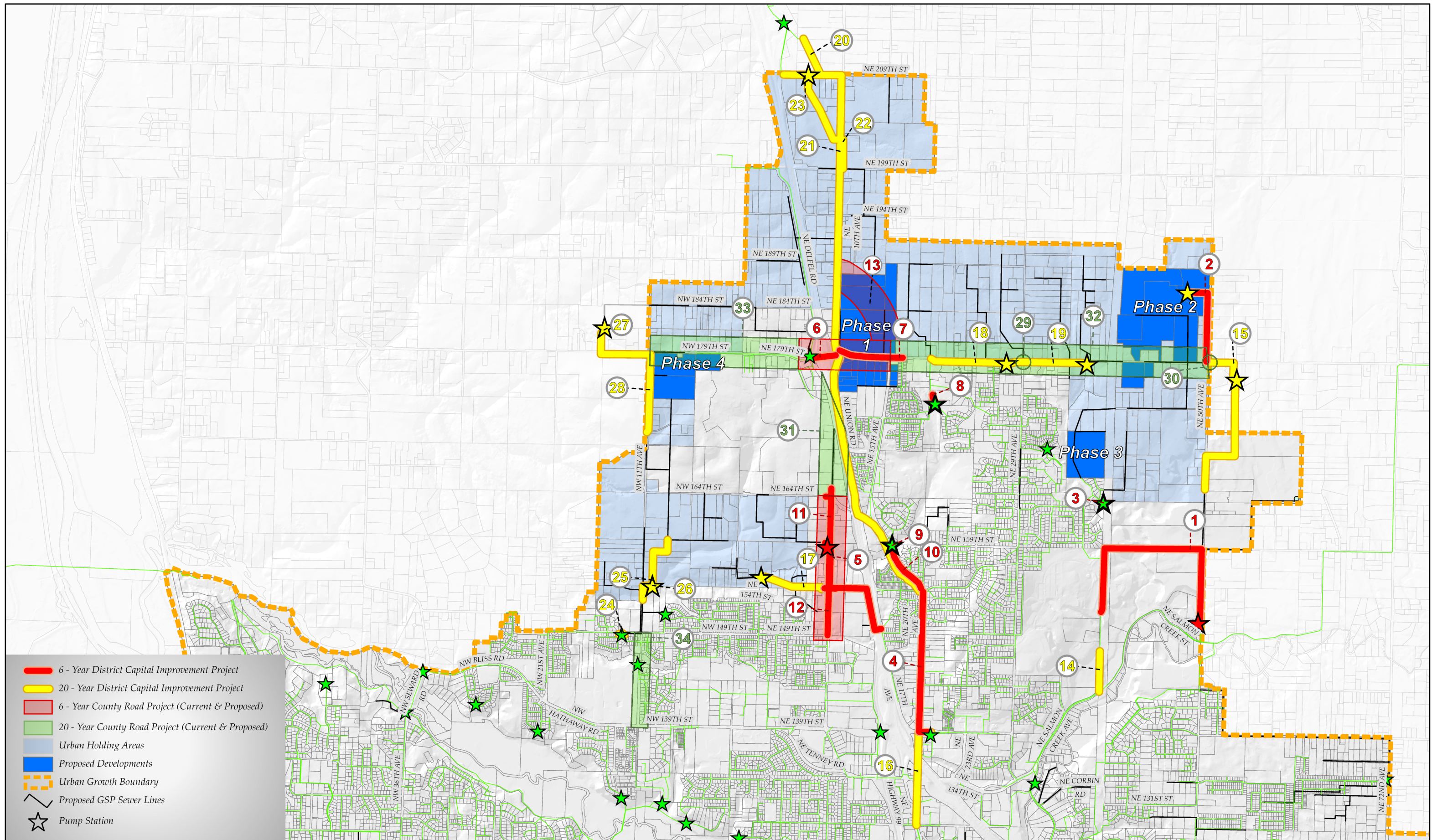
Note: All Costs in 2019 dollars (Millions)

Legend

- Current District 6-year Capital Improvement Projects (including 2017-2018 projects)
- District General Sewer Plan Projects (2025-2036)
- Adopted County Capital Facilities Plan Projects
- Proposed County Capital Facilities Plan Projects
- Projects in vicinity, but not required for District to provide service in UH area

Acronyms

- CRP - County Road Project
- PS - Pump Station
- UH - Urban Holding
- FM - Force Main



District Capital Improvement Plan - Urban Holding Area

August 14, 2018

Dr. Oliver Orjiako
Director
Clark County Department of Community Planning
Public Services Building
Vancouver, Washington 98660

RE: Determination of Non-Significance Amend Comprehensive Plan to
remove Urban Holding Overlay near the I5/179th Street interchange
Phase I

Sent via e-mail pdf to Oliver.Orjiako@clark.wa.gov

Dear Dr. Orjiako:

I am submitting these comments as an individual and not on behalf of any particular group, political party or organization. These comments assert that a checklist and DNS is an inadequate environmental review in this case for the reasons stated below. "Non-project" proposals are subject to SEPA, the lead agency cannot conduct an environmental review of a non-project proposal under the assumption that there will be no direct and/or indirect environmental impacts, including potential cumulative impacts from the "non-project" action. When a action such as this one is proposed, it should still be subject to a comprehensive review of potential environmental impacts from reasonably foreseeable developments, especially where the action to be taken will increase the intensity of developments in areas that specifically restricted developments until certain prerequisites for removal of the overlay have been met.

First, the area in Urban Holding subject to this review is in Urban Holding due to lack of infrastructure available for development of the underlying zoning, in this case Mixed Use zoning. I believe, and can supplement the record, that this holding was put in place as part of the original comprehensive plan from 1994. The current overlay covers a large swath of area surrounding the 179th Street/I5 interchange.

It appears that this "non-project" action is the County's initial attempt to remove the current overlay in a piecemeal fashion with no comprehensive plan for the entire area subjected to the Urban Holding Overlay. It even designates this "non-project" action as "Phase I" and therefore, it is clear that the County anticipates specific growth, and specific cumulative actions, but anticipates them occurring in a piecemeal basis. It is

assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller "cut-out" projects without considering the overlay as a whole, which would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

Second, this "non-project" action involves a modification of an existing environment designated under the Growth Management Act planning process by a proposal to amend the comprehensive plans and to, at least partially, remove the overlay on this area but does not discuss the development of new transportation plans along with potential new ordinances, rules, and regulations and environmental impacts that will be concomitant to the piecemeal implementation of these development agreements.

Third, according to the checklist, this SEPA (which claims no impacts to the environment) fails to consider the impacts of the the proposed development but states that the action is based upon "the execution of a development agreement" that, at this stage, does not exist or has not been put into the public record. Thus, it is clear that there will be impacts (at least a minimum of 402 trips per day) and it is impossible for the public to comment on the proposal's impact on the environment if there is no discussion of the development under the propose

Moreover, a recent work session with the Council exhibited that there were many other possible projects and development agreements being proposed in the impacted area around the 179th street interchange. Based upon a review of the materials presented to the county, the following have/are being proposed:

Killian 60,000 Sq. Ft. Retail (DA Approved Phase 1)

- Killian Three Creeks North Phase 1– (DA in progress)
- Killian remainder Phase 2 - NE 179th Street Commercial Center (DA Approved Phase 2)
- Holt Mill Plain PUD (606 homes/99 townhomes)
- Hinton Property (129 homes)
- Wollam Property (220 homes)

See The Grid Materials from 7/11/18 WS and audio of that work session all of which are incorporated into these comments by reference¹.

¹ It is unclear to me at this point if this current SEPA is for one of those proposed developments.

However, there has been no comprehensive analysis of traffic impacts or the impacts of the contemplated infrastructure and developments on the existing environment as required by SEPA and, if one has been completed, it has not been adopted by the County and is not incorporated into this SEPA document.

Therefore, this SEPA review for this non-project actions fails in many ways including failing to consider conduct a comprehensive analysis of the reasonably foreseeable impacts, failing to address the cumulative impacts of all of these developments that are being proposed, failing to consider any possible alternatives and failing to outline any potentially successful mitigation measures.

Fourth, the DNS/Checklist lists no other actions that have been taken by the County regarding the Urban Holding in general and this parcel specifically. Presumably, there have been other determinations, and reviews of those determinations by the Growth Management Hearings Board(s). If other decisions, papers, determinations, environmental reviews etc. have been completed by the County regarding this parcel specifically, and the overlay in general, then those documents should be made a part of and/or referenced in the environmental review for this proposed Comprehensive Plan amendment. If those do exist, the DNS/Checklist does not, but should, list the other relevant environmental documents/studies/models that have been done regarding the Urban Holding area since it was placed under the Urban Holding overlay. For example, a county's EIS for its comprehensive plan may have information relevant to the Urban Holding Overlay. In addition, there should be other county, Growth Board and/or appellate court references to the Urban Holding Overlay and the reason(s) that it has not been removed over the years.

Fifth, there is no description of any alternatives much less a range of alternative or preferred alternative or any description of if a particular alternative was fully implemented (including full build-out development, redevelopment, changes in land use, density of uses, management practices, etc.), any description of where and how it would direct or encourage demand on or changes within elements of the human or built environment, as well as the likely affects on the natural environment. In addition, the document fails to identify where the change or affect or increased demand might or could constitute a likely adverse impact, or any description of any further or additional adverse impacts that are likely to occur as a result of those changes and affects.

Sixth, this checklist cannot serve as an environmental analysis for later project reviews because it has been created in a way that does not anticipate any such projects where, in contrast, the county definitely is contemplating such projects. The more detailed and complete the environmental analysis is during the "non-project" stage, the less review will needed during project review and, therefore, any project review can focus on those environmental issues not adequately addressed during the "non-project" stage. The current checklist and DNS fails to provide any analysis that could be utilized later at a proposed project phase and fails to give notice to the citizen of the real potential

environmental impacts that will occur once the Urban Holding Overlay is lifted and projects can proceed.

Currently, given the potential development agreements listed above, along with others that may not be in the public realm, there is ample ability for the lead agency to anticipate and analyze the likely environmental impacts of taking this action and the failure to do so creates an inadequate SEPA document (for example a minimum of 2500 peak hour trips if the developers' numbers are to be believed in the documents that they submitted in the July work session). Failure to conduct a full environmental review at this juncture allows for the removal of the overlay while precluding the public to speak to the removal of the overlay at all. Plus, once this overlay is removed, the question arises as to whether the removal of all the other portions of the overlay must be removed either piecemeal or as a whole through this "non-project" action that has no real environmental review or input from the public.

Although an environmental checklist can act as a first step in an environmental process, including Part D, Supplemental Sheet for "non-project" activities it should not stand in the way of a more comprehensive environmental impact statement, especially in this case given the large areas under the urban holding overlay that are obviously intended to be subject to removal only upon meeting specific prerequisites. Further, there has been no analysis of the traffic impacts on 179th street, 15th Avenue and/or the 179th street intersection by the current proposal(s) by the lead agency. A full environmental review, that includes all known proposed projects, along with the impact of full build-out should the entire overlay be removed, should be conducted prior to the removal of any portion of the overlay.

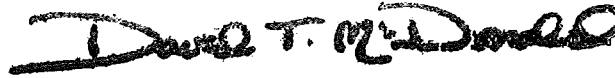
These comments assert that this "non-project" SEPA proposal review should also 1) consider all existing regulations, 2) set forth the underlying rational behind the fact that there is an Urban Holding Overlay in existence, 3) the reason for the overlay being placed on the area, 4) remove it from the overlay and 5) the requirements that are required to remove the overlay as well as and 6) any other development under consideration. Plus the environmental review should include an analysis of the potential impacts of the entire area once the overlay is lifted in the larger area surrounding the 179th Street interchange, there will be a plethora of impacts, including but not limited to traffic impacts.

Therefore, this "nonproject" action involves a comprehensive plan amendment, or similar proposal governing future project development, and the probable environmental impacts that would be allowed for the future development need to be considered. The environmental analysis should analyze the likely impacts of the of build-out of all the underlying zones covered by the overlay when determining the efficacy of allowing this one "non-project" to have the overlay removed. In addition, the proposal should be described in terms of alternative means of accomplishing an objective.

Dr. Oliver Orjiako
Page 5
August 14, 2018

Thank you for your consideration of these comments. Please submit them
for the record.

Best Regards,

A handwritten signature in black ink, appearing to read "David T. McDonald". The signature is stylized with a large, sweeping initial "D" and a prominent horizontal line across the middle.

David McDonald

From: [Wiser, Sonja](#)
To: [Karl Johnson](#); [Matt Swindell](#); [Richard Torres](#); [Robin Grimwade](#); [Robin Grimwade](#); [Ron Barca-Boeing](#); [Ron Barca-MSN](#); [Steve Morasch \(stevem@landerholm.com\)](#)
Cc: [Hermen, Matt](#); [Klug, Rob](#); [Orjiako, Oliver](#); [Cook, Christine](#)
Subject: FW: Public comment/testimony for CPZ2019-00023 Urban Holding removal proposal
Date: Tuesday, July 16, 2019 1:48:06 PM

fyi

-----Original Message-----

From: Richard Kubinieć [<mailto:richard.kubinieć@gmail.com>]
Sent: Thursday, July 04, 2019 3:49 PM
To: Wiser, Sonja
Cc: David Gilroy; Greg & Denise Huggins
Subject: Public comment/testimony for CPZ2019-00023 Urban Holding removal proposal

CAUTION: This email originated from outside of Clark County. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Wiser,

Please accept this email comment in advance of the upcoming Public Hearing on 7/18/19. I am speaking as a local resident, currently I reside at 16519 NE 37th Ave, Vancouver WA 98686. I reviewed the posted application and the incompletely detailed SEPA checklist document and have several concerns.

1st: From a Development standpoint, removing the property identified as 181675000 from the Urban Holding Overlays at this time makes little sense to the region and the taxpayers as a whole. Isolating a single plot for development when 95% of the neighboring properties remain in a holding status due to the lack of infrastructure sets a precedent for a series of subsequent amendment requests as other developers will rush to start their projects before the necessary road, sewer, utility infrastructure projects have been roped, planned and funded. This is in direct opposition to the intent of the 20 Year Growth Management Comprehensive Plan.

2nd: Traffic Impact Fees which were waived during the previous economic downturn in order to remove disincentives for economic development need to be re-instated in the present setting where the 179th Street corridor has yet to be funded. This proposed property will be directly dependent on 179th Street and safe ingress/egress will require considerable investments and it is not fair to shift the financial burden to the developers who are waiting for the entire area serviced by the 50th Ave/179th Street intersection to be brought into the Urban Growth Plan.

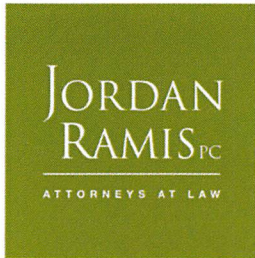
3rd: The request for Amendment appears to significantly underestimate the impacts of their undefined project with repeated references to "no Impact - non-project request" but only mentions in passing on the SEPA checklist a slight 129 additional vehicular trips. The parcel in question is nominally 32 acres zoned R1-10. It is not plausible that the developer is proposing construction of 12-13 homes on the 32 acres which would be the case if only 129 additional trips are foreseen. It is far more likely that the development will try to subdivide into as small as permitted lots - possibly 7,000 sq ft - to enable construction of 120 or more housing units. A more prudent estimate of the future traffic impacts would project ~ 1200 additional trips per day.

4th: There is a branch of Mill Creek feeding into Salmon Creek on the western boundary of the property with areas of 40 degree slopes and a large number of significant trees stabilizing the riparian corridor. The SEPA checklist does not appear to adequately address the environmental impacts the undefined future project may have but seeks to establish precedent that "no additional Environmental Impact Study will be required". I respectfully disagree and would request that language be struck as premature.

Thank you for the opportunity to comment. I hope to be present at the upcoming meeting later this

month.

Richard Kubiniec



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Vancouver, WA 98683

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July 18, 2019

VIA EMAIL ONLY

Clark County Council
ATTN: Matt Hermen
1300 Franklin St.
Vancouver, WA
E-Mail: Matt.Hermen@clark.wa.gov

Re: ***NE 179th St. Transportation Improvements - Removal of Urban Holding Overlay and Financing Plan***

Dear County Councilors:

This letter, submitted on behalf of our clients Wollam and Hinton, responds to comments submitted regarding the Holt Homes Inc. Draft Development Agreement and financing plan for the NE 179th St. Transportation Improvements. The comments refer to the Wollam and Hinton Draft Development Agreements, and this letter is submitted on behalf of those developments. However, we respectfully incorporate by reference the response from Randy Printz, on behalf of Holt Homes, responding to the same comments regarding financing plan questions.

To clarify, the County performed the financial analysis for the financing plan for the 179th Transportation Improvements, not the developers. As a condition for the financing plan, the County, after working closely with the developers through this process, have required that the four developers guarantee a certain amount of money to be paid to the County within a certain timeframe, regardless of the development agreement approvals. This is the first time in Clark County—or any other jurisdiction we are aware of—in which the private sector is guaranteeing such a significant amount of money toward a transportation improvement plan.

For Hinton and Wollam, the amount of the guarantee will be collectively 2 million dollars. At full buildout of approximately 454 lots combined in the Hinton and Wollam developments will generate in excess of over 4.5 million in combined TIF and surcharge.

The surcharge amount, which the County has set, is the difference between what the TIF for the Hinton and Wollam developers, respectively, would be today, and what will be ultimately adopted through the update in the Capital Facilities Plan. The County sought to assure, and the developers agreed to, that the developers would pay less than the amount that would ultimately be adopted. Due the guarantee and advanced TIF payment, the four developers are paying more than any other party and are the only projects in the County that will likely be requested to guarantee funding.

In our view, the surcharge could have been called a TIF overlay, since they are technically paying for the same thing, the identified transportation improvements. The County asked for, and we reluctantly

agreed, to guarantee the surcharge amount of cash payment to the County by the end of 2023. We have not backed away from that, and we will not.

For responses to specific questions raised to the Holt Homes Development Agreement, we defer to and incorporate by reference all of Mr. Randy Printz's response letter.

Very truly yours,

JORDAN RAMIS PC


Jamie D. Howsley

David T. McDonald
2212 NW 209th Street
Ridgefield, Washington 98642

AMENDED 3:00 PM 7/15/19

July 15, 2019

Clark County Councilors
% Dr. Oliver Orjiako
Director of Community Planning
Public Services Building
1300 Franklin Street
Vancouver, Washington 98660

Via pdf and e-mail to Oliver.Orijako@clark.wa.gov and
Rebecca.Messinger@clark.wa.gov

Dear Councilors:

**Earlier I sent a letter using what I thought was the current applicable TIF (\$536/trip). I have since learned that the applicable TIF is \$605/trip. This letter amends the previously sent letter to have numbers that correspond to the \$605/trip TIF currently applicable to Mt. Vista SubArea of which this project are is a part. My apologies for any inconvenience caused by this error. I took the number from what I thought was the applicable part of the County website---
<https://www.clark.wa.gov/sites/default/files/dept/files/public-works/TIFProjectListRates.pdf>.**

I have put the changes in BLUE.

This matter comes before the County on Tuesday, July 16, 2019 at 6:00pm for a public hearing. For the reasons stated in this letter, the County should not adopt any of the proposed Funding packages as none of them satisfy the criteria for reasonably funding the area's infrastructure and all fail to have the developers pay their fair share of the costs of development. At the outset, I must confess that this is a huge project and the "rules of the road" have continually changed over the past year regarding many, many aspects of this project, including funding. Just comparing the various PPTs that are part of the various Work Sessions and Hearings (PC and Council) is difficult at best. Therefore, having these posted last week, and not being able to hear the audio from the WS has made it difficult to get timely comments to the Council.

Under the previous scenarios presented in a variety of hearings and work sessions before the Planning Commission and Councilors, funding plans envisioned a \$66.2 million package of which the Developers would have only been required to do no

more than make some advance payments of their TIF obligations. Thus, the “private share” for this massive project, other than TIF payments taken from the current county coffers and the required TIF payments for these 4 developments, would have been zero.

Although reading the current proposed Holt Draft Development Agreement with the three proposed funding options does not create a clear set of funding scenarios, it appears that under the Draft DA, Holt has only agreed to pay a total amount (TIF plus surcharge) that is substantially less than what their TIF obligation would ultimately be if the County increased the TIF to \$916/trip or \$930/trip prior to the lifting of the Urban Holding.

However, if the County did not include the new projects that add \$97 million dollars to the price tag, and kept the **TIF at \$605/trip**, the Holt Draft DA would only require Holt to pay 2.9 million in TIF [less than their apparent obligation at either 6654 trips per day (at rate of 10/day for SFR and 6/day for TH) or at 6346 trips per day (at rate of 9.52 trips/day for SFR)] and a \$2,467,500 “surcharge”. If Holt was required to pay that amount, the County would still be short \$9,832,500 of the 12,300,000 listed under Option #7. **However, their TIF obligation at buildout at \$605/trip would be either \$4,025,670 or \$3,839,330. Therefore, it is unclear why the Draft DA only requires total payments of \$2.9 million in TIF when the total appears to be at least \$1 million greater.**

It has previously been suggested that bullet points may be easier to “digest” in providing comments so I have attempted to provide my comments in those bullet points below.

NO REQUIREMENT THAT COUNCIL LIFT URBAN HOLDING

There is no current requirement, nor emergency, which exists that mandates that this Council authorize expenditure of any public funds, much less over \$66.2 million dollars of public funds to subsidize some limited traffic capacity to serve only 4 residential developers to the detriment of the entire area’s development.

No current requirement, nor emergency, exists to authorize the expenditure of over \$163 Million Dollars (Proposed \$66.2 Million Dollars plus \$97 Million in evanescent TIF = 163.2 Million Dollars) with an evanescent hope that economic development *might* come and that the increase in TIF will provide any money in the coming 6 years to help fund the new projects added to the CFP in the six year plan at a cost of \$97 million especially given the current \$158 million CFP deficit.

FUNDING OPTIONS SHOULD BE BEFORE THE PLANNING COMMISSION FIRST

Query: Since this is a type IV process, why are these funding options NOT going before the Planning Commission to be vetted there first?

If this is a Type IV review process, then should not these funding options be placed in front of the PC in order to fully vet them and have them provide a recommendation to the Council?

NO PUBLIC CLAMORING FOR THE LIFTING OF URBAN HOLDING EXCEPT BY THE 4 PURVEYORS OF RESIDENTIAL DEVELOPMENT

At the Fairgrounds Neighborhood Association (FGNA) meeting on Thursday night, July 11th, there was NO person in the gathering (40-50 people showed up who live in the area) who spoke in favor of this project and everyone was, in fact, skeptical at best and vehemently opposed at worst.¹

Killian is the only true owner of all the land he proposes to develop but he does not live in the area. Holt (Greg Kubicek), Hinton and Wollam are all residential developers who, according to the GIS, appear to only own contingent interests in the properties they wish to develop.

Thus the impetus for “moving forward” is not a wave of citizens in the area, much less across the county, clamoring for this area to be developed. Rather, it is a few residential developers who are agreeing to pay some small pittance of advance TIF charges that come to barely 10% of the 66.2 million and, when factoring in the additional 97 million, their share is 4%.

¹ Any person who doubts this statement may simply check with County Staff who attended this meeting and who, I would suggest, will more than agree with this statement.

1ST STATED PURPOSE OF COUNTY IS NOT MET SUFFICIENTLY TO JUSTIFY COUNTY AND STATE COMMITTING \$200² MILLION IN PUBLIC FUNDS

-Stated Purpose: Economic Development

Economic Development Properties are either located Outside the Urban Holding area where no improvements will be made and no proposed improvements target the properties that would generate economic development.

-The current four projects, according to the Kittleson Traffic Study submitted to the County in July 2018, will consume the majority, if not all, of the increased capacity that will be created by the improvements projected to be constructed with the \$66.2 million dollar package, thus leaving NO capacity for any economic based land development including but not limited to commercial, business park or light manufacturing developments without additional expenditures of money from the County.

-Thus, the \$66.2 million “investment” ***will not create any capacity*** for any future economic job based land development in the corridor and the \$66.2 million dollar “investment” fails to provide any capacity for the “Stated Purpose” of promoting economic development.

Some Land Designated for Economic Development shows no signs of being able to develop for Commercial, Business Park or ML-

-The land designated for economic development west of NE Delfel is already in other uses, some pretty expensive and likely way too expensive for a BP person to want to contend with, even if the land is for sale. Along NE Delfel between 179th and 199th are a) two brand new homes on 10 acres (5 acres each) on the SW corner of NE Delfel and NE 199th, b) a Church is proposed for 10 acres fronting NE Delfel between 184th Street and 189th Street, c) many, many single family residences all along 184th, 189th and 199th headed to the west from I5 (some of those residences have been

² 66.2 Million for Small Fixes along 179th, \$50 Million Commitment from State WSDOT for Interchange Improvements and \$97 Million for new commitments for new projects including expanding 179th east to 50th Avenue.

there for years and some are newer. This house is a recent sale in, or next to, the BP zoning-- https://www.zillow.com/homedetails/513-NW-184th-St-Ridgefield-WA-98642/23291875_zpid/) and d) an approximately 30 unit manufactured home park (real affordable housing not the \$400K-\$450K for the Holt Homes that are proposed) just south of 189th and fronting NE Delfel. Does the County Council plan to displace those 30 + families and, if so, does the County have a suggestion as to where they would go to get concomitant affordable housing?

Development along 10th Avenue just north of Three Creeks property could be compromised by the fact that a family just put in a new home, the church at the corner of 194th and 10th and Shorty's Nursery on the SW corner of 199th and 10th. There are also private residences on both sides of 10th Avenue from 179th Street to 219th Street that would need to be bought by economic job based developers which could add to the cost of development.

Therefore the land that is touted as being the "economic engine" is either going to go the way of residential development (Hinton, Holt, Three Creek/Killian and Wollam), or lay fallow, as there is no business entity or development group that has come forward to bring real economic activity to this area other than short term dollars from construction industry that will result in long term lack of services and inability to deal with rising residential population.

SECOND STATED PURPOSE-KEEP PEOPLE WORKING IN CLARK COUNTY

This current effort fails to meet the second stated purpose for the following reasons:

There is no developer who is proposing any economic development.

The land in urban holding is not likely to develop as economic property.

There are no transportation alternatives to single occupancy vehicle available to the almost 1500 dwelling units being proposed for the 4 developments leading to 1500+ new daily peak hour trips of SOV going through an intersection that is not yet improved.

There are no designs or provisions for BRT, much less any bus or mass transit service. There are no sidewalks, bike lanes or bus lanes shown in the Kittleson Traffic study. C-Tran has neither made comments about the area, nor made any public commitment to serve the area (at least nothing in the record is to the contrary).

Without any employment based developments, the 1500 plus PH trips will clog already over burdened area around the interchange with no capacity for any employer traffic and that is according to the developers own traffic study.

Therefore the question for the county remains “what economic jobs-based developer is going to be willing to commit to putting in development in the area when the streets are under construction and totally clogged with residential SOV traffic with no extra capacity and no improvements to their land (assuming the land designated as economic based land is south of 219th street). A second question is “what is going to happen to the 7000 plus daily trips being added to the 179th corridor from I5 to 50th Avenue when the work begins to make 179th street a 4 lane major collector?”

CONCURRENCY

Matt Hermen, at a work session on the issue, stated that in order to lift urban holding the County needed to address that services that need to be in place before UH is lifted as transportation, sewer and water—with the County needing to be responsible for transportation while the CRWWD would be responsible for Sewer and water but all need to be available to lift Urban Holding.

https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/071217WS_UrbanHolding.mp3 at 5:35.

This statement by Mr. Hermen at the WS is consistent with the County’s Comprehensive Plan:

Chapter 14 of the CP and it provides that the UH can be lifted as follows:

The urban holding overlay designation may be removed

pursuant to Clark County Code 40.560.010 upon satisfaction of the following:

Mill Creek: The area is bordered by NE 179th Street to the north, NE 50 Avenue to the east, NE 163rd Street to the south, and NE 34th Avenue to the west. Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

West Fairgrounds and East Fairgrounds: Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 year Transportation Improvement Plan or through a development agreement.

HOWEVER, under our CP, sewer and water availability are treated as DIRECT concurrency requirements and therefore, even if the County is not directly responsible for the availability of sewer and water (that is the role of the CRWWD) concurrency applies to the provisions of sewer and water under our Comprehensive Plan.

Page 167 of Comp Plan appears to make sanitary water and sewer a Direct (required) as opposed to Indirect (advisory—i.e.. good idea that should be achieved)

Direct and Indirect Concurrency Services Direct concurrency will be applied on a project by project basis for public facilities of streets, water and sanitary sewer. While the GMA requires direct concurrency only for transportation facilities, this plan extends the concept of direct concurrency to cover other critical public facilities of water and sanitary sewer. Indirect services include schools, fire protection, law enforcement, parks and open space, solid waste, libraries, electricity, gas and government facilities. and this from page 175 of the CP Within unincorporated Urban Growth Areas other than the Vancouver UGA the Comprehensive Plan Map has designated relatively little land for short term urban density development which would require public sewer

service. These UGA lands are affixed with an "Urban Holding" overlay designation, which explicitly precludes urbanization until a site-specific demonstration of serviceability is made. Provisions for lands within corporate limits are addressed in the city comprehensive plans. Within the Vancouver UGA there is a substantial amount of land under county jurisdiction, which is designated for near term urban development without the Urban Holding overlay. The District serves the City of Vancouver Urban Growth Area consistent with the County's Comprehensive Plan.

Read together, Sewer and Water must be available BEFORE you can lift UH.

According to the CRWWD, they either have the ability to directly serve 2 of the properties (I think Wollam and Hinton) and they can serve the other two properties (Three Creeks and Holt) on an interim basis if, and only if, these two developments (TC and Holt) pay all of the direct cost of service. The main developer that must pay for a line extension is Holt and, according to CRWWD, there is no agreement in place for the interim upgrade that would be required.

In addition, CRWWD may NOT have the ability to serve any other developments in the area without interim agreements, and, therefore, no one should be recommending the lifting of ALL of the UH area. CRWWD folks also do not have the lines that are required to go from 179th and I5 east to 50th in their 6-year plan (they are in the 20-year plan but are not funded. Even if those lines were funded (approximately 45 million dollars in today's costs), the CRWWD would NOT put those lines into the roadway along 179th UNLESS it was done concomitantly with the improvement of 179th from 2 lane to 4 lane.

Ironically (sadly, not surprisingly), the County has NO money (need 97 million) to build that infrastructure in the next 6 years UNLESS it collects 97 million in TIF from the Mt. Vista SubArea during the next six years. However,

there are no plans for any other projects, much less projects that would generate \$97 million in TIF over the next 6 years and the County's Capital Facilities Plan currently has a deficit of \$158 million.

In addition, the proposed start date for the construction of the 15th Avenue extension is not until 2023 and for the NE Delfel division not until 2025/2026 concomitantly with the interchange work being done in 2027. Therefore, there is not going to be capacity for any job based economic development until these projects are completed. Residential development of Holt, Killian, Wollam and Hinton are projected to be completed by 2023 while there will not be any new roads yet for them to drive upon to get to the intersection. I hope someone is considering where approximately 6500 trips per day are going to go before, and during, all of these improvements.

DEVELOPMENT AGREEMENT (HOLT³)-TWO ISSUES (SPECIFIC PROVISIONS NOT RELATED TO PAYMENTS AND PAYMENT PROVISIONS)

Holt/Mill Creek DA

A. November 2018-1st Public Draft Development Agreement (Hereafter DDA #1)

Original Staff Report underestimates Holt TIF obligation by between \$1,135,202 (\$4,025,670-\$2,890,468) and \$948,862 (\$3,839,330--\$2,890,468). See My calculations of TIF for this project, which are attached as Exhibit #1 and incorporated by this reference.

Original Staff and Development Agreement both designate the approximately 2.9 million as "TIF" NOT "surcharge"—those terms are different as the Council and PC members know.

³ These comments only address the Holt projects 3 different proposed DDAs regarding payments as the most current Hold Draft DA is the only one before the Council on 7/16/19. However, it should be noted that the generic DDA proposed by Holt seems to be a template for the Wollam and Hinton DDAs that are in front of the PC on Thursday 7/18/19. In addition, the Killian DA adopted by the Council in December contains none of the provisions regarding payments that are proposed in the Draft DA by Holt and the template Draft DAs by Hinton and Wollam. In addition, this commentator will try to provide more specific comments regarding the other provisions of DDA #3 prior to the hearing tomorrow.

Original Draft Development Agreement has NO provision for paying any money in advance, much less TIF money which resulted in November PC Hearing being cancelled due to Staff Report finding not reasonably funded.

B. February 2019 PC Work Session Holt's Second "Draft Development Agreement" (Hereafter DDA # 2 which is attached as Exhibit #3 and incorporated by this reference)

Staff Continues to underestimate Holt's TIF obligation a full build-out by between \$1,135,202 (\$4,025,670-\$2,890,468) and \$948,862 (\$3,839,330--\$2,890,468).

Holt's DDA #2 adds a New Provision entitled "8. Advanced Payment of TIF"

In that paragraph, Holt proposes in pertinent part to make advanced payments of TIFs. However, the advanced payments are, at least in part, an illusion because the TIF obligation is NOT based upon the total number of units, (606 SFR + 99 TH), but on the "middle range of the number of Units provided for in the Master Plan-685" units. Assuming the midrange is 343 units, the total TIF obligation for those 343 units would be \$2,075,150 (343 x 605 x 10). 25% of that number is \$518,787.50. Therefore, the DDA #2 obligates the Developer to pay a little more than 10% of their total TIF obligation at the lifting of urban holding and another 10% at preliminary plat with the remainder due on normal schedule.

DDA #2 proposes paying something in advance but there is no indication the total dollar amount.

C. July 16, 2019 Council Hearing reveals Third "Draft Development Agreement" (Hereafter DDA # 3 which is attached as Exhibit #4 and incorporated by this reference).

DDA # 3 proposes a schedule by which Holt will pay something, but is still only is agreeing to pay \$2.9 million while calling some of the payments "TIF" and some of the payments "Surcharge" as follows:

150 lots for preliminary plat approval by 2/15/20 at \$2,680 per lot (\$402,000)-**NOTE: \$2,680 per lot (\$402,000) = ½ of the TOTAL TIF owed at rate of \$536.00 on each of the 150 lots.**

However, if we use \$605/trip (current rate) at 10 trips per day, then the total TIF for these 150 lots would be \$907,500 (1/2=\$453,750). ALSO NOTE: The DA DOES NOT use the bumped up rate of \$930 TIF listed in Option 8. Therefore, there is no apparent justification for using the \$2,680/lot unless the drafter was under the same misimpression as I was that the actual TIF was \$536.

150 lots for preliminary plat approval by 2/15/21 at \$2,680 per lot (\$402,000)

150 lots for preliminary plat approval by 2/15/22 at \$2,680 per lot (\$402,000)

91 lots for preliminary plat approval by 2/15/23 at \$2,680 per lot (\$243,880)

The total amount of the payment of what they would owe at the issuance of the building permit is **\$1,449,880** of the total TIF of **\$4,025,670** at the current rates (**\$605** per trip—10 trips per day for SFR and 6 trips per day per TH).

Therefore, under DDA#3, there is NO money paid at the lifting of the UH but \$1,449,880 (150 x \$2,680) must be paid at preliminary plat, but for only 541 of the 705 Units. Importantly, over 150 lots/units are now excluded from TIF payments (606 SFR plus 99 TH= 705 units is total but DDA #3 only deals with 541 not 705).

DDA #3 then provides for additional TIF payments at Final Plat approval **in the same manner.**

150 lots prior to November 1st, 2020 at \$2,680/lot

150 lots prior to November 1st, 2021 at \$2,680/lot

150 lots prior to November 1st, 2022 at \$2,680/lot

91 lots 150 lots prior to November 1st, 2023 at \$2,680/lot

Thus, by November 1, 2023, the Developer is obligated to pay the full TIF amount for the 541 lots at \$2,680/lot. Total for all TIF under DDA #3 is the original \$2,899,760⁴.

DDA #3 then addresses the “surcharge” issue and states that each building permit for each lot developed upon the Property, shall pay an additional surcharge (the “Surcharge”) in the amount of \$3,500 per lot. Unlike the other provisions, where the TIF for only 541 lots must be paid by December 2023, there is no requirement for timing on the payment of \$3,500/lot so there is no guarantee that money will be paid to the County within 6 years. In addition, there is required number of lots that are required to pay the allotment (ie, there is no requirement that 541 lots, or any other number of lots, pays the “surcharge” of \$3,500/lot. In a best-case scenario for the County, assuming full build out of 705 lots at \$3500/lot, there would be an additional \$2,467,500, for a total payment of TIF and “surcharge” of \$5,367,260 (\$2,899,760 + \$2,467,500).

NOTE: The Draft Development Agreement also states that By December 2023, Holt or a successor shall have paid \$2,900,000 in COMBINED TIF and Surcharge. If any portion of the \$2,900,000 has not been paid by December 31, 2023, such amount shall be paid on December 31, 2023.

Thus, this statement appears to suggest that no matter what is paid, they are limited to paying no more than 2,900,000 in TIF and “Surcharge” combined.

Finally, the last provision of Paragraph states that

The transportation vesting provided for in this Section shall be subject to the mitigation measures and the timing provided for in Exhibit “D”. Some of the transportation

⁴ It appears that somehow, Mr. Printz took the total expected TIF as designated by staff in the November 2018 staff report to the PC and made some calculations to achieve that payment of \$2,899,760.

improvements may be on the County's Transportation Capital Facility Plan. Holt or successor in interest to the Property, upon construction of such qualifying transportation improvement, shall be eligible to apply for Transportation Impact Fee Credits, but only if such improvements are eligible for Credits under the County's applicable Capital Facilities Plan and Transportation Impact Fee programs.

Does this paragraph mean that despite the promises to pay as set forth in paragraph 8 that they can get credits back from the County and, if so, how much credits can they get back from the County?

Coincidentally, if the County just charged the actual TIF at the rate of \$916/trip (option #9-Funding package dated July 10, 2019), then at 6654 generated trips for this development at full build out, the total TIF reimbursement *alone* to the County would be \$6,095,064. Therefore, by getting some upfront costs, the County is giving up almost \$700,000. That number goes up under option 8 if the TIF imposed is \$930/trip (\$6,188,220), a loss to the County of over \$800,000.

Since these 4 developers will actually be paying less in TIF plus "surcharge" than they would be paying in TIF total, the question should be asked, **"why aren't the developers paying for all of the TIF fees PLUS the 'Surcharge'?"** If that were the case, the Holt Developer would owe \$6,095,064 (or \$6,188,220)⁵ plus the \$2,467,500 for a total of \$8,655,720 (at \$916/trip) or \$8,655,720 (if at \$930/trip).

Thank you for allowing me to comment on the proposed development of this area. Sadly, it appears that this County is once again listening to the purveyors of residential development and using an extremely large amount of public funds to subsidize the profits for residential development without any promise of economic development or jobs based land development.

It is a fallacy to assume that real job based development will follow "rooftops". If that was the case, Clark County would be full of job based economic

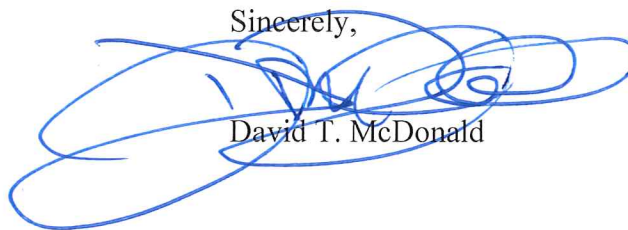
⁵ Depending on whether one uses 6654 trips or 6346 trips.

engines and the traffic flow across the river would slow to a trickle. Instead the true reality is that over the last 20 years, people who live and work in Portland, but cannot afford to buy a home there, have to come to Clark County to purchase homes and then commute to Portland.

These 4 projects will just create more of the same and there is nothing in the record to show different. In addition, the developers own traffic study shows that the 4 developments consume almost all of the capacity that will be created by the 66.2 million dollar investment leaving no capacity for any job based economic development.

As Bridget Schwartz commented at the FGNA meeting the other night, "if this goes through, we will all be in our own private hell".

Sincerely,

A handwritten signature in blue ink, appearing to read "David T. McDonald", is written over the printed name. The signature is stylized with loops and flourishes.

David T. McDonald

EXHIBIT #2 TIF Calculation for Holt Home Development

The original staff report from November 2018 calculated the TIF for this development at almost 2.9 Million based upon **606 Single Family Residences** and **99 Townhouses** (which was determined to create 657 PH trips).

Assuming 10 daily trips per SFR and 6 Daily trips per general townhouse, and a current TIF rate of **\$605** per trip (current Mt. Vista TIF Rate), then the total TIF obligation for this development should be **\$4,025,670** (6,060 daily trips (SFR) plus 594 daily trips for (TH)=6654¹ daily trips x **\$605=\$4,025,670**).

If the TIF rate changed to \$916 or \$930, then the ultimate TIF obligation at 6654 trips would be \$6,095,064 or \$6,188,220, respectively.

Therefore, it is unclear to this writer why the total in the staff report in November showed a total of \$2,890,468. This writer did not give any credit for reduction for BEF or .085 under 40.620.010 and sees no justification in the record for either of those credits.

¹ DDA #3 has a list of 6346 Daily Trips which appear to be the total if one uses the County charts of 9.52 (not 10) for a SFR (3,092,248.32) and 5.81 (not 6) for a TH (\$308,301.84) for a total of **\$3,839,330**. But, even if one uses the county chart technical rate, not the "rounded up" rate, the TIF number in the staff report (\$2,890,468) is still **almost \$1,000,000** short of the actual number (6346 x **605=\$3,839,330**). If one considers 6346 at \$916/trip, the total is \$5,812,936 and if at \$930/trip is \$5,901,780.

David T. McDonald
2212 NW 209th Street
Ridgefield, Washington 98642

July 15, 2019

Clark County Councilors
% Dr. Oliver Orjiako
Director of Community Planning
Public Services Building
1300 Franklin Street
Vancouver, Washington 98660

Via pdf and e-mail to Oliver.Orijako@clark.wa.gov and
Rebecca.Messinger@clark.wa.gov

Dear Councilors:

This matter comes before the County on Tuesday, July 16, 2019 at 6:00 pm for a public hearing. For the reasons stated in this letter, the County should not adopt any of the proposed Funding packages as none of them satisfy the criteria for reasonably funding the area's infrastructure and all fail to have the developers pay their fair share of the costs of development. At the outset, I must confess that this is a huge project and the "rules of the road" have continually changed over the past year regarding many, many aspects of this project, including funding. Just comparing the various PPTs that are part of the various Work Sessions and Hearings (PC and Council) is difficult at best. Therefore, having these posted last week, and not being able to hear the audio from the WS has made it difficult to get timely comments to the Council.

Under the previous scenarios presented in a variety of hearings and work sessions before the Planning Commission and Councilors, funding plans envisioned a \$66.2 million package of which the Developers would have only been required to do no more than make some advance payments of their TIF obligations. Thus, the "private share" for this massive project, other than TIF payments taken from the current county coffers and the required TIF payments for these 4 developments, would have been zero.

Although reading the current proposed Holt Draft Development Agreement with the three proposed funding options does not create a clear set of funding scenarios, it appears that under the Draft DA, Holt has only agreed to pay a total amount (TIF plus surcharge) that is substantially less than what their TIF obligation would ultimately be if the County increased the TIF to \$916/trip or \$930/trip prior to the lifting of the Urban Holding.

However, if the County did not include the new projects that add \$97 million dollars to the price tag, and kept the TIF at \$536/trip, the Holt Draft DA would only require Holt to pay 2.9 million in TIF [less than their apparent obligation at either 6654 trips per day (at rate of 10/day for SFR and 6/day for TH) or at 6346 trips per day

(at rate of 9.52 trips/day for SFR] and a \$2,467,500 surcharge. If Holt was required to pay that amount, the County would still be short \$9,832,500 under Option #7.

It has previously been suggested that bullet points may be easier to “digest” in providing comments so I have attempted to provide my comments in those bullet points below.

NO REQUIREMENT THAT COUNCIL LIFT URBAN HOLDING

There is no current requirement, nor emergency, which exists that mandates that this Council authorize expenditure of any public funds, much less over \$66.2 million dollars of public funds to subsidize some limited traffic capacity to serve only 4 residential developers to the detriment of the entire area’s development.

No current requirement, nor emergency, exists to authorize the expenditure of over \$163 Million Dollars (Proposed \$66.2 Million Dollars plus \$97 Million in evanescent TIF = 163.2 Million Dollars) with an evanescent hope that economic development *might* come and that the increase in TIF will provide any money in the coming 6 years to help fund the new projects added to the CFP in the six year plan at a cost of \$97 million especially given the current \$158 million CFP deficit.

FUNDING OPTIONS SHOULD BE BEFORE THE PLANNING COMMISSION FIRST

Query: Since this is a type IV process, why are these funding options NOT going before the Planning Commission to be vetted there first?

If this is a Type IV review process, then should not these funding options be placed in front of the PC in order to fully vet them and have them provide a recommendation to the Council?

NO PUBLIC CLAMORING FOR THE LIFTING OF URBAN HOLDING EXCEPT BY THE 4 PURVEYORS OF RESIDENTIAL DEVELOPMENT

At the Fairgrounds Neighborhood Association (FGNA) meeting on Thursday night, July 11th, there was NO person in the gathering (40-50 people showed up who live in the area) who spoke in favor of this project and everyone was, in fact, skeptical at best and vehemently opposed at worst.¹

¹ Any person who doubts this statement may simply check with County Staff who attended this meeting and who, I would suggest, will more than agree with this statement.

Killian is the only true owner of all the land he proposes to develop but he does not live in the area. Holt (Greg Kubicek), Hinton and Wollam are all residential developers who, according to the GIS, appear to only own contingent interests in the properties they wish to develop.

Thus the impetus for “moving forward” is not a wave of citizens in the area, much less across the county, clamoring for this area to be developed. Rather, it is a few residential developers who are agreeing to pay some small pittance of advance TIF charges that come to barely 10% of the 66.2 million and, when factoring in the additional 97 million, their share is 4%.

1ST STATED PURPOSE OF COUNTY IS NOT MET SUFFICIENTLY TO JUSTIFY COUNTY AND STATE COMMITTING \$200² MILLION IN PUBLIC FUNDS

-Stated Purpose: Economic Development

Economic Development Properties are either located Outside the Urban Holding area where no improvements will be made and no proposed improvements target the properties that would generate economic development.

-The current four projects, according to the Kittleson Traffic Study submitted to the County in July 2018, will consume the majority, if not all, of the increased capacity that will be created by the improvements projected to be constructed with the \$66.2 million dollar package, thus leaving NO capacity for any economic based land development including but not limited to commercial, business park or light manufacturing developments without additional expenditures of money from the County.

-Thus, the \$66.2 million “investment” ***will not create any capacity*** for any future economic job based land development in the corridor and the \$66.2 million dollar “investment” fails to provide any capacity for the “Stated Purpose” of promoting economic development.

² 66.2 Million for Small Fixes along 179th, \$50 Million Commitment from State WSDOT for Interchange Improvements and \$97 Million for new commitments for new projects including expanding 179th east to 50th Avenue.

Some Land Designated for Economic Development shows no signs of being able to develop for Commercial, Business Park or ML-

-The land designated for economic development west of NE Delfel is already in other uses, some pretty expensive and likely way too expensive for a BP person to want to contend with, even if the land is for sale. Along NE Delfel between 179th and 199th are a) two brand new homes on 10 acres (5 acres each) on the SW corner of NE Delfel and NE 199th, b) a Church is proposed for 10 acres fronting NE Delfel between 184th Street and 189th Street, c) many, many single family residences all along 184th, 189th and 199th headed to the west from I5 (some of those residences have been there for years and some are newer. This house is a recent sale in, or next to, the BP zoning-- https://www.zillow.com/homedetails/513-NW-184th-St-Ridgefield-WA-98642/23291875_zpid/) and d) an approximately 30 unit manufactured home park (real affordable housing not the \$400K-\$450K for the Holt Homes that are proposed) just south of 189th and fronting NE Delfel. Does the County Council plan to displace those 30 + families and, if so, does the County have a suggestion as to where they would go to get concomitant affordable housing?

Development along 10th Avenue just north of Three Creeks property could be compromised by the fact that a family just put in a new home, the church at the corner of 194th and 10th and Shorty's Nursery on the SW corner of 199th and 10th. There are also private residences on both sides of 10th Avenue from 179th Street to 219th Street that would need to be bought by economic job based developers which could add to the cost of development.

Therefore the land that is touted as being the "economic engine" is either going to go the way of residential development (Hinton, Holt, Three Creek/Killian and Wollam), or lay fallow, as there is no business entity or development group that has come forward to bring real economic activity to this area other than short term dollars from construction industry that will result in long term lack of services and inability to deal with rising residential population.

SECOND STATED PURPOSE-KEEP PEOPLE WORKING IN CLARK COUNTY

This current effort fails to meet the second stated purpose for the following reasons:

There is no developer who is proposing any economic development.

The land in urban holding is not likely to develop as economic property.

There are no transportation alternatives to single occupancy vehicle available to the almost 1500 dwelling units being proposed for the 4 developments leading to 1500+ new daily peak hour trips of SOV going through an intersection that is not yet improved.

There are no designs or provisions for BRT, much less any bus or mass transit service. There are no sidewalks, bike lanes or bus lanes shown in the Kittleson Traffic study. C-Tran has neither made comments about the area, nor made any public commitment to serve the area (at least nothing in the record is to the contrary).

Without any employment based developments, the 1500 plus PH trips will clog already over burdened area around the interchange with no capacity for any employer traffic and that is according to the developers own traffic study.

Therefore the question for the county remains “what economic jobs-based developer is going to be willing to commit to putting in development in the area when the streets are under construction and totally clogged with residential SOV traffic with no extra capacity and no improvements to their land (assuming the land designated as economic based land is south of 219th street). A second question is “what is going to happen to the 7000 plus daily trips being added to the 179th corridor from I5 to 50th Avenue when the work begins to make 179th street a 4 lane major collector?”

CONCURRENCY

Matt Hermen, at a work session on the issue, stated that in order to lift urban holding the County needed to address that services that need to be in place before UH is lifted as transportation, sewer and water—with the County needing to be

responsible for transportation while the CRWWD would be responsible for Sewer and water but all need to be available to lift Urban Holding.

https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/071217WS_UrbanHolding.mp3 at 5:35.

This statement by Mr. Hermen at the WS is consistent with the County's Comprehensive Plan:

Chapter 14 of the CP and it provides that the UH can be lifted as follows:

The urban holding overlay designation may be removed pursuant to Clark County Code 40.560.010 upon satisfaction of the following:

Mill Creek: The area is bordered by NE 179th Street to the north, NE 50 Avenue to the east, NE 163rd Street to the south, and NE 34th Avenue to the west. Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 Year Transportation Improvement Plan or through a development agreement.

West Fairgrounds and East Fairgrounds: Determination that the completion of localized critical links and intersection improvements are reasonably funded as shown on the county 6 year Transportation Improvement Plan or through a development agreement.

HOWEVER, under our CP, sewer and water availability are treated as DIRECT concurrency requirements and therefore, even if the County is not directly responsible for the availability of sewer and water (that is the role of the CRWWD) concurrency applies to the provisions of sewer and water under our Comprehensive Plan.

Page 167 of Comp Plan appears to make sanitary water and sewer a Direct (required) as opposed to Indirect (advisory—i.e.. good idea that should be achieved)

Direct and Indirect Concurrency Services Direct concurrency will be applied on a project by project basis for public facilities of streets, water and sanitary sewer. While the GMA requires direct concurrency only for transportation facilities, this plan extends the concept of direct concurrency to cover other critical public facilities of water and sanitary sewer. Indirect services include schools, fire protection, law enforcement, parks and open space, solid waste, libraries, electricity, gas and government facilities. and this from page 175 of the CP Within unincorporated Urban Growth Areas other than the Vancouver UGA the Comprehensive Plan Map has designated relatively little land for short term urban density development which would require public sewer service. These UGA lands are affixed with an "Urban Holding" overlay designation, which explicitly precludes urbanization until a site-specific demonstration of serviceability is made. Provisions for lands within corporate limits are addressed in the city comprehensive plans. Within the Vancouver UGA there is a substantial amount of land under county jurisdiction, which is designated for near term urban development without the Urban Holding overlay. The District serves the City of Vancouver Urban Growth Area consistent with the County's Comprehensive Plan.

Read together, Sewer and Water must be available BEFORE you can lift UH.

According to the CRWWD, they either have the ability to directly serve 2 of the properties (I think Wollam and Hinton) and they can serve the other two properties (Three Creeks and Holt) on an interim basis if, and only if, these two developments (TC and Holt) pay all of the direct cost of service. The main developer that must pay for a line extension is Holt and, according to CRWWD, there is no agreement in place for the interim upgrade that would be required.

In addition, CRWWD may NOT have the ability to serve any other developments in the area without interim agreements, and, therefore, no one should be

recommending the lifting of ALL of the UH area. CRWWD folks also ***do not*** have the lines that are required to go from 179th and I5 east to 50th in their 6-year plan (they are in the 20-year plan but are not funded. Even if those lines were funded (approximately 45 million dollars in today's costs), the CRWWD would NOT put those lines into the roadway along 179th UNLESS it was done ***concomitantly*** with the improvement of 179th from 2 lane to 4 lane.

Ironically (sadly, not surprisingly), the County has NO money (need 97 million) to build that infrastructure in the next 6 years UNLESS it collects 97 million in TIF from the Mt. Vista SubArea during the next six years. However, there are no plans for any other projects, much less projects that would generate \$97 million in TIF over the next 6 years ***and*** the County's Capital Facilities Plan ***currently has a deficit of \$158 million.***

In addition, the proposed start date for the construction of the 15th Avenue extension is not until 2023 and for the NE Delfel division not until 2025/2026 concomitantly with the interchange work being done in 2027. Therefore, there is not going to be capacity for any job based economic development until these projects are completed. Residential development of Holt, Killian, Wollam and Hinton are projected to be completed by 2023 while there will not be any new roads yet for them to drive upon to get to the intersection. I hope someone is considering where approximately 6500 trips per day are going to go before, and during, all of these improvements.

DEVELOPMENT AGREEMENT (HOLT³)-TWO ISSUES (SPECIFIC PROVISIONS NOT RELATED TO PAYMENTS AND PAYMENT PROVISIONS)

Holt/Mill Creek DA

³ These comments only address the Holt projects 3 different proposed DDAs regarding payments as the most current Hold Draft DA is the only one before the Council on 7/16/19. However, it should be noted that the generic DDA proposed by Holt seems to be a template for the Wollam and Hinton DDAs that are in front of the PC on Thursday 7/18/19. In addition, the Killian DA adopted by the Council in December contains none of the provisions regarding payments that are proposed in the Draft DA by Holt and the template Draft DAs by Hinton and Wollam. In addition, this commentator will try to provide more specific comments regarding the other provisions of DDA #3 prior to the hearing tomorrow.

A. November 2018-1st Public Draft Development Agreement (Hereafter DDA #1)

Original Staff Report underestimates Holt TIF obligation by between \$510,082.16 and \$676,076. *See* My calculations of TIF for this project which are attached as Exhibit #1 and incorporated by this reference.

Original Staff and Development Agreement both designate the approximately 2.9 million as “TIF” NOT “surcharge”—those terms are *different* as the Council and PC members know.

Original Draft Development Agreement has NO provision for paying any money in advance, much less TIF money which resulted in November PC Hearing being cancelled due to Staff Report finding not reasonably funded.

B. February 2019 PC Work Session Holt’s Second “Draft Development Agreement” (Hereafter DDA # 2 which is attached as Exhibit #3 and incorporated by this reference)

Staff Continues to underestimate Holt’s TIF obligation a full build-out by between \$510,082.16 and \$676,076.

Holt’s DDA #2 adds a New Provision entitled “8. Advanced Payment of TIF”

In that paragraph, Holt proposes in pertinent part to make advanced payments of TIFs. However, the advanced payments are, at least in part, an illusion because the TIF obligation is NOT based upon the total number of units, (606 SFR + 99 TH), but on *the “middle range of the number of Units provided for in the Master Plan-685* units. Assuming the midrange is 343 units, the total TIF obligation for those units would be \$1,838,480 (343 x 536 x 10). 25% of that number is \$459,620. Therefore, the DDA #2 obligates the Developer to pay a little more than 10% of their total TIF obligation at the lifting of urban holding and another 10% at preliminary plat with the remainder due on normal schedule.

DDA #2 proposes paying *something* in advance but there is no indication the total dollar amount.

C. July 16, 2019 Council Hearing reveals Third “Draft Development Agreement” (Hereafter DDA # 3 which is attached as Exhibit #4 and incorporated by this reference).

DDA # 3 proposes a schedule by which Holt will pay something, but is still only is agreeing to pay \$2.9 million while calling some of the payments “TIF” and some of the payments “Surcharge” as follows:

150 lots for preliminary plat approval by 2/15/20 at \$2,680 per lot (\$402,000)-**NOTE: 2,680 per lot = ½ of the TOTAL TIF owed at current rate of \$536.00 on each lot. The offer DOES NOT use the bumped up rate of \$930 TIF listed in Option 8.**

150 lots for preliminary plat approval by 2/15/21 at \$2,680 per lot (\$402,000)

150 lots for preliminary plat approval by 2/15/22 at \$2,680 per lot (\$402,000)

91 lots for preliminary plat approval by 2/15/23 at \$2,680 per lot (\$243,880)

The total amount of the payment of what they would owe at the issuance of the building permit is **\$1,449,880** of the total TIF of \$3,566,544 at the current rates (\$536 per trip—10 trips per day for SFR and 6 trips per day per TH). *See Exhibit #5.*

Therefore, under DDA#3, there is NO money paid at the lifting of the UH and then 50% of the money owed at the current TIF rate, NOT the bumped up rate, will be paid at preliminary plat but for only 541 Units. Importantly, over 150 lots/units are now excluded from TIF payments (606 SFR plus 99 TH= 705 units) under the DDA #3.

DDA #3 then provides for additional TIF payments at Final Plat approval

150 lots prior to November 1st, 2020 at \$2,680/lot

150 lots prior to November 1st, 2021 at \$2,680/lot

150 lots prior to November 1st, 2022 at \$2,680/lot

91 lots 150 lots prior to November 1st, 2023 at \$2,680/lot

Thus, by November 1, 2023, the Developer is obligated to pay the full TIF amount for the 541 lots at the current rate of \$536/trip. Total for all TIF under DDA #3 is the original \$2,899,760.

DDA #3 then addresses the “surcharge” issue and states that each building permit for each lot developed upon the Property, shall pay an additional surcharge (the “Surcharge”) in the amount of \$3,500 per lot. Unlike the other provisions, where the TIF for only 541 lots must be paid by December 2023, there is no requirement for timing on the payment of \$3,500/lot so there is no guarantee that money will be paid to the County within 6 years. In addition, there is required number of lots that are required to pay the allotment. In a best-case scenario for the County, assuming full build out of 705 lots there would be an additional \$2,467,500, for a total payment of TIF and “surcharge” of \$5,367,260.

Coincidentally, if the County just charged the actual TIF at the rate of \$916/trip (option #9-Funding package dated July 10, 2019), then at 6654 generated trips for this development at full build out, the total TIF reimbursement *alone* to the County would be \$6,095,064. Therefore, by getting some upfront costs, the County is giving up almost \$700,000. That number goes up under option 8 if the TIF imposed is \$930/trip (\$6,188,220), a loss to the County of over \$800,000.

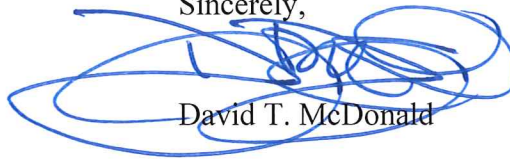
Since these 4 developers will actually be paying less in TIF plus surcharge than they would be paying in TIF total, the question should be asked, **“why aren’t the developers paying for all of the TIF fees PLUS the Surcharge?”** If that were the case, the Holt Developer would owe \$6,095,064 (or \$6,188,220) plus the \$2,467,500 for a total of \$8,655,720 (at \$916/trip) or \$8,655,720 (if at \$930/trip).

Thank you for allowing me to comment on the proposed development of this area. Sadly, it appears that this County is once again listening to the purveyors of residential development and using an extremely large amount of public funds to subsidize the profits for residential development without any promise of economic development or jobs based land development.

It is a fallacy to assume that real job based development will follow "rooftops". If that was the case, Clark County would be full of job based economic engines and the traffic flow across the river would slow to a trickle. Instead the true reality is that over the last 20 years, people who live and work in Portland, but cannot afford to buy a home there, have to come to Clark County to purchase homes and then commute to Portland. These 4 projects will just create more of the same and there is nothing in the record to show different. In addition, the developers own traffic study shows that the 4 developments consume almost all of the capacity that will be created by the 66.2 million dollar investment leaving no capacity for any job based economic development.

As Bridget Schwartz commented at the FGNA meeting the other night, "if this goes through, we will all be in our own private hell".

Sincerely,



David T. McDonald

EXHIBIT #2 TIF Calculation for Holt Home Development

The original staff report from November 2018 calculated the TIF for this development at almost 2.9 Million based upon **606 Single Family Residences** and **99 Townhouses** (which was determined to create 657 PH trips).

Assuming 10 daily trips per SFR and 6 Daily trips per general townhouse, and a current TIF rate of \$536 per trip (current Mt. Vista TIF Rate), then the total TIF obligation for this development should be \$3,566,544 (6,060 daily trips (SFR) plus 594 daily trips for (TH)=6654¹ daily trips x \$536=\$3,566,544.

If the TIF rate changed to \$916 or \$930, then the ultimate TIF obligation at 6654 trips would be \$6,095,064 or \$6,188,220, respectively.

Therefore, it is unclear to this writer why the total in the staff report in November showed a total of \$2,890,468. This writer did not give any credit for reduction for BEF or .085 under 40.620.010 and sees no justification in the record for either of those credits.

¹ DDA #3 has a list of 6346 Daily Trips which appear to be the total if one uses the County charts of 9.52 (not 10) for a SFR (3,092,248.32) and 5.81 (not 6) for a TH (\$308,301.84) for a total of \$3,401,456. But, even if one uses the county chart technical rate, not the "rounded up" rate, the TIF number in the staff report (\$2,890,468) is still over \$500,000 short of the actual number (6346 x 536=\$3,401,456). If consider 6346 at \$916/trip, the total is \$5,812,936 and if at \$930/trip is \$5,901,780.



COMMISSIONERS
Norm Harker
Denny Kiggins
Neil Kimsey
GENERAL MANAGER
John M. Peterson, P.E.

8000 NE 52 Court Vancouver, WA 98665
Phone (360) 750-5876

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Fax (360) 750-7570

www.crrwd.com

File: Annexation 03-17
DNS 03-17

Date Published:
June 21, 2019

June 17, 2019

Please find enclosed an environmental Determination of Non-Significance issued pursuant to the State Environmental Policy Act (SEPA) Rules (Chapter 197-11), Washington Administrative Code.

You may comment on this DNS by submitting written comments within Fifteen (15) days of this notice as provided for by WAC 197-11-340.

Please address all correspondence to: Clark Regional Wastewater District
PO Box 8979
Vancouver, WA 98668-8979
Attn: Steve Bacon

DISTRIBUTION LIST

Federal Agencies: US Army Corps of Engineers, Seattle District
US Fish and Wildlife Service
National Marine Fisheries Service
Northwest Power & Conservation Council
Bonneville Power Administration

Native American Interests: Yakima Indian Nation
Cowlitz Indian Tribe
Chinook Indian Tribe

State Agencies: Department of Ecology
Department of Fish and Wildlife
Department of Community Development
Department of Commerce
Department of Health
Department of Natural Resources – SEPA Center
Department of Transportation
Office of Archaeology and Historic Preservation

Regional Agencies: Fort Vancouver Regional Library
Southwest Clean Air Agency
Southwest Washington Regional Transportation Council



Local Agencies: Clark County
Administration
Building
Community Planning
Public Works
Auditor
Public Health
Vancouver/Clark Parks and Recreation
City of Battle Ground
City of Vancouver
Administration
Community Preservation & Development
Public Works

Other Agencies: Clark Public Utilities
CRESA
C-Tran
Battle Ground School District
Fire Protection District 5
Clark County Sheriff

Interest Groups: Building Industry Association of Clark County
Clark County Natural Resources Council
Vancouver Housing Authority
Columbia River Economic Development Council
Vancouver Chamber of Commerce
Fairgrounds Neighborhood Association
Pleasant Highlands Neighborhood Association
North Salmon Creek Neighborhood Association

Interested Parties: David T. McDonald

DETERMINATION OF NONSIGNIFICANCE

Description of proposal:

Annexation of properties into the District boundary. Said properties are located in NE ¼ Section 13 T3N R1E WM; NE & NW ¼ of the SE ¼ Section 13 T3N R1E WM, NE & SE ¼ of the NW ¼ Section 13 T3N R1E WM.

Proponent:

Clark Regional Wastewater District

Location of proposal, including street address, if any.

The proposed annexation includes all properties within the following described areas:

- *The SE ¼ of Section 12 T.3N., R.1E., W.M.,*
- *The NE ¼ of Section 13 T.3N., R.1E., W.M.,*
- *The E ½ of the NW ¼ of Section 13 T.3N., R.1E., W.M.,*
- *The N ½ of the SE ¼ of Section 13 T.3N., R.1E., W.M.,*
- *The N ½ of the NE ¼ of the SW ¼ of Section 13 T.3N., R.1E., W.M.,*
- *19002 NE 50th Ave 181440-000*
- *19100 NE 50th Ave 181449-000*
- *19020 NE 50th Ave 181517-000*

Lead Agency: *Clark Regional Wastewater District*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. The environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

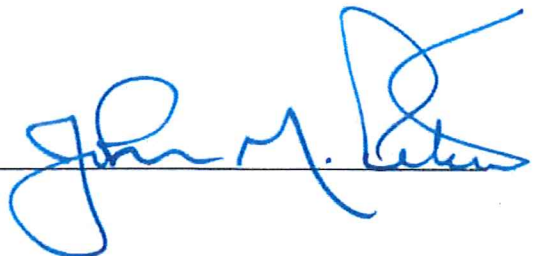
☐ There is no comment period for this DNS.

☒ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by July 8, 2019.

Responsible Official: *John Peterson*
Position/Title: *General Manager*
Telephone: *(360) 750-5876*
Fax: *(360) 750-7570*
Address: *8000 NE 52nd Court*
PO Box 8979
Vancouver, WA 98668-8979

Date: 18 JUNE 2019

Signature



ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probably significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or given the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist of Non-Project Proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". IN ADDITION, complete the SUPPLEMENTAL SHEET FOR Non-project ACTIONS (part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of Proposed Project, if applicable:

Annexation #03-17, Mill Creek

2. Name of Applicant:

Clark Regional Wastewater District

3. Address and Phone Number of Applicant and Contact Person:

***8000 NE 52nd Court
PO Box 8979
Vancouver, WA 98668-8979
(360) 750-5876
Attn: Steve Bacon, P.E., Development Program Manager***

4. Date Checklist Prepared:

June 14, 2019

5. Agency Requesting Checklist:

Clark Regional Wastewater District

6. Proposed Timing or Schedule (including phasing, if applicable):

The annexation will proceed following the completion of this SEPA process.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, please explain.

This action will allow for future extensions of sanitary sewer service into the area.

8. List any environmental information you know about that has been or will be prepared related to this proposal:

None known.

9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.

None known.

10. List any government approvals or permits that will be needed for your proposal.

Approval of the proposed annexation by the Board of Commissioners of Clark Regional Wastewater District and the Board of County Councilors.

11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page (Lead agencies may modify this form to include additional specific information on project description).

This action amends the service boundary of the District to include an additional area of approximately 491 acres within Clark County's urban growth boundary.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

This action proposes to add 82 parcels into the Clark Regional Wastewater District service area. The area is generally described as north of NE 164th Street, east of NE 34th Avenue, west of NE 50th Avenue, and south of NE 192nd Street.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- A. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other.

- B. What is the steepest slope on the site and the approximate percentage of the slope?

The steepest slope is 60% primary along the banks of Mill Creek.

- C. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.

The soils are classified as Gee silt loam, with the specific classification of GeB, GeD, GeE, and GeF, and Hillsboro silt loam, with the specific classification of HoA, HoB, HoC.

- D. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe.

There are areas of potential instability along Mill Creek.

- E. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill.

No grading activities are proposed.

- F. Could erosion occur as a result of clearing, construction, or use? If so, please describe.

This non-project action will not propose any activities that could cause erosion.

- G. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)?

No improvements are being proposed.

- H. Proposed measures to reduce or control erosion, or other impacts to the earth include:

No erosion causing activities are proposed.

2. AIR

- A. What types of emissions to the air would result from the proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? If yes, describe and give approximate quantities.

No emissions will be associated with this non-project action.

- B. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe:

No.

- C. Proposed measures to reduce or control emissions or other impacts to air:

None.

3. WATER

A. Surface

1. Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names and into which stream or river it flows into.

There are known surface waters within the area. There is a mapped year-round stream, Mill Creek, within the annexation boundary. The area is within the Salmon Creek watershed.

2. Will the project require any work within 200 feet the described waters? If yes, please describe and attach available plans.

No.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None.

4. Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities:

No.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

There is an area classified as floodway fringe, located along the banks of Mill Creek.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

B. Ground

1. Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.

No.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (e.g., domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the system are expected to serve.

None.

C. Water Runoff (including storm water):

1. Describe the source of runoff (including storm water) and the method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

Does not apply.

2. Could waste materials enter ground or surface waters? If so, please describe.

No.

D. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None.

4. PLANTS

A. Check or circle types of vegetation found on the site:

☒ Deciduous tree: alder, maple, aspen, other

☒ Evergreen tree: fir, cedar, pine, other

☒ Shrubs

☒ Grass

☒ Pasture

☐ Crop or grain

☐ Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other

☐ Water plants: water lily, eelgrass, milfoil, other

☐ Other types of vegetation

B. What kind and amount of vegetation will be removed or altered?

None.

C. List any threatened or endangered species known to be on or near the site.

None known.

- D. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site:

None.

5. ANIMALS

- A. Circle any birds and animals which have been observed on or near the site:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other: coyotes, rabbits, squirrels, and small rodents.

Fish: bass, salmon, trout, herring, shellfish, other:

- B. List any threatened or endangered species known to be on or near the site.

The Washington Department of Fish & Wildlife classifies Coho and Summer Steelhead as threatened, accessible in the area.

- C. Is the site part of a migration route? If so, please explain.

The entire region is part of the Pacific Flyway.

- D. List proposed measures to preserve or enhance wildlife:

None.

6. ENERGY AND NATURAL RESOURCES

- A. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None.

- B. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe.

No.

- C. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:

None.

7. ENVIRONMENTAL HEALTH

- A. Are there any environmental hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, please describe.

No.

1. Describe special emergency services that might be required.

None.

2. Proposed measures to reduce or control environmental health hazards, if any?

None.

B. Noise

1. What types of noise exist in the area which may affect your project (e.g., traffic, equipment operation, other)?

None.

2. What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site.

None.

3. Proposed measures to reduce or control noise impacts:

None.

8. LAND AND SHORELINE USE

- A. What is the current use of the site and adjacent properties?

The current use of the area is single family residences, agricultural and forest land.

- B. Has the site been used for agriculture? If so, describe.

There are parcels in the area that have been used as farmland.

- C. Describe any structures on the site.

There are residential structures and associated outbuildings on the site.

- D. Will any structures be demolished? If so, please describe.

No.

- E. What is the current zoning classification of the site?

Current zoning in the area includes, R1-7.5, R1-10, R1-20 and MX.

- F. What is the current comprehensive plan designation of the site?

The current comprehensive plan designation of the site is Urban Low Density Residential and Mixed Use.

- G. What is the current shoreline master program designation of the site?

Does not apply.

- H. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.

Does not apply.

- I. How many people would reside or work in the completed project?

This non-project action will not change the current number of people who reside or work in the area.

- J. How many people would the completed project displace?

None.

- K. Please list proposed measures to avoid or reduce displacement impacts:

None.

- L. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans:

The proposed non-project action will allow the current urban zoned properties to obtain sanitary sewer service, as well as allow future developments to extend and connect to sewer as required by County Code.

9. HOUSING

- A. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.

Does not apply.

- B. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing.

None.

- C. List proposed measures to reduce or control housing impacts:

Does not apply.

10. AESTHETICS

- A. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials?

None proposed.

- B. What views in the immediate vicinity would be altered or obstructed?

None.

- C. Proposed measures to reduce or control aesthetic impacts:

Does not apply.

11. LIGHT AND GLARE

- A. What type of light or glare will be proposal produce? What time of day would it mainly occur?

None.

- B. Could light or glare from the finished project be a safety hazard or interfere with views?

Does not apply.

- C. What existing off-site sources of light or glare may affect your proposal?

None.

- D. Proposed measures to reduce or control light and glare impacts:

None.

12. RECREATION

- A. What designated and informal recreational opportunities are in the immediate vicinity?

There are public hiking trails located on the Washington State University campus, south of the annexation area at NE 159th Street and NE 50th Avenue.

- B. Would the project displace any existing recreational uses? If so, please describe.

No.

- C. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant:

None.

13. HISTORIC AND CULTURAL PRESERVATION

- A. Are there any places or objects listed on or near the site which are listed or proposed for national, state, or local preservation registers? If so, please describe.

None known.

- B. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None.

- C. Proposed measures to reduce or control impacts:

None.

14. TRANSPORTATION

- A. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.

The area is served by NE 50th Avenue, NE 179th Street, NE 174th Street and NE 40th Avenue. Private roads lie within the annexation area.

- B. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No, the nearest transit stop is located approximately 3 miles west, at NE 29th Avenue and WSU, C-Tran #19 Salmon Creek from 99th Street Transit Center to WSU.

- C. How many parking spaces would the completed project have? How many would the project eliminate?

Does not apply.

- D. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.

No.

- E. Will the project use water, rail, or air transportation? If so, please describe.

No.

- F. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.

None.

- G. Proposed measures to reduce or control transportation impacts:

None.

15. PUBLIC SERVICES

- A. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe.

No.

- B. Proposed measures to reduce or control direct impacts on public services.

None.

16. UTILITIES

- A. Circle the utilities currently available at the site: Electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- B. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site.

None.

17. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature



Steve Bacon, P.E., Development Program Manager
Clark Regional Wastewater District

Date Submitted: 06/17/19

D. SEPA SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

INSTRUCTIONS:

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent of the proposal and the types of activities likely to result from this proposal. Please respond briefly and in general terms.

1. How would the proposal increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would not increase these elements.

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal use or affect environmentally sensitive areas or those designated (or eligible or under study) for governmental protection such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would not affect environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use? Will it allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not affect land and shoreline use.

Proposed measures to avoid or reduce shoreline and land use impacts are:

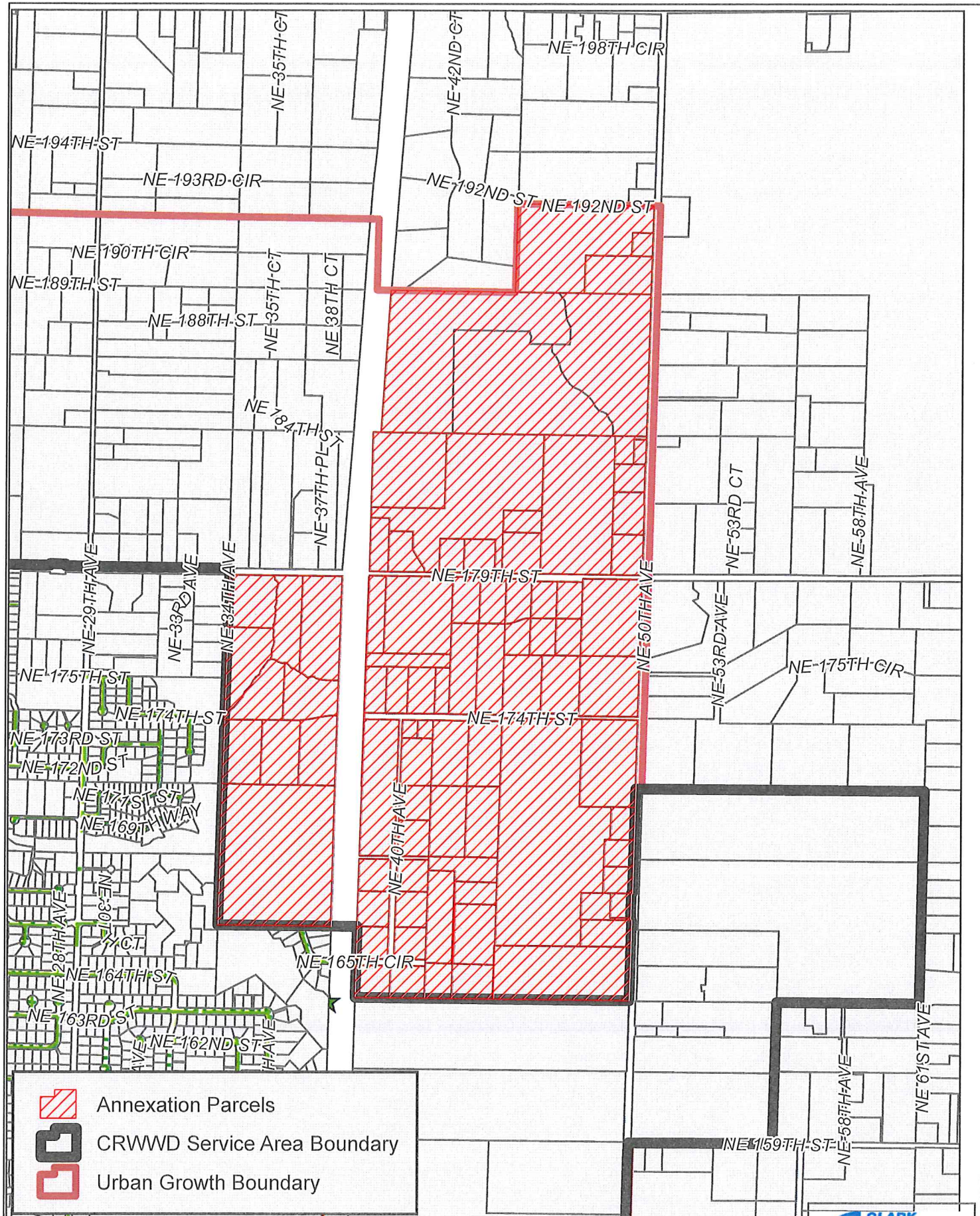
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would not increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

7. Identify whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not cause conflict with local, state, or federal laws or requirements for the protection of the environment.



Annexation 03-17 Vicinity Map



David T. McDonald
2212 NW 209th Street
Ridgefield, Washington 98642

July 5, 2019

Dr. Oliver Orjiako
Director
Clark County Department of Community Planning
Public Services Building
Vancouver, Washington 98660

RE: Determination of Non-Significance Amend Comprehensive Plan to
remove Urban Holding Overlay near the I5/179th Street interchange
(Hinton Phase III and Wollam Phase IV)

Sent via e-mail pdf to Oliver.Orjiako@clark.wa.gov

Dear Dr. Orjiako:

I am submitting these comments as an individual and not on behalf of any particular group, political party or organization. These comments assert that a checklist and DNS is an inadequate environmental review in these cases for the reasons stated below. "Non-project" proposals are subject to SEPA, the lead agency cannot conduct an environmental review of a non-project proposal under the assumption that there will be no direct and/or indirect environmental impacts, including potential cumulative impacts from the "non-project" action. When actions such as these are proposed, it should still be subject to a comprehensive review of potential environmental impacts from reasonably foreseeable developments, especially where the action to be taken will increase the intensity of developments in areas that specifically restricted developments until certain prerequisites for removal of the overlay have been met.

There are several issues that arise with the piecemeal SEPA review process being conducted by the County and the Clark Regional Wastewater District. I am adopting by reference the letter dated August 14, 2018, a copy of which is attached and incorporated by this reference, which sets forth some of the concerns that are now compounded by the fact that these projects can no longer be considered "non-projects" and should include, at a minimum, the combined environmental impacts of all of the

current projects (Wollam, Hinton, Mill Creek (Holt)¹ and Three Creeks (Killian) at build-out as those projects are a reality despite the “non-project” designation. In addition, I am adopting by reference the records from various planning commission hearings, and Council Hearings/Council Time meetings and Work Sessions on Amending the Comprehensive Plan to remove Urban Holding Overlay near the I5/179th Street interchange including but not limited to all of the documents and audio records posted on the Grid on or between January 1, 2018 and the date of this letter. In addition, these environmental review should also incorporate the proposed annexation of properties into the Clark Regional Wastewater District (a copy of that document is filed concomitantly with this document and is incorporated by this reference).

At the outset, these projects are not properly defined as required by WAC 197-11-060(3) as they are not described in a way that encourages “considering and comparing alternatives” and does not describe the proposal in terms of “objectives rather than preferred solutions”. See WAC 197-11-060(3)(a)(iii). In addition, these proposals violate WAC 197-11-060(3)(b). Under that provision, “proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action, shall be evaluated *in the same environmental document*. *Id.* Although “phased review” is allowed in some circumstances [See WAC 197-11-060(5)]. In this case, §§ 5 is inapplicable because all of these projects are inextricably intertwined by the need for the universal removal of the urban holding and the expenditure of a minimum of \$66.2² million dollars to meet concurrency standards under GMA and the projects:

- (i) Cannot or will not proceed unless the other proposals (or parts of proposals) are implemented simultaneously with them; or
- (ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation.

WAC 197-11-060(3)(b)(i) and (ii).

In addition to failing to include all the projects in the area under one comprehensive “project” (as opposed to “non-project”) environmental review, the documents fail to address all of the impacts as defined by WAC 197-11-060(4)(c)(a

¹ https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/071619_MillCreekMasterPlanNarrative%3B%20Ex_BtoDA.pdf, and https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/071619_MillCreekMasterPlanNarrative%3B%20Ex_BtoDA.pdf

² In addition, there is information that the Council is no considering expanding the project area and adding an additional 97 million dollars worth of infrastructure, predominantly roads, to the current project. See https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q2/061219WS_179St_I5_FinancialOptions.pdf. at p 14.

copy of which is attached and incorporated by this reference) in that they fail to address impacts).

The areas in Urban Holding subject to these reviews are in Urban Holding due to lack of infrastructure available for development of the underlying zoning. The current overlay covers a large swath of area surrounding the 179th Street/I5 interchange. See PPTs dated June 12, 2019. https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q2/061219WS_179St_I5_FinancialOptions.pdf

It appears that this “non-project” action is the County’s effort to do an end around a comprehensive review and instead make a strong effort to remove the current overlay in a piecemeal fashion with no comprehensive plan for the entire area subjected to the Urban Holding Overlay. These documents even designate this “non-project” action as “Phase IV” (The Three Creeks Development that was the subject of the SEPA comments dated August 14, 2018 was designated as Phase I). Therefore, it is clear that the County anticipates specific growth, and specific cumulative actions and impacts, that are inevitably going to occur as preconditions to the lifting of the Overlay as the lifting will be conditioned upon specific Development Agreements being signed and in effect. See generally https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2018/2018_Q4/121818_Hearing_AnnualReviewDockets_179thSt_I5_DA.pdf and https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/071619_HoltMillCreekDADRAFT.pdf.

It is also assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller “cut-out” projects without considering the overlay as a whole. Such a false narrative would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

Second, these “non-project” actions involve a modification of an existing environment designated under the Growth Management Act planning process by a proposal to amend the comprehensive plans and to, at least partially (and maybe totally as the Council’s actions have remained a moving target throughout this process regarding the scope of their desires to remove the Urban Holding and/or the scope of the work and the cost of the work), remove the overlay on this area but does not discuss the development of new transportation plans along with potential new ordinances, rules, and regulations and environmental impacts that will be concomitant to the piecemeal implementation of these development agreements.

Third, according to the checklist, this SEPA (which claims no impacts to the environment) fails to consider the impacts of the the proposed development but states that the action is conditioned on “the execution of a development agreement” that, at this stage, does not exist or has not been put into the public record. Thus, it is clear that there will be impacts and it is impossible for the public to comment on the proposal’s impact on the environment if there is no discussion of the development under the propose and it being done in conjunction with the full infrastructure analysis of the area, including but not limited to:

1. Diversion of the money by the County to these projects when the County has a current Road Fund Deficit of \$158 million dollars (or at least that is the deficit set forth in the 2015 Comprehensive Plan update;
2. Diversion of money from repairing existing infrastructure in the County including but not limited to Bridges that need repair and upgrading. *See* <https://www.clark.wa.gov/sites/default/files/dept/files/public-works/bridges/BridgeReport.pdf> and the 7 bridges listed here <https://www.clark.wa.gov/public-works/restricted-bridges>;

In addition, the Document itself does not discuss in any fashion the following:

The lack of substantial public benefit to use of public funds for market rate residential construction and that residential is a net tax loser, which costs \$1.16 in services per tax dollar received. *See* Columbian 5/26/19. In addition, any of the beneficiaries of this proposed County spending who are not currently Clark County residents/taxpayers would unjustifiably benefit by the use of public funds without public benefit can be considered an unconstitutional gift under WA and US Constitutions.

Therefore, the SEPA document(s) should consider an alternative that prohibits the use of public funds in order to lift urban holding designation. Assuming *argumento*, that the County wishes to pursue the use of public funds for lifting the urban holding, the public's % share of the costs should be reserved for road capacity for family wage jobs and affordable housing in a Growth Allocation Plan. *See* Growth Allocation Plan used by the City of Vancouver to reserve Mill Plain/192nd Ave road capacity for jobs. If the public pays for 25% of the costs, then 25% of the road capacity should be reserved for jobs and affordable housing. Jobs reservations should be for pure commercial/industrial uses and not for added residential or retain in "Mixed use". “Affordable Housing” should be homes that are priced so that they can be afforded by people making 60% of the County's average income.

Dr. Oliver Orjiako

Page 5

July 5, 2019

Thank you for your consideration of these comments. Please submit them for the record.

Best Regards,

A handwritten signature in blue ink, appearing to read "David T. McDonald", is written over the printed name. The signature is stylized with loops and a horizontal line through the middle.

David T. McDonald



DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: *Amend Comprehensive Plan to remove Urban Holding Overlay near the I-5/179th St. Interchange, CPZ2019-00023 (Hinton), Phase III*

Proponent: *Clark County Community Planning*

Location of proposal, including street address, if any: *3801 NE 174th St., Vancouver, WA 98686*

Lead Agency: *Clark County, Washington*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. In 2007, the Vancouver Urban Growth Area was expanded to include the properties affected in this proposal. An Environmental Impact Analysis was completed in 2007 that was associated with this urban land. In 2016 a supplemental Environmental Impact Statement was completed in association with the 2016 Comprehensive Plan update. A new environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: July 5, 2019

Responsible Official: Oliver Orjiako

Position/title: Director

Address: **RE: SEPA Comments**

Clark County Community Planning

1300 Franklin Street; 3rd Floor

P.O. Box 9810

Vancouver, WA 98666-9810

Date: 6-12-19

Signature: Oliver Orjiako

The staff contact person and telephone number for any questions on this review is Matt Hermen, Planner III, (564) 397-4343.

For other formats, contact the Clark County ADA Office at ADA@clark.wa.gov.



DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: *Amend Comprehensive Plan to remove Urban Holding Overlay near the I-5/179th St. Interchange, CPZ2019-00024 (Wollam), Phase 4*

Proponent: *Clark County Community Planning*

Location of proposal, including street address, if any: *807 NW 179th St., Ridgefield, WA 98642*

Lead Agency: *Clark County, Washington*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. In 2007, the Vancouver Urban Growth Area was expanded to include the properties affected in this proposal. An Environmental Impact Analysis was completed in 2007 that was associated with this urban land. In 2016 a supplemental Environmental Impact Statement was completed in association with the 2016 Comprehensive Plan update. A new environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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Responsible Official: Oliver Orjiako

Position/title: Director

Address: **RE: SEPA Comments**

Clark County Community Planning

1300 Franklin Street; 3rd Floor

P.O. Box 9810

Vancouver, WA 98666-9810

Date: 6-12-19 **Signature:** Oliver Orjiako

The staff contact person and telephone number for any questions on this review is Matt Hermen, Planner III, (564) 397-4343.

For other formats, contact the Clark County ADA Office at ADA@clark.wa.gov.

August 14, 2018

Dr. Oliver Orjiako
Director
Clark County Department of Community Planning
Public Services Building
Vancouver, Washington 98660

RE: Determination of Non-Significance Amend Comprehensive Plan to
remove Urban Holding Overlay near the I5/179th Street interchange Phase
I

Sent via e-mail pdf to Oliver.Orjiako@clark.wa.gov

Dear Dr. Orjiako:

I am submitting these comments as an individual and not on behalf of any particular group, political party or organization. These comments assert that a checklist and DNS is an inadequate environmental review in this case for the reasons stated below. "Non-project" proposals are subject to SEPA, the lead agency cannot conduct an environmental review of a non-project proposal under the assumption that there will be no direct and/or indirect environmental impacts, including potential cumulative impacts from the "non-project" action. When a action such as this one is proposed, it should still be subject to a comprehensive review of potential environmental impacts from reasonably foreseeable developments, especially where the action to be taken will increase the intensity of developments in areas that specifically restricted developments until certain prerequisites for removal of the overlay have been met.

First, the area in Urban Holding subject to this review is in Urban Holding due to lack of infrastructure available for development of the underlying zoning, in this case Mixed Use zoning. I believe, and can supplement the record, that this holding was put in place as part of the original comprehensive plan from 1994. The current overlay covers a large swath of area surrounding the 179th Street/I5 interchange.

It appears that this "non-project" action is the County's initial attempt to remove the current overlay in a piecemeal fashion with no comprehensive plan for the

entire area subjected to the Urban Holding Overlay. It even designates this “non-project” action as “Phase I” and therefore, it is clear that the County anticipates specific growth, and specific cumulative actions, but anticipates them occurring in a piecemeal basis. It is assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller “cut-out” projects without considering the overlay as a whole, which would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

Second, this "non-project" action involves a modification of an existing environment designated under the Growth Management Act planning process by a proposal to amend the comprehensive plans and to, at least partially, remove the overlay on this area but does not discuss the development of new transportation plans along with potential new ordinances, rules, and regulations and environmental impacts that will be concomitant to the piecemeal implementation of these development agreements.

Third, according to the checklist, this SEPA (which claims no impacts to the environment) fails to consider the impacts of the the proposed development but states that the action is based upon “the execution of a development agreement” that, at this stage, does not exist or has not been put into the public record. Thus, it is clear that there will be impacts (at least a minimum of 402 trips per day) and it is impossible for the public to comment on the proposal’s impact on the environment if there is no discussion of the development under the propose

Moreover, a recent work session with the Council exhibited that there were many other possible projects and development agreements being proposed in the impacted area around the 179th street interchange. Based upon a review of the materials presented to the county, the following have/are being proposed:

Killian 60,000 Sq. Ft. Retail (DA Approved Phase 1)

- Killian Three Creeks North Phase 1– (DA in progress)
- Killian remainder Phase 2 - NE 179th Street Commercial Center (DA Approved Phase 2)
- Holt Mill Plain PUD (606 homes/99 townhomes)
- Hinton Property (129 homes)
- Wollam Property (220 homes)

See The Grid Materials from 7/11/18 WS and audio of that work session all of which are incorporated into these comments by reference¹.

However, there has been no comprehensive analysis of traffic impacts or the impacts of the contemplated infrastructure and developments on the existing environment as required by SEPA and, if one has been completed, it has not been adopted by the County and is not incorporated into this SEPA document.

Therefore, this SEPA review for this non-project actions fails in many ways including failing to consider conduct a comprehensive analysis of the reasonably foreseeable impacts, failing to address the cumulative impacts of all of these developments that are being proposed, failing to consider any possible alternatives and failing to outline any potentially successful mitigation measures.

Fourth, the DNS/Checklist lists no other actions that have been taken by the County regarding the Urban Holding in general and this parcel specifically. Presumably, there have been other determinations, and reviews of those determinations by the Growth Management Hearings Board(s). If other decisions, papers, determinations, environmental reviews etc have been completed by the County regarding this parcel specifically, and the overlay in general, then those documents should be made a part of and/or referenced in the environmental review for this proposed Comprehensive Plan amendment. If those do exist, the DNS/Checklist does not, but should, list the other relevant environmental documents/studies/models that have been done regarding the Urban Holding area since it was placed under the Urban Holding overlay. For example, a county's EIS for its comprehensive plan may have information relevant to the Urban Holding Overlay. In addition, there should be other county, Growth Board and/or appellate court references to the Urban Holding Overlay and the reason(s) that it has not been removed over the years.

Fifth, there is no description of any alternatives much less a range of alternative or preferred alternative or any description of if a particular alternative was fully implemented (including full build-out development, redevelopment, changes in land use, density of uses, management practices, etc.), any description of where and how it would direct or encourage demand on or changes within elements of the human or built environment, as well as the likely affects on the natural environment. In addition, the document fails to identify where the change or affect or increased demand might or could constitute a likely adverse impact, or any description of any further or additional adverse impacts that are likely to occur as a result of those changes and affects.

Sixth, this checklist cannot serve as an environmental analysis for later project reviews because it has been created in a way that does not anticipate any such

¹ It is unclear to me at this point if this current SEPA is for one of those proposed developments.

projects where, in contrast, the county definitely is contemplating such projects. The more detailed and complete the environmental analysis is during the “non-project” stage, the less review will be needed during project review and, therefore, any project review can focus on those environmental issues not adequately addressed during the “non-project” stage. The current checklist and DNS fails to provide any analysis that could be utilized later at a proposed project phase and fails to give notice to the citizen of the real potential environmental impacts that will occur once the Urban Holding Overlay is lifted and projects can proceed.

Currently, given the potential development agreements listed above, along with others that may not be in the public realm, there is ample ability for the lead agency to anticipate and analyze the likely environmental impacts of taking this action and the failure to do so creates an inadequate SEPA document (for example a minimum of 2500 peak hour trips if the developers’ numbers are to be believed in the documents that they submitted in the July work session). Failure to conduct a full environmental review at this juncture allows for the removal of the overlay while precluding the public to speak to the removal of the overlay at all. Plus, once this overlay is removed, the question arises as to whether the removal of all the other portions of the overlay must be removed either piecemeal or as a whole through this “non-project” action that has no real environmental review or input from the public.

Although an environmental checklist can act as a first step in an environmental process, including Part D, Supplemental Sheet for “non-project” activities it should not stand in the way of a more comprehensive environmental impact statement, especially in this case given the large areas under the urban holding overlay that are obviously intended to be subject to removal only upon meeting specific prerequisites. Further, there has been no analysis of the traffic impacts on 179th street, 15th Avenue and/or the 179th street intersection by the current proposal(s) by the lead agency. A full environmental review, that includes all known proposed projects, along with the impact of full build-out should the entire overlay be removed, should be conducted prior to the removal of any portion of the overlay.

These comments assert that this “non-project” SEPA proposal review should also 1) consider all existing regulations, 2) set forth the underlying rationale behind the fact that there is an Urban Holding Overlay in existence, 3) the reason for the overlay being placed on the area, 4) remove it from the overlay and 5) the requirements that are required to remove the overlay as well as and 6) any other development under consideration. Plus the environmental review should include an analysis of the potential impacts of the entire area once the overlay is lifted in the larger area surrounding the 179th Street interchange, there will be a plethora of impacts, including but not limited to traffic impacts.

Therefore, this “nonproject” action involves a comprehensive plan amendment, or similar proposal governing future project development, and the probable

Dr. Oliver Orjiako

Page 5

August 14, 2018

environmental impacts that would be allowed for the future development need to be considered. The environmental analysis should analyze the likely impacts of the of build-out of all the underlying zones covered by the overlay when determining the efficacy of allowing this one “non-project” to have the overlay removed. In addition, the proposal should be described in terms of alternative means of accomplishing an objective.

Thank you for your consideration of these comments. Please submit them for the record.

Best Regards,

David

David T. McDonald
david@mcdonaldpc.com
503-226-0188

July 17, 2019

Clark County Planning Commission
% Ms. Sonja Wiser

July 18, 2019 hearing on Hinton and Wollam Draft Development
Agreements

Via e-mail to Sonja.wiser@clark.wa.gov

Dear Commissioners:

I am opposed to any funding package as well as the County entering into any DA with Hinton and/or Wollam. I have read the Draft DA's that are on the Grid and they are different from the Holt DA that was before the Council last night (and which may be subject to further amendments). I would request the Planning Commission deny the current requests by Hinton and Wollam or, in the alternative, require the following in the Development Agreements:

Advance Payment of TIF and Payment of Surcharge

- a. The Parties recognize that TIF payment obligations would normally be due and owing at the time of the issuance of a building permit for a dwelling unit. However, to increase the County's ability to fund and construct transportation improvements in the Mt. Vista SubArea, Clark County agrees to "vest" the TIF rate for the property at \$605 per trip per dwelling unit and Developer (Hinton and/or Wollam), or a successor in interest in the property, agrees to pay \$ (0 Million Six Hundred Thousand and 00/100 Dollars for Hinton and 1 Million Four Hundred Thousand and 00/100 Dollars for Wollam) as advance payment of TIF to Clark County on the following schedule (EVENLY DIVIDE OUT PAYMENTS FOR TOTAL AMOUNT OF TIF GUARANTEE):
 - i. \$ on or before February 15, 2020;
 - ii. \$ on or before November 1, 2020;
 - iii. \$ on or before February 15, 2021;
 - iv. \$ on or before November 1, 2021;
 - v. \$ on or before February 15, 2022;
 - vi. \$ on or before November 1, 2022;
 - vii. \$ on or before February 15, 2023;
 - viii. \$ on or before November 1, 2023.

- b. The Parties stipulate that these payments totaling \$600,000 (Hinton) and \$1,400,000 (Wollam) are binding, guaranteed payments by Developer (Hinton and/or Wollam), or its successor in interest, and will be paid irrespective of Developer (Hinton and/or Wollam), or its successor in interest, filing any development application for the Property;
- c. The Parties stipulate that Developer (Hinton and/or Wollam), or its successor in interest agrees to pay TIF in the amount \$605 (total TIF per dwelling unit to be calculated at the current trip rate of 9.52 trips/day for SFR dwelling units and 5.81 trips/day for Townhouse dwelling units) **plus** an additional surcharge of \$3500.00 for each dwelling unit issued a building permit on the Property;
- d. The Parties stipulate that Developer (Hinton and/or Wollam), or its successor in interest, will receive a dollar for dollar offset of the obligations that will be do and owing under paragraph 8.c above for the \$600,000 (Hinton) and \$1,400,000 (Wollam) paid under paragraph 8.a.

In addition, the PC should require that the Draft DAs contain:

1. A provision for the County to take a security interest on the Property as part of these development agreements
2. A damages clause for failing to pay (and having to sue for payment)—for example

Damages for breach by either party may be liquidated in the agreement but only at an amount which is reasonable in the light of the anticipated or actual harm caused by the breach, the difficulties of proof of loss, and the inconvenience or nonfeasibility of otherwise obtaining an adequate remedy. A term fixing unreasonably large liquidated damages is void as a penalty.

3. Finally, I would add a provision under paragraph 10 that if there is a breach by either party that requires an enforcement action, the prevailing party is entitled to reasonable attorney's fees and costs.

Thank you for your attention to these matters.

Sincerely,

David T. McDonald

Cc: Ms. Christine Cook
Dr. Oliver Orjiako
Mr. Ahmad Quayoumi/Matt Hermen Public Works



Nisqually Indian Tribe
4820 She-Nah-Num Dr. S.E.
Olympia, WA 98513
(360) 456-5221

June 25, 2019

Oliver Orjiako, Director
Clark County Community Planning
1300 Franklin St.; 3rd Floor
PO Box 8910
Vancouver, WA 98666

Dear Mr. Orjiako

The Nisqually Indian Tribe thanks you for the opportunity to comment on:

**Re: CPZ2019-00024 (Wollam), Phase IV – Amend Comprehensive Plan to
remove Urban Holding Overlay near the I-5/178th Street Interchange**

The Nisqually Indian Tribe has reviewed the report you provided for the above-named project. The Nisqually Indian Tribe has no further comments or concerns at this time. Please keep us informed if there are any Inadvertent Discoveries of Archaeological Resources/Human Burials.

Sincerely,

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beach.brad@nisqually-nsn.gov

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Jeremy “Badoldman” Perkuhn
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David T. McDonald
david@mcdonaldpc.com
503-226-0188

July 15, 2019

Mr. Randy Printz
Landerholm, Memovich, Lansverk & Whitesides, P.S.
P.O. Box 1086
Vancouver, WA 98666-1086

Re: Holt Draft Development Agreement

Via e-mail to randy.printz@landerholm.com

Dear Randy:

I have read your Draft DA many times, and I am not sure I understand it. Since it appears to be the template for the Wollam and Hinton Draft DAs that are being proposed on the PC grid for Thursday night, I would ask that you clarify the following for the public record so the public knows the exact numbers you are using and the justification for those numbers:

1. How did you determine the number of lots, 541, that would be obligated to pay TIF?
2. How did you determine the TIF cost per lot of \$2,680/lot, for those 541 lots at preliminary plat?
3. How did you determine the TIF cost per lot of \$2,680/lot for those 541 lots at final plat?
4. Why did you not include the entire development of 705 units?
5. Is there a difference between lots (541) and units (705) or is using the term "lots" quantitatively or qualitatively different from the word "units"?
6. What is the justification for NOT using the entire amount of units (705) when calculating the TIF due and owing to the County in your Draft DA?
7. By not using the entire amount of units (705), do you concede that the remaining units above 541 will be required to pay the

applicable TIF per unit (lot) at the time of issuance of a building permit for those 164 Units/Lots and if not, why not?

8. Do you agree that at the current TIF rate that 164 units/lots, if SFR, in this project would be obligated to contribute \$992,200 in TIF at the current rate of \$605/trip?
9. How did you determine the appropriate “surcharge” would be \$3500/lot at the issuance of building permit?
10. Why is there not a number of “lots” associated with the payment of that “surcharge” as there are with the “TIF”?;
11. Do you agree that if the Holt project generates 6654 trips per day, then the total TIF for the 705 units at the current TIF rate of \$605 would be \$4,025,670 at full build-out;
12. If you do not believe that \$4,025,670 is the total number for 6654 trips, then why not and what do you believe the final TIF obligation would be at full buildout using that number of trips?
13. Do you agree that if the Holt project generates 6346 trips per day then the total TIF for the 705 units at the current TIF rate of \$605 would be \$3,839,330?
14. If not, why not and what do you believe the final TIF obligation would be at full buildout?
15. In paragraph #7, you state the following:

The transportation vesting provided for in this Section shall be subject to the mitigation measures and the timing provided for in Exhibit “D”. Some of the transportation improvements may be on the County’s Transportation Capital Facility Plan. Holt or successor in interest to the Property, upon construction of such qualifying transportation improvement, shall be eligible to apply for Transportation Impact Fee Credits, but only if such improvements are eligible for Credits under the County’s applicable Capital Facilities Plan and Transportation Impact Fee programs.

a. Does this paragraph mean that even if your Draft DA is approved, with the payments set forth in your Draft DA, the Development (Holt/Mill Creek) is/will be/may be entitled to TIF credits back from the County against the proposed payments currently listed in the Draft DA?

b. If yes, then how much do you think the Development would be entitled to get back in TIF credits from what you are obligating them to pay in the Draft DA?

c. On the other hand, if the Development is not entitled to TIF credits back, then do you agree that the County should strike all, or some¹, of this paragraph from the Draft DA as it is inapplicable?

16. In paragraph #8, the Draft DA states:

The Draft Development Agreement also states that by December 2023, Holt or a successor shall have paid \$2,900,000 in COMBINED TIF and Surcharge. If any portion of the \$2,900,000 has not been paid by December 31, 2023, such amount shall be paid on December 31, 2023.

It appears that either this is poorly drafted OR it specifically limits the amount that your client is obligated to pay to \$2,900,000? Can you please clarify that this paragraph does not limit the obligation to pay to \$2,900,000 as of December 2023?

Thank you for clarifying these questions for the public record. I look forward to receiving your responses.

Sincerely,

David T. McDonald

Cc: Clark County Councilors
Clark County Planning Commission
Record on Urban Holding Type IV proceeding on Holt/Mill Creek/179th Street
Ms. Christine Cook
Dr. Oliver Orjiako
Mr. Ahmad Quayoumi/Matt Hermen Public Works

¹ I say some as I do not know what this sentence means "The transportation vesting provided for in this Section shall be subject to the mitigation measures and the timing provided for in Exhibit "D".

Dear All,

In terms of your proposal to amend the comprehensive and zoning maps for this 40 acre parcel, I would like to state that I can't see the rational to release this parcel in such an uncomprehensive way.

I am not without conflicting interest, as I own a 5 acre parcel on 179th across from the fire station on that street. I have owned it for about 20 years, and there has been talk for at least 15 years of removing these parcels from the urban reserve. I have been told repeatedly that no further development is appropriate along that stretch of 179th until the road is upgraded. The road seems to function for large events at the events center, but seems to be inadequate for additional daily traffic.

How would this additional traffic strain from this release be accommodated without that road upgrade? To be above board, all of the urban reserve property on 179th should be released at the same time. I object to this piecemeal approach.

Yours truly,
Douglas Runckel

A handwritten signature in blue ink, appearing to read "Doug Runckel", with a stylized, flowing script.



**Nisqually Indian Tribe
4820 She-Nah-Num Dr. S.E.
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June 25, 2019

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Clark County Community Planning
1300 Franklin St.; 3rd Floor
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Vancouver, WA 98666

Dear Mr. Orjiako

The Nisqually Indian Tribe thanks you for the opportunity to comment on:

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State of Washington
DEPARTMENT OF FISH AND WILDLIFE
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Telephone: (360) 696-6211 • Fax: (360) 906-6776

July 2, 2019

Matt Hermen
Clark County
1300 Franklin Street
Vancouver, WA 98660

RE: WDFW Comments for the Comprehensive Plan Urban Holding Overlays: Reference CPZ2018-00021, CPZ2019-00023, and CPZ2019-00024

Dear Mr. Hermen:

Thank you for the opportunity to provide comments on the proposed removal of the urban holding overlays on the above referenced actions. We appreciate the thoughtful process Clark County (hereafter 'the County') uses in managing these urbanizing areas and share your value of maintaining the functions of critical areas.

We have no objections of removing the overlay from the two proposed locations and providing safeguards necessary for protecting the function of the critical areas within and adjacent to those locations. As the land is further developed, we encourage you to use your land use authority to ensure adequate designation and protection of areas to provide for No Net Loss of Critical Area functions.

Thank you for the opportunity to participate in this process. Please feel free to contact me if you have any questions. (360) 906-6764.

Best Regards,

A handwritten signature in blue ink, appearing to read "Chuck Stambaugh-Bowey", is written over a faint, larger signature.

Chuck Stambaugh-Bowey, CWB
Assistant Regional Habitat Program Manager

August 14, 2018

Dr. Oliver Orjiako
Director
Clark County Department of Community Planning
Public Services Building
Vancouver, Washington 98660

RE: Determination of Non-Significance Amend Comprehensive Plan to
remove Urban Holding Overlay near the I5/179th Street interchange
Phase I

Sent via e-mail pdf to Oliver.Orjiako@clark.wa.gov

Dear Dr. Orjiako:

I am submitting these comments as an individual and not on behalf of any particular group, political party or organization. These comments assert that a checklist and DNS is an inadequate environmental review in this case for the reasons stated below. "Non-project" proposals are subject to SEPA, the lead agency cannot conduct an environmental review of a non-project proposal under the assumption that there will be no direct and/or indirect environmental impacts, including potential cumulative impacts from the "non-project" action. When a action such as this one is proposed, it should still be subject to a comprehensive review of potential environmental impacts from reasonably foreseeable developments, especially where the action to be taken will increase the intensity of developments in areas that specifically restricted developments until certain prerequisites for removal of the overlay have been met.

First, the area in Urban Holding subject to this review is in Urban Holding due to lack of infrastructure available for development of the underlying zoning, in this case Mixed Use zoning. I believe, and can supplement the record, that this holding was put in place as part of the original comprehensive plan from 1994. The current overlay covers a large swath of area surrounding the 179th Street/I5 interchange.

It appears that this "non-project" action is the County's initial attempt to remove the current overlay in a piecemeal fashion with no comprehensive plan for the entire area subjected to the Urban Holding Overlay. It even designates this "non-project" action as "Phase I" and therefore, it is clear that the County anticipates specific growth, and specific cumulative actions, but anticipates them occurring in a piecemeal basis. It is

assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller "cut-out" projects without considering the overlay as a whole, which would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

Second, this "non-project" action involves a modification of an existing environment designated under the Growth Management Act planning process by a proposal to amend the comprehensive plans and to, at least partially, remove the overlay on this area but does not discuss the development of new transportation plans along with potential new ordinances, rules, and regulations and environmental impacts that will be concomitant to the piecemeal implementation of these development agreements.

Third, according to the checklist, this SEPA (which claims no impacts to the environment) fails to consider the impacts of the the proposed development but states that the action is based upon "the execution of a development agreement" that, at this stage, does not exist or has not been put into the public record. Thus, it is clear that there will be impacts (at least a minimum of 402 trips per day) and it is impossible for the public to comment on the proposal's impact on the environment if there is no discussion of the development under the propose

Moreover, a recent work session with the Council exhibited that there were many other possible projects and development agreements being proposed in the impacted area around the 179th street interchange. Based upon a review of the materials presented to the county, the following have/are being proposed:

Killian 60,000 Sq. Ft. Retail (DA Approved Phase 1)

- Killian Three Creeks North Phase 1– (DA in progress)
- Killian remainder Phase 2 - NE 179th Street Commercial Center (DA Approved Phase 2)
- Holt Mill Plain PUD (606 homes/99 townhomes)
- Hinton Property (129 homes)
- Wollam Property (220 homes)

See The Grid Materials from 7/11/18 WS and audio of that work session all of which are incorporated into these comments by reference¹.

¹ It is unclear to me at this point if this current SEPA is for one of those proposed developments.

However, there has been no comprehensive analysis of traffic impacts or the impacts of the contemplated infrastructure and developments on the existing environment as required by SEPA and, if one has been completed, it has not been adopted by the County and is not incorporated into this SEPA document.

Therefore, this SEPA review for this non-project actions fails in many ways including failing to consider conduct a comprehensive analysis of the reasonably foreseeable impacts, failing to address the cumulative impacts of all of these developments that are being proposed, failing to consider any possible alternatives and failing to outline any potentially successful mitigation measures.

Fourth, the DNS/Checklist lists no other actions that have been taken by the County regarding the Urban Holding in general and this parcel specifically. Presumably, there have been other determinations, and reviews of those determinations by the Growth Management Hearings Board(s). If other decisions, papers, determinations, environmental reviews etc. have been completed by the County regarding this parcel specifically, and the overlay in general, then those documents should be made a part of and/or referenced in the environmental review for this proposed Comprehensive Plan amendment. If those do exist, the DNS/Checklist does not, but should, list the other relevant environmental documents/studies/models that have been done regarding the Urban Holding area since it was placed under the Urban Holding overlay. For example, a county's EIS for its comprehensive plan may have information relevant to the Urban Holding Overlay. In addition, there should be other county, Growth Board and/or appellate court references to the Urban Holding Overlay and the reason(s) that it has not been removed over the years.

Fifth, there is no description of any alternatives much less a range of alternative or preferred alternative or any description of if a particular alternative was fully implemented (including full build-out development, redevelopment, changes in land use, density of uses, management practices, etc.), any description of where and how it would direct or encourage demand on or changes within elements of the human or built environment, as well as the likely affects on the natural environment. In addition, the document fails to identify where the change or affect or increased demand might or could constitute a likely adverse impact, or any description of any further or additional adverse impacts that are likely to occur as a result of those changes and affects.

Sixth, this checklist cannot serve as an environmental analysis for later project reviews because it has been created in a way that does not anticipate any such projects where, in contrast, the county definitely is contemplating such projects. The more detailed and complete the environmental analysis is during the "non-project" stage, the less review will needed during project review and, therefore, any project review can focus on those environmental issues not adequately addressed during the "non-project" stage. The current checklist and DNS fails to provide any analysis that could be utilized later at a proposed project phase and fails to give notice to the citizen of the real potential

environmental impacts that will occur once the Urban Holding Overlay is lifted and projects can proceed.

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Although an environmental checklist can act as a first step in an environmental process, including Part D, Supplemental Sheet for "non-project" activities it should not stand in the way of a more comprehensive environmental impact statement, especially in this case given the large areas under the urban holding overlay that are obviously intended to be subject to removal only upon meeting specific prerequisites. Further, there has been no analysis of the traffic impacts on 179th street, 15th Avenue and/or the 179th street intersection by the current proposal(s) by the lead agency. A full environmental review, that includes all known proposed projects, along with the impact of full build-out should the entire overlay be removed, should be conducted prior to the removal of any portion of the overlay.

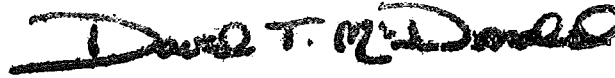
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Dr. Oliver Orjiako
Page 5
August 14, 2018

Thank you for your consideration of these comments. Please submit them
for the record.

Best Regards,

A handwritten signature in black ink, appearing to read "David T. McDonald". The signature is stylized with a large, sweeping initial "D" and a prominent horizontal line across the middle.

David McDonald



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June 25, 2019

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July 2, 2019

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Clark County
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Vancouver, WA 98660

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Chuck Stambaugh-Bowey, CWB
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August 14, 2018

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Director
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Phase I

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It appears that this "non-project" action is the County's initial attempt to remove the current overlay in a piecemeal fashion with no comprehensive plan for the entire area subjected to the Urban Holding Overlay. It even designates this "non-project" action as "Phase I" and therefore, it is clear that the County anticipates specific growth, and specific cumulative actions, but anticipates them occurring in a piecemeal basis. It is

assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller "cut-out" projects without considering the overlay as a whole, which would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

Second, this "non-project" action involves a modification of an existing environment designated under the Growth Management Act planning process by a proposal to amend the comprehensive plans and to, at least partially, remove the overlay on this area but does not discuss the development of new transportation plans along with potential new ordinances, rules, and regulations and environmental impacts that will be concomitant to the piecemeal implementation of these development agreements.

Third, according to the checklist, this SEPA (which claims no impacts to the environment) fails to consider the impacts of the the proposed development but states that the action is based upon "the execution of a development agreement" that, at this stage, does not exist or has not been put into the public record. Thus, it is clear that there will be impacts (at least a minimum of 402 trips per day) and it is impossible for the public to comment on the proposal's impact on the environment if there is no discussion of the development under the propose

Moreover, a recent work session with the Council exhibited that there were many other possible projects and development agreements being proposed in the impacted area around the 179th street interchange. Based upon a review of the materials presented to the county, the following have/are being proposed:

Killian 60,000 Sq. Ft. Retail (DA Approved Phase 1)

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- Killian remainder Phase 2 - NE 179th Street Commercial Center (DA Approved Phase 2)
- Holt Mill Plain PUD (606 homes/99 townhomes)
- Hinton Property (129 homes)
- Wollam Property (220 homes)

See The Grid Materials from 7/11/18 WS and audio of that work session all of which are incorporated into these comments by reference¹.

¹ It is unclear to me at this point if this current SEPA is for one of those proposed developments.

However, there has been no comprehensive analysis of traffic impacts or the impacts of the contemplated infrastructure and developments on the existing environment as required by SEPA and, if one has been completed, it has not been adopted by the County and is not incorporated into this SEPA document.

Therefore, this SEPA review for this non-project actions fails in many ways including failing to consider conduct a comprehensive analysis of the reasonably foreseeable impacts, failing to address the cumulative impacts of all of these developments that are being proposed, failing to consider any possible alternatives and failing to outline any potentially successful mitigation measures.

Fourth, the DNS/Checklist lists no other actions that have been taken by the County regarding the Urban Holding in general and this parcel specifically. Presumably, there have been other determinations, and reviews of those determinations by the Growth Management Hearings Board(s). If other decisions, papers, determinations, environmental reviews etc. have been completed by the County regarding this parcel specifically, and the overlay in general, then those documents should be made a part of and/or referenced in the environmental review for this proposed Comprehensive Plan amendment. If those do exist, the DNS/Checklist does not, but should, list the other relevant environmental documents/studies/models that have been done regarding the Urban Holding area since it was placed under the Urban Holding overlay. For example, a county's EIS for its comprehensive plan may have information relevant to the Urban Holding Overlay. In addition, there should be other county, Growth Board and/or appellate court references to the Urban Holding Overlay and the reason(s) that it has not been removed over the years.

Fifth, there is no description of any alternatives much less a range of alternative or preferred alternative or any description of if a particular alternative was fully implemented (including full build-out development, redevelopment, changes in land use, density of uses, management practices, etc.), any description of where and how it would direct or encourage demand on or changes within elements of the human or built environment, as well as the likely affects on the natural environment. In addition, the document fails to identify where the change or affect or increased demand might or could constitute a likely adverse impact, or any description of any further or additional adverse impacts that are likely to occur as a result of those changes and affects.

Sixth, this checklist cannot serve as an environmental analysis for later project reviews because it has been created in a way that does not anticipate any such projects where, in contrast, the county definitely is contemplating such projects. The more detailed and complete the environmental analysis is during the "non-project" stage, the less review will needed during project review and, therefore, any project review can focus on those environmental issues not adequately addressed during the "non-project" stage. The current checklist and DNS fails to provide any analysis that could be utilized later at a proposed project phase and fails to give notice to the citizen of the real potential

environmental impacts that will occur once the Urban Holding Overlay is lifted and projects can proceed.

Currently, given the potential development agreements listed above, along with others that may not be in the public realm, there is ample ability for the lead agency to anticipate and analyze the likely environmental impacts of taking this action and the failure to do so creates an inadequate SEPA document (for example a minimum of 2500 peak hour trips if the developers' numbers are to be believed in the documents that they submitted in the July work session). Failure to conduct a full environmental review at this juncture allows for the removal of the overlay while precluding the public to speak to the removal of the overlay at all. Plus, once this overlay is removed, the question arises as to whether the removal of all the other portions of the overlay must be removed either piecemeal or as a whole through this "non-project" action that has no real environmental review or input from the public.

Although an environmental checklist can act as a first step in an environmental process, including Part D, Supplemental Sheet for "non-project" activities it should not stand in the way of a more comprehensive environmental impact statement, especially in this case given the large areas under the urban holding overlay that are obviously intended to be subject to removal only upon meeting specific prerequisites. Further, there has been no analysis of the traffic impacts on 179th street, 15th Avenue and/or the 179th street intersection by the current proposal(s) by the lead agency. A full environmental review, that includes all known proposed projects, along with the impact of full build-out should the entire overlay be removed, should be conducted prior to the removal of any portion of the overlay.

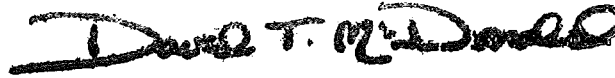
These comments assert that this "non-project" SEPA proposal review should also 1) consider all existing regulations, 2) set forth the underlying rational behind the fact that there is an Urban Holding Overlay in existence, 3) the reason for the overlay being placed on the area, 4) remove it from the overlay and 5) the requirements that are required to remove the overlay as well as and 6) any other development under consideration. Plus the environmental review should include an analysis of the potential impacts of the entire area once the overlay is lifted in the larger area surrounding the 179th Street interchange, there will be a plethora of impacts, including but not limited to traffic impacts.

Therefore, this "nonproject" action involves a comprehensive plan amendment, or similar proposal governing future project development, and the probable environmental impacts that would be allowed for the future development need to be considered. The environmental analysis should analyze the likely impacts of the of build-out of all the underlying zones covered by the overlay when determining the efficacy of allowing this one "non-project" to have the overlay removed. In addition, the proposal should be described in terms of alternative means of accomplishing an objective.

Dr. Oliver Orjiako
Page 5
August 14, 2018

Thank you for your consideration of these comments. Please submit them
for the record.

Best Regards,

A handwritten signature in black ink, appearing to read "David T. McDonald". The signature is stylized with a large, sweeping initial "D" and a prominent horizontal line across the middle.

David McDonald

David T. McDonald
2212 NW 209th Street
Ridgefield, Washington 98642

July 5, 2019

Dr. Oliver Orjiako
Director
Clark County Department of Community Planning
Public Services Building
Vancouver, Washington 98660

RE: Determination of Non-Significance Amend Comprehensive Plan to
remove Urban Holding Overlay near the I5/179th Street interchange
(Hinton Phase III and Wollam Phase IV)

Sent via e-mail pdf to Oliver.Orjiako@clark.wa.gov

Dear Dr. Orjiako:

I am submitting these comments as an individual and not on behalf of any particular group, political party or organization. These comments assert that a checklist and DNS is an inadequate environmental review in these cases for the reasons stated below. "Non-project" proposals are subject to SEPA, the lead agency cannot conduct an environmental review of a non-project proposal under the assumption that there will be no direct and/or indirect environmental impacts, including potential cumulative impacts from the "non-project" action. When actions such as these are proposed, it should still be subject to a comprehensive review of potential environmental impacts from reasonably foreseeable developments, especially where the action to be taken will increase the intensity of developments in areas that specifically restricted developments until certain prerequisites for removal of the overlay have been met.

There are several issues that arise with the piecemeal SEPA review process being conducted by the County and the Clark Regional Wastewater District. I am adopting by reference the letter dated August 14, 2018, a copy of which is attached and incorporated by this reference, which sets forth some of the concerns that are now compounded by the fact that these projects can no longer be considered "non-projects" and should include, at a minimum, the combined environmental impacts of all of the

current projects (Wollam, Hinton, Mill Creek (Holt)¹ and Three Creeks (Killian) at build-out as those projects are a reality despite the “non-project” designation. In addition, I am adopting by reference the records from various planning commission hearings, and Council Hearings/Council Time meetings and Work Sessions on Amending the Comprehensive Plan to remove Urban Holding Overlay near the I5/179th Street interchange including but not limited to all of the documents and audio records posted on the Grid on or between January 1, 2018 and the date of this letter. In addition, these environmental review should also incorporate the proposed annexation of properties into the Clark Regional Wastewater District (a copy of that document is filed concomitantly with this document and is incorporated by this reference).

At the outset, these projects are not properly defined as required by WAC 197-11-060(3) as they are not described in a way that encourages “considering and comparing alternatives” and does not describe the proposal in terms of “objectives rather than preferred solutions”. *See* WAC 197-11-060(3)(a)(iii). In addition, these proposals violate WAC 197-11-060(3)(b). Under that provision, “proposals or parts of proposals that are related to each other closely enough to be, in effect, a single course of action, shall be evaluated ***in the same environmental document***. *Id.* Although “phased review” is allowed in some circumstances [*See* WAC 197-11-060(5)]. In this case, §§ 5 is inapplicable because all of these projects are inextricably intertwined by the need for the universal removal of the urban holding and the expenditure of a minimum of \$66.2² million dollars to meet concurrency standards under GMA and the projects:

- (i) Cannot or will not proceed unless the other proposals (or parts of proposals) are implemented simultaneously with them; or
- (ii) Are interdependent parts of a larger proposal and depend on the larger proposal as their justification or for their implementation.

WAC 197-11-060(3)(b)(i) and (ii).

In addition to failing to include all the projects in the area under one comprehensive “project” (as opposed to “non-project”) environmental review, the documents fail to address all of the impacts as defined by WAC 197-11-060(4)(c)(a

¹ https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/071619_MillCreekMasterPlanNarrative%3B%20Ex_BtoDA.pdf, and https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/071619_MillCreekMasterPlanNarrative%3B%20Ex_BtoDA.pdf

² In addition, there is information that the Council is no considering expanding the project area and adding an additional 97 million dollars worth of infrastructure, predominantly roads, to the current project. *See* https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q2/061219WS_179St_I5_FinancialOptions.pdf. at p 14.

copy of which is attached and incorporated by this reference) in that they fail to address impacts).

The areas in Urban Holding subject to these reviews are in Urban Holding due to lack of infrastructure available for development of the underlying zoning. The current overlay covers a large swath of area surrounding the 179th Street/I5 interchange. See PPTs dated June 12, 2019. https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q2/061219WS_179St_I5_FinancialOptions.pdf

It appears that this “non-project” action is the County’s effort to do an end around a comprehensive review and instead make a strong effort to remove the current overlay in a piecemeal fashion with no comprehensive plan for the entire area subjected to the Urban Holding Overlay. These documents even designate this “non-project” action as “Phase IV” (The Three Creeks Development that was the subject of the SEPA comments dated August 14, 2018 was designated as Phase I). Therefore, it is clear that the County anticipates specific growth, and specific cumulative actions and impacts, that are inevitably going to occur as preconditions to the lifting of the Overlay as the lifting will be conditioned upon specific Development Agreements being signed and in effect. See generally https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2018/2018_Q4/121818_Hearing_AnnualReviewDockets_179thSt_I5_DA.pdf and https://www.clark.wa.gov/sites/default/files/dept/files/council-meetings/2019/2019_Q3/071619_HoltMillCreekDADRAFT.pdf.

It is also assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller “cut-out” projects without considering the overlay as a whole. Such a false narrative would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

Second, these “non-project” actions involve a modification of an existing environment designated under the Growth Management Act planning process by a proposal to amend the comprehensive plans and to, at least partially (and maybe totally as the Council’s actions have remained a moving target throughout this process regarding the scope of their desires to remove the Urban Holding and/or the scope of the work and the cost of the work), remove the overlay on this area but does not discuss the development of new transportation plans along with potential new ordinances, rules, and regulations and environmental impacts that will be concomitant to the piecemeal implementation of these development agreements.

Third, according to the checklist, this SEPA (which claims no impacts to the environment) fails to consider the impacts of the the proposed development but states that the action is conditioned on “the execution of a development agreement” that, at this stage, does not exist or has not been put into the public record. Thus, it is clear that there will be impacts and it is impossible for the public to comment on the proposal’s impact on the environment if there is no discussion of the development under the propose and it being done in conjunction with the full infrastructure analysis of the area, including but not limited to:

1. Diversion of the money by the County to these projects when the County has a current Road Fund Deficit of \$158 million dollars (or at least that is the deficit set forth in the 2015 Comprehensive Plan update;
2. Diversion of money from repairing existing infrastructure in the County including but not limited to Bridges that need repair and upgrading. *See* <https://www.clark.wa.gov/sites/default/files/dept/files/public-works/bridges/BridgeReport.pdf> and the 7 bridges listed here <https://www.clark.wa.gov/public-works/restricted-bridges>;

In addition, the Document itself does not discuss in any fashion the following:

The lack of substantial public benefit to use of public funds for market rate residential construction and that residential is a net tax loser, which costs \$1.16 in services per tax dollar received. *See* Columbian 5/26/19. In addition, any of the beneficiaries of this proposed County spending who are not currently Clark County residents/taxpayers would unjustifiably benefit by the use of public funds without public benefit can be considered an unconstitutional gift under WA and US Constitutions.

Therefore, the SEPA document(s) should consider an alternative that prohibits the use of public funds in order to lift urban holding designation. Assuming *argumento*, that the County wishes to pursue the use of public funds for lifting the urban holding, the public's % share of the costs should be reserved for road capacity for family wage jobs and affordable housing in a Growth Allocation Plan. *See* Growth Allocation Plan used by the City of Vancouver to reserve Mill Plain/192nd Ave road capacity for jobs. If the public pays for 25% of the costs, then 25% of the road capacity should be reserved for jobs and affordable housing. Jobs reservations should be for pure commercial/industrial uses and not for added residential or retain in "Mixed use". “Affordable Housing” should be homes that are priced so that they can be afforded by people making 60% of the County's average income.

Dr. Oliver Orjiako

Page 5

July 5, 2019

Thank you for your consideration of these comments. Please submit them for the record.

Best Regards,

A handwritten signature in blue ink, appearing to read "David T. McDonald", is written over the printed name. The signature is stylized with loops and a horizontal line.

David T. McDonald



DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: *Amend Comprehensive Plan to remove Urban Holding Overlay near the I-5/179th St. Interchange, CPZ2019-00023 (Hinton), Phase III*

Proponent: *Clark County Community Planning*

Location of proposal, including street address, if any: *3801 NE 174th St., Vancouver, WA 98686*

Lead Agency: *Clark County, Washington*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. In 2007, the Vancouver Urban Growth Area was expanded to include the properties affected in this proposal. An Environmental Impact Analysis was completed in 2007 that was associated with this urban land. In 2016 a supplemental Environmental Impact Statement was completed in association with the 2016 Comprehensive Plan update. A new environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below.

Comments must be submitted by: July 5, 2019

Responsible Official: Oliver Orjiako

Position/title: Director

Address: **RE: SEPA Comments**

Clark County Community Planning

1300 Franklin Street; 3rd Floor

P.O. Box 9810

Vancouver, WA 98666-9810

Date: 6-12-19 **Signature:** Oliver Orjiako

The staff contact person and telephone number for any questions on this review is Matt Hermen, Planner III, (564) 397-4343.

For other formats, contact the Clark County ADA Office at ADA@clark.wa.gov.



DETERMINATION OF NON-SIGNIFICANCE

Description of Proposal: *Amend Comprehensive Plan to remove Urban Holding Overlay near the I-5/179th St. Interchange, CPZ2019-00024 (Wollam), Phase 4*

Proponent: *Clark County Community Planning*

Location of proposal, including street address, if any: *807 NW 179th St., Ridgefield, WA 98642*

Lead Agency: *Clark County, Washington*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. In 2007, the Vancouver Urban Growth Area was expanded to include the properties affected in this proposal. An Environmental Impact Analysis was completed in 2007 that was associated with this urban land. In 2016 a supplemental Environmental Impact Statement was completed in association with the 2016 Comprehensive Plan update. A new environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

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August 14, 2018

Dr. Oliver Orjiako
Director
Clark County Department of Community Planning
Public Services Building
Vancouver, Washington 98660

RE: Determination of Non-Significance Amend Comprehensive Plan to
remove Urban Holding Overlay near the I5/179th Street interchange Phase
I

Sent via e-mail pdf to Oliver.Orjiako@clark.wa.gov

Dear Dr. Orjiako:

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entire area subjected to the Urban Holding Overlay. It even designates this “non-project” action as “Phase I” and therefore, it is clear that the County anticipates specific growth, and specific cumulative actions, but anticipates them occurring in a piecemeal basis. It is assumed that the County seeks to allow certain developers, pursuant to development agreements that may or may not be subject to public review, the ability to consume any existing capacities that may exist for smaller “cut-out” projects without considering the overlay as a whole, which would selectively allow some development while excluding other developments leading to disparate treatment of landowners in the area and could cause greater expense to landowners who are forced into plans previously approved by the Council pursuant to the piecemeal development agreements.

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¹ It is unclear to me at this point if this current SEPA is for one of those proposed developments.

projects where, in contrast, the county definitely is contemplating such projects. The more detailed and complete the environmental analysis is during the “non-project” stage, the less review will be needed during project review and, therefore, any project review can focus on those environmental issues not adequately addressed during the “non-project” stage. The current checklist and DNS fails to provide any analysis that could be utilized later at a proposed project phase and fails to give notice to the citizen of the real potential environmental impacts that will occur once the Urban Holding Overlay is lifted and projects can proceed.

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Dr. Oliver Orjiako

Page 5

August 14, 2018

environmental impacts that would be allowed for the future development need to be considered. The environmental analysis should analyze the likely impacts of the of build-out of all the underlying zones covered by the overlay when determining the efficacy of allowing this one “non-project” to have the overlay removed. In addition, the proposal should be described in terms of alternative means of accomplishing an objective.

Thank you for your consideration of these comments. Please submit them for the record.

Best Regards,

David



COMMISSIONERS
Norm Harker
Denny Kiggins
Neil Kimsey
GENERAL MANAGER
John M. Peterson, P.E.

8000 NE 52 Court Vancouver, WA 98665
Phone (360) 750-5876

PO Box 8979 Vancouver, WA 98668
Fax (360) 750-7570

www.crrwd.com

File: Annexation 03-17
DNS 03-17

Date Published:
June 21, 2019

June 17, 2019

Please find enclosed an environmental Determination of Non-Significance issued pursuant to the State Environmental Policy Act (SEPA) Rules (Chapter 197-11), Washington Administrative Code.

You may comment on this DNS by submitting written comments within Fifteen (15) days of this notice as provided for by WAC 197-11-340.

Please address all correspondence to: Clark Regional Wastewater District
PO Box 8979
Vancouver, WA 98668-8979
Attn: Steve Bacon

DISTRIBUTION LIST

Federal Agencies: US Army Corps of Engineers, Seattle District
US Fish and Wildlife Service
National Marine Fisheries Service
Northwest Power & Conservation Council
Bonneville Power Administration

Native American Interests: Yakima Indian Nation
Cowlitz Indian Tribe
Chinook Indian Tribe

State Agencies: Department of Ecology
Department of Fish and Wildlife
Department of Community Development
Department of Commerce
Department of Health
Department of Natural Resources – SEPA Center
Department of Transportation
Office of Archaeology and Historic Preservation

Regional Agencies: Fort Vancouver Regional Library
Southwest Clean Air Agency
Southwest Washington Regional Transportation Council



Local Agencies: Clark County
Administration
Building
Community Planning
Public Works
Auditor
Public Health
Vancouver/Clark Parks and Recreation
City of Battle Ground
City of Vancouver
Administration
Community Preservation & Development
Public Works

Other Agencies: Clark Public Utilities
CRESA
C-Tran
Battle Ground School District
Fire Protection District 5
Clark County Sheriff

Interest Groups: Building Industry Association of Clark County
Clark County Natural Resources Council
Vancouver Housing Authority
Columbia River Economic Development Council
Vancouver Chamber of Commerce
Fairgrounds Neighborhood Association
Pleasant Highlands Neighborhood Association
North Salmon Creek Neighborhood Association

Interested Parties: David T. McDonald

DETERMINATION OF NONSIGNIFICANCE

Description of proposal:

Annexation of properties into the District boundary. Said properties are located in NE ¼ Section 13 T3N R1E WM; NE & NW ¼ of the SE ¼ Section 13 T3N R1E WM, NE & SE ¼ of the NW ¼ Section 13 T3N R1E WM.

Proponent:

Clark Regional Wastewater District

Location of proposal, including street address, if any.

The proposed annexation includes all properties within the following described areas:

- *The SE ¼ of Section 12 T.3N., R.1E., W.M.,*
- *The NE ¼ of Section 13 T.3N., R.1E., W.M.,*
- *The E ½ of the NW ¼ of Section 13 T.3N., R.1E., W.M.,*
- *The N ½ of the SE ¼ of Section 13 T.3N., R.1E., W.M.,*
- *The N ½ of the NE ¼ of the SW ¼ of Section 13 T.3N., R.1E., W.M.,*
- *19002 NE 50th Ave 181440-000*
- *19100 NE 50th Ave 181449-000*
- *19020 NE 50th Ave 181517-000*

Lead Agency: *Clark Regional Wastewater District*

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. The environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

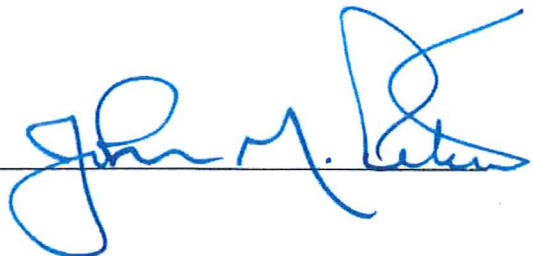
☐ There is no comment period for this DNS.

☒ This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 15 days from the date below. Comments must be submitted by July 8, 2019.

Responsible Official: *John Peterson*
Position/Title: *General Manager*
Telephone: *(360) 750-5876*
Fax: *(360) 750-7570*
Address: *8000 NE 52nd Court*
PO Box 8979
Vancouver, WA 98668-8979

Date: 18 JUNE 2019

Signature



ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probably significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or given the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Use of Checklist of Non-Project Proposals:

Complete this checklist for non-project proposals, even though questions may be answered "does not apply". IN ADDITION, complete the SUPPLEMENTAL SHEET FOR Non-project ACTIONS (part D).

For non-project actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of Proposed Project, if applicable:

Annexation #03-17, Mill Creek

2. Name of Applicant:

Clark Regional Wastewater District

3. Address and Phone Number of Applicant and Contact Person:

***8000 NE 52nd Court
PO Box 8979
Vancouver, WA 98668-8979
(360) 750-5876
Attn: Steve Bacon, P.E., Development Program Manager***

4. Date Checklist Prepared:

June 14, 2019

5. Agency Requesting Checklist:

Clark Regional Wastewater District

6. Proposed Timing or Schedule (including phasing, if applicable):

The annexation will proceed following the completion of this SEPA process.

7. Do you have any plans for future additions, expansions, or further activity related to or connected with this proposal? If yes, please explain.

This action will allow for future extensions of sanitary sewer service into the area.

8. List any environmental information you know about that has been or will be prepared related to this proposal:

None known.

9. Are other applications pending for governmental approvals affecting the property covered by your proposal? If yes, please explain.

None known.

10. List any government approvals or permits that will be needed for your proposal.

Approval of the proposed annexation by the Board of Commissioners of Clark Regional Wastewater District and the Board of County Councilors.

11. Give a brief, complete description of your proposal, including the proposed uses and size of the project and site. There are several questions addressed later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page (Lead agencies may modify this form to include additional specific information on project description).

This action amends the service boundary of the District to include an additional area of approximately 491 acres within Clark County's urban growth boundary.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including street address, section, township, and range. If this proposal occurs over a wide area, please provide the range or boundaries of the site. Also, a legal description, site plan, vicinity map, and topographic map. You are required to submit any plans required by the agency, but not required to submit duplicate maps or plans submitted with permit applications related to this checklist.

This action proposes to add 82 parcels into the Clark Regional Wastewater District service area. The area is generally described as north of NE 164th Street, east of NE 34th Avenue, west of NE 50th Avenue, and south of NE 192nd Street.

B. ENVIRONMENTAL ELEMENTS

1. EARTH

- A. General description of the site (circle one): flat, rolling, hilly, steep slopes, mountainous, other.

- B. What is the steepest slope on the site and the approximate percentage of the slope?

The steepest slope is 60% primary along the banks of Mill Creek.

- C. What general types of soils are found on the site (e.g., clay, sand, gravel, peat, muck)? Please specify the classification of agricultural soils and note any prime farmland.

The soils are classified as Gee silt loam, with the specific classification of GeB, GeD, GeE, and GeF, and Hillsboro silt loam, with the specific classification of HoA, HoB, HoC.

- D. Are there surface indications or history of unstable soils in the immediate vicinity? If so, please describe.

There are areas of potential instability along Mill Creek.

- E. Describe the purpose, type, and approximate quantities of any filling or proposed grading. Also, indicate the source of fill.

No grading activities are proposed.

- F. Could erosion occur as a result of clearing, construction, or use? If so, please describe.

This non-project action will not propose any activities that could cause erosion.

- G. What percentage of the site will be covered with impervious surfaces after the project construction (e.g., asphalt or buildings)?

No improvements are being proposed.

- H. Proposed measures to reduce or control erosion, or other impacts to the earth include:

No erosion causing activities are proposed.

2. AIR

- A. What types of emissions to the air would result from the proposal (e.g., dust, automobile, odors, industrial wood smoke) during construction and after completion? If yes, describe and give approximate quantities.

No emissions will be associated with this non-project action.

- B. Are there any off-site sources of emissions or odor that may affect your proposal? If so, please describe:

No.

- C. Proposed measures to reduce or control emissions or other impacts to air:

None.

3. WATER

- A. Surface

1. Is there any surface water body on or in the vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names and into which stream or river it flows into.

There are known surface waters within the area. There is a mapped year-round stream, Mill Creek, within the annexation boundary. The area is within the Salmon Creek watershed.

2. Will the project require any work within 200 feet the described waters? If yes, please describe and attach available plans.

No.

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None.

4. Will the proposal require surface water withdrawals or diversions? Please provide description, purpose, and approximate quantities:

No.

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

There is an area classified as floodway fringe, located along the banks of Mill Creek.

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

B. Ground

1. Will ground water be withdrawn, or will water be discharged to ground water? Please give description, purpose, and approximate quantities.

No.

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (e.g., domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the size and number of the systems, houses to be served; or, the number of animals or humans the system are expected to serve.

None.

C. Water Runoff (including storm water):

1. Describe the source of runoff (including storm water) and the method of collection and disposal. Include quantities, if known. Describe where water will flow, and if it will flow into other water.

Does not apply.

2. Could waste materials enter ground or surface waters? If so, please describe.

No.

D. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

None.

4. PLANTS

A. Check or circle types of vegetation found on the site:

☒ Deciduous tree: alder, maple, aspen, other

☒ Evergreen tree: fir, cedar, pine, other

☒ Shrubs

☒ Grass

☒ Pasture

☐ Crop or grain

☐ Wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other

☐ Water plants: water lily, eelgrass, milfoil, other

☐ Other types of vegetation

B. What kind and amount of vegetation will be removed or altered?

None.

C. List any threatened or endangered species known to be on or near the site.

None known.

- D. List proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site:

None.

5. ANIMALS

- A. Circle any birds and animals which have been observed on or near the site:

Birds: hawk, heron, eagle, songbirds, other:

Mammals: deer, bear, elk, beaver, other: coyotes, rabbits, squirrels, and small rodents.

Fish: bass, salmon, trout, herring, shellfish, other:

- B. List any threatened or endangered species known to be on or near the site.

The Washington Department of Fish & Wildlife classifies Coho and Summer Steelhead as threatened, accessible in the area.

- C. Is the site part of a migration route? If so, please explain.

The entire region is part of the Pacific Flyway.

- D. List proposed measures to preserve or enhance wildlife:

None.

6. ENERGY AND NATURAL RESOURCES

- A. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

None.

- B. Would your project affect the potential use of solar energy by adjacent properties? If so, please describe.

No.

- C. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts:

None.

7. ENVIRONMENTAL HEALTH

- A. Are there any environmental hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, please describe.

No.

1. Describe special emergency services that might be required.

None.

2. Proposed measures to reduce or control environmental health hazards, if any?

None.

B. Noise

1. What types of noise exist in the area which may affect your project (e.g., traffic, equipment operation, other)?

None.

2. What types and levels of noise are associated with the project on a short-term or a long-term basis (e.g., traffic, construction, operation, other)? Indicate what hours the noise would come from the site.

None.

3. Proposed measures to reduce or control noise impacts:

None.

8. LAND AND SHORELINE USE

- A. What is the current use of the site and adjacent properties?

The current use of the area is single family residences, agricultural and forest land.

- B. Has the site been used for agriculture? If so, describe.

There are parcels in the area that have been used as farmland.

- C. Describe any structures on the site.

There are residential structures and associated outbuildings on the site.

- D. Will any structures be demolished? If so, please describe.

No.

- E. What is the current zoning classification of the site?

Current zoning in the area includes, R1-7.5, R1-10, R1-20 and MX.

- F. What is the current comprehensive plan designation of the site?

The current comprehensive plan designation of the site is Urban Low Density Residential and Mixed Use.

- G. What is the current shoreline master program designation of the site?

Does not apply.

- H. Has any part of the site been classified as an "environmentally sensitive" area? If so, please specify.

Does not apply.

- I. How many people would reside or work in the completed project?

This non-project action will not change the current number of people who reside or work in the area.

- J. How many people would the completed project displace?

None.

- K. Please list proposed measures to avoid or reduce displacement impacts:

None.

- L. List proposed measures to ensure the proposal is compatible with existing and projected land uses and plans:

The proposed non-project action will allow the current urban zoned properties to obtain sanitary sewer service, as well as allow future developments to extend and connect to sewer as required by County Code.

9. HOUSING

- A. Approximately how many units would be provided? Indicate whether it's high, middle, or low-income housing.

Does not apply.

- B. Approximately how many units, if any, would be eliminated? Indicate whether it's high, middle, or low-income housing.

None.

- C. List proposed measures to reduce or control housing impacts:

Does not apply.

10. AESTHETICS

- A. What is the tallest height of any proposed structure(s), not including antennas? What is proposed as the principal exterior building materials?

None proposed.

- B. What views in the immediate vicinity would be altered or obstructed?

None.

- C. Proposed measures to reduce or control aesthetic impacts:

Does not apply.

11. LIGHT AND GLARE

- A. What type of light or glare will be proposal produce? What time of day would it mainly occur?

None.

- B. Could light or glare from the finished project be a safety hazard or interfere with views?

Does not apply.

- C. What existing off-site sources of light or glare may affect your proposal?

None.

- D. Proposed measures to reduce or control light and glare impacts:

None.

12. RECREATION

- A. What designated and informal recreational opportunities are in the immediate vicinity?

There are public hiking trails located on the Washington State University campus, south of the annexation area at NE 159th Street and NE 50th Avenue.

- B. Would the project displace any existing recreational uses? If so, please describe.

No.

- C. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant:

None.

13. HISTORIC AND CULTURAL PRESERVATION

- A. Are there any places or objects listed on or near the site which are listed or proposed for national, state, or local preservation registers? If so, please describe.

None known.

- B. Please describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

None.

- C. Proposed measures to reduce or control impacts:

None.

14. TRANSPORTATION

- A. Identify public streets and highways serving the site and describe proposed access to the existing street system. Show on site plans, if any.

The area is served by NE 50th Avenue, NE 179th Street, NE 174th Street and NE 40th Avenue. Private roads lie within the annexation area.

- B. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

No, the nearest transit stop is located approximately 3 miles west, at NE 29th Avenue and WSU, C-Tran #19 Salmon Creek from 99th Street Transit Center to WSU.

- C. How many parking spaces would the completed project have? How many would the project eliminate?

Does not apply.

- D. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, please describe and indicate whether it's public or private.

No.

- E. Will the project use water, rail, or air transportation? If so, please describe.

No.

- F. How many vehicular trips per day would be generated by the completed project? Indicate when peak traffic volumes would occur.

None.

- G. Proposed measures to reduce or control transportation impacts:

None.

15. PUBLIC SERVICES

- A. Would the project result in an increased need for public services (e.g., fire protection, police protection, health care, schools, other)? If so, please describe.

No.

- B. Proposed measures to reduce or control direct impacts on public services.

None.

16. UTILITIES

- A. Circle the utilities currently available at the site: Electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

- B. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on or near the site.

None.

17. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature



Steve Bacon, P.E., Development Program Manager
Clark Regional Wastewater District

Date Submitted: 06/17/19

D. SEPA SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

INSTRUCTIONS:

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent of the proposal and the types of activities likely to result from this proposal. Please respond briefly and in general terms.

1. How would the proposal increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal would not increase these elements.

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal would not affect plants, animals, fish, or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

The proposal would not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal use or affect environmentally sensitive areas or those designated (or eligible or under study) for governmental protection such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposal would not affect environmentally sensitive areas.

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use? Will it allow or encourage land or shoreline uses incompatible with existing plans?

The proposal would not affect land and shoreline use.

Proposed measures to avoid or reduce shoreline and land use impacts are:

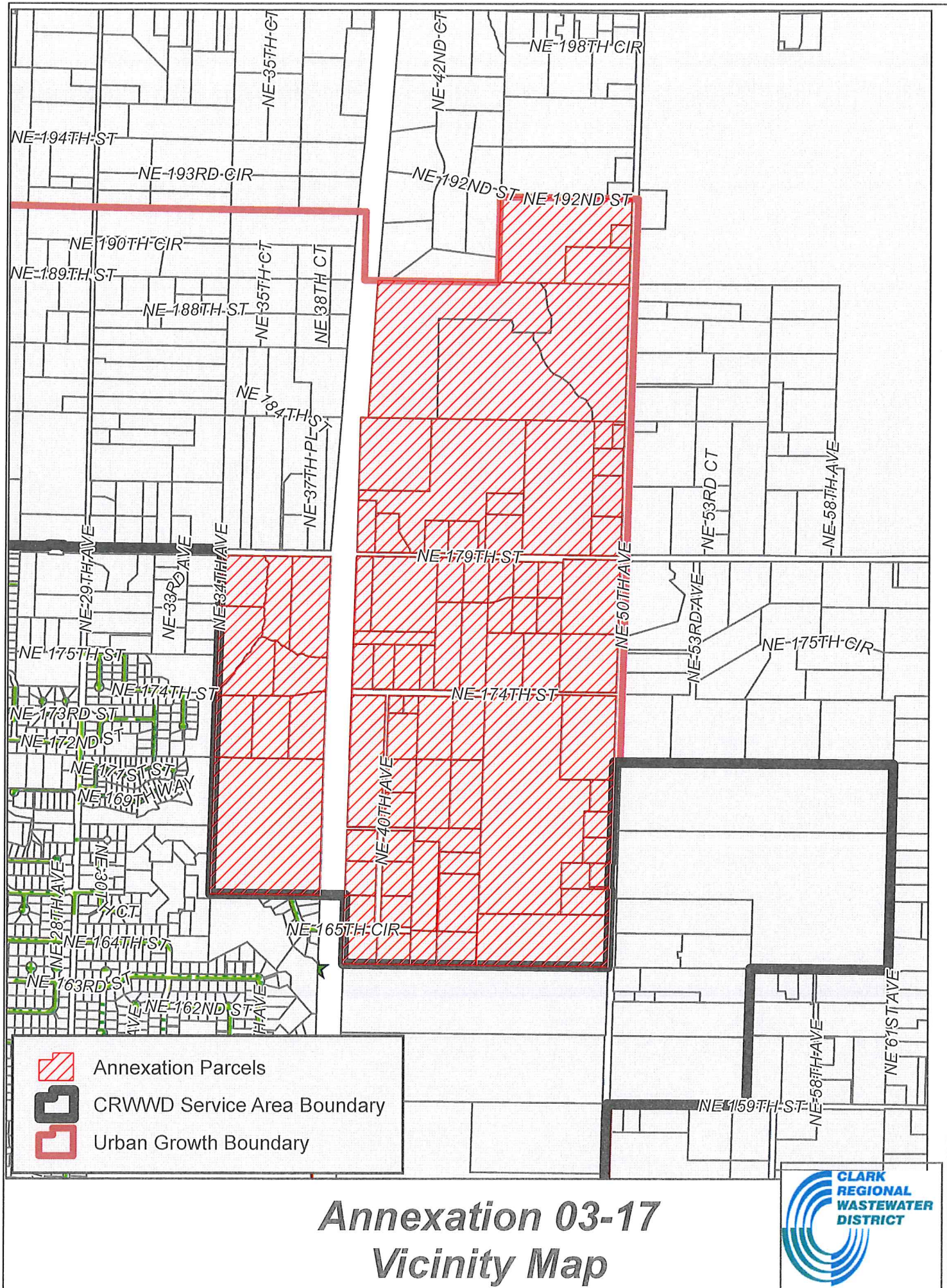
6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would not increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

7. Identify whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The proposal would not cause conflict with local, state, or federal laws or requirements for the protection of the environment.



Annexation Parcels
CRWWD Service Area Boundary
Urban Growth Boundary

Annexation 03-17 Vicinity Map





RIDGEFIELD
SCHOOL DISTRICT
unlimited possibilities

SUPERINTENDENT
DR NATHAN MCCANN

BOARD OF DIRECTORS
DISTRICT 1 EMILY ENQUIST
DISTRICT 2 JOSEPH VANCE
DISTRICT 3 BRETT JONES
DISTRICT 4 BECKY GREENWALD
DISTRICT 5 SCOTT GULLICKSON

Oliver Orjiako, Director
SEPA Comments
Clark County Community Planning
1300 Franklin Street, 3rd Floor
PO Box 9810
Vancouver, WA 98666-9810

RE: DNS for CPZ2019-00023-Amendment to Comp Plan to remove Urban Holding (Hinton) Phase III

Dear Mr. Orjiako:

The Ridgefield School District received the Determination of Non Significance (DNS) that was issued in the above referenced matter and appreciates the opportunity to submit the following comments.

Removing Urban Holding from the 32.45 acres of property that is the subject of the DNS will open the way for development of approximately 129 single family homes. The SEPA Checklist that was included with the DNS describes the County's plans to enter into a development agreement "that funds critical infrastructure," presumably to serve the anticipated development. Public schools are part of the infrastructure that is needed. Contrary to the answer "none" to question 15a regarding increased needs for public services, allowing residential development will increase the need for public schools.

The Ridgefield School District will provide public education to the students residing in the homes that will be built if Urban Holding is removed. If recent housing demographics continue, approximately 38 students will reside in the 129 homes. The District does not have unused capacity in existing schools. To serve the 38 students from this development, and students from other pending and planned developments, the District needs to build a new elementary, middle and high school.

The costs to build new schools is significant. The District's 2015 Capital Facility Plan, which the County has adopted, forecast the cost to build needed schools at over \$90,000,000. Construction costs have increased since then. A bond, state construction assistance, and school impact fees are all needed to pay the costs to build the needed schools. The District calculated school impact fees using the County and City formula is \$11,289.80 for single family homes.

If a bond is not approved, and school impact fees are not assessed in the full amount, removing Urban Holding will have a significant adverse impact on schools. That impact can be mitigated by imposing a requirement that future development pay the District's \$11,289.80 school impact fee.

The District respectfully requests that any actions the County takes that will open the way for new development include a requirement that the developers pay the full \$11,289.80 school impact fee. Thank you for considering these comments and sharing them with the County Council as they deliberate and decide whether to remove Urban Holding.

Sincerely,

Dr. Nathan McCann
Superintendent



RIDGEFIELD
SCHOOL DISTRICT
unlimited possibilities

SUPERINTENDENT
DR NATHAN MCCANN

BOARD OF DIRECTORS
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DISTRICT 2 JOSEPH VANCE
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Sincerely,

Dr. Nathan McCann
Superintendent



State of Washington
DEPARTMENT OF FISH AND WILDLIFE
Southwest Region 5 • 5525 South 11th Street, Ridgefield, WA 98642
Telephone: (360) 696-6211 • Fax: (360) 906-6776

July 2, 2019

Matt Hermen
Clark County
1300 Franklin Street
Vancouver, WA 98660

RE: WDFW Comments for the Comprehensive Plan Urban Holding Overlays: Reference CPZ2018-00021, CPZ2019-00023, and CPZ2019-00024

Dear Mr. Hermen:

Thank you for the opportunity to provide comments on the proposed removal of the urban holding overlays on the above referenced actions. We appreciate the thoughtful process Clark County (hereafter 'the County') uses in managing these urbanizing areas and share your value of maintaining the functions of critical areas.

We have no objections of removing the overlay from the two proposed locations and providing safeguards necessary for protecting the function of the critical areas within and adjacent to those locations. As the land is further developed, we encourage you to use your land use authority to ensure adequate designation and protection of areas to provide for No Net Loss of Critical Area functions.

Thank you for the opportunity to participate in this process. Please feel free to contact me if you have any questions. (360) 906-6764.

Best Regards,

A handwritten signature in blue ink, appearing to read "Chuck Stambaugh-Bowey", is written over a faint, larger signature.

Chuck Stambaugh-Bowey, CWB
Assistant Regional Habitat Program Manager