



State of Washington
DEPARTMENT OF FISH AND WILDLIFE
 Southwest Region 5 • 2108 Grand Boulevard, Vancouver, WA 98661
 Telephone: (360) 696-6211 • Fax: (360) 906-6776

October 21, 2015

Oliver Orjiako
 Clark County Community Planning
 Attn: Rural Industrial Land Bank
 PO Box 9810, Vancouver WA 98666

RE: WDFW Comments on Clark County Rural Industrial Land Bank Programmatic Environmental Review Addendum

Dear Mr. Orjiako,

Thank you for the opportunity to comment on the proposed Clark County Rural Industrial Land Bank (RILB) Programmatic Environmental Review Addendum. The Washington Department of Fish and Wildlife (WDFW) has reviewed this RILB proposal and offers the following comments for your consideration.

In order to reduce potential impacts on fish and wildlife and their habitat, WDFW recommends the adoption of Site 1 as the Clark County RILB site. The five sites are diverse in offerings for the proposed RILB as well as potential impacts on direct and surrounding land parcels. The proposed industrial manufacturing and light commercial land use of this bank poses significant threat to viable fish and wildlife habitat and resources on all sites.

1-1

Site 1 has the least direct impacts on Priority Habitat and county critical areas, as well as the lowest direct impact on ESA listed species. With that said, the proposed Site 1 will still have a large direct and indirect impact on the natural landscape and species that occupy it. The presence of Oregon White Oak and several emergent wetlands as well as riparian priority habitat and mature forest lends to more strict classification of zoning in the area.

1-2

Along with the selection of Site 1 for the RILB, WDFW recommends strict site specific on and offsite mitigation of development for light to heavy industrial use in this bank. Site 1 is surrounded by priority riparian habitat and Salmon Creek, which holds several ESA listed species and provides many resources for fish and wildlife. The proposed site also includes a mature forest and White Oak priority habitat, which should be protected from future development on the site. A habitat specific appropriate buffer is recommended for any wetland encroachment from development as well as the forested area in the NE corner of Site 1.

The west side of Site 1 houses a parcel that is currently under the proposed conservation acquisition area for Clark County. It is recommended that Site 1 is reduced in size to allow for the western parcel to be acquired for conservation purposes. The habitat value that parcel provides is vital to local fish and wildlife due to the advancement of urban and industrial development in the area.

1-3

WDFW is hopeful for the continued opportunity to work with the county and brainstorm creative approaches to habitat conservation and mitigation techniques for the newly established Rural Industrial Land Bank.

1-4

Again, we thank you for the opportunity to provide input. Please contact me should you have any questions or need additional information.

Sincerely,



Emelie McKain
Region 5 Assistant Regional Habitat Program Manager
2108 Grand Blvd. Vancouver, WA 98661
Emelie.mckain@dfw.wa.gov
O: 360.906.6764 | M: 360-401-5317

Cc: Dave Howe, WDFW Region 5 Habitat Program Manager
Kevin Tyler, Clark County Resource Enhancement and Permitting Manager
Keith Folkerts, WDFW Land Use Policy Lead

October 16, 2015

Clark County Community Planning
Attn: Rural Industrial Land Bank
PO Box 9810
Vancouver, Washington 98666-9810

Dear Sirs and Madams:

Subject: Comments on the Clark County Rural Industrial Land Bank Programmatic Environmental Review pursuant to RCW36.70A.367(2)(b), and Addendum to the Clark County Comprehensive Growth Management Plan Final Environmental Impact Statement May 4, 2007 (October 2015).

Sent via U.S. Mail and email to: commplanning@clark.wa.gov

Thank you for the opportunity to comment on the *Addendum to the Clark County Comprehensive Growth Management Plan Final Environmental Impact Statement (EIS) (Addendum)*. We agree with Clark County that the preparation of an environmental impact statement was necessary to comply with the Washington State Environmental Policy Act (SEPA) given that the dedesignation of agricultural lands of long-term commercial significance is being proposed. While we believe some aspects of the addendum are adequate, we do identify features and impacts that were not adequately addressed in the *Addendum* and should be addressed in a new Environmental Impact Statement (EIS).

Futurewise is working throughout Washington State to create livable communities, protect our working farmlands, forests, and waterways, and ensure a better quality of life for present and future generations. We work with communities to implement effective land use planning and policies that prevent waste and stop sprawl, provide efficient transportation choices, create affordable housing and strong local businesses, and ensure healthy natural systems. We are creating a better quality of life in Washington State together. We have members across Washington State including Clark County.

The Addendum fails to disclose that land suitable to site the major industrial development is available within the Clark County urban growth areas

RCW 36.70A.365(2)(h) provides in full that “[a]n inventory of developable land has been conducted and the county has determined and entered findings that land suitable to site the major industrial development is unavailable within the urban growth area.” RCW 36.70A.367(2)(b)(i) applies this requirement to major industrial developments

2-1

with master planned locations. While the *Addendum* acknowledges the inventory requirement, it does not acknowledge that suitable land cannot be in the urban growth areas if the Rural Industrial Land Bank is going to be allowed. The *Addendum* identifies suitable land in the urban growth areas.¹ Consequently, the *Addendum* should acknowledge the fact that suitable land is available within the UGAs and therefore a Rural Industrial Land Bank on any of the non-urban growth area sites will violate the Growth Management Act.

2-1
cont.

The Addendum fails to disclose that Site 1 qualifies as agricultural lands of long-term commercial significance and fails to disclose that the conversion of agricultural lands of long-term commercial significance is a significant environmental impact

Site 1 is Area VB from the County's illegal 2007 attempt to dedesignate agricultural land.² Site 1 was found to be illegally dedesignated by both the Growth Management Hearings Board and Clark County Superior Court.³ The "County passed an ordinance redesignating parcels BC, VB, and the portions of parcels CA-1 and RB-2 that were not purportedly annexed, as [agricultural lands of long-term commercial significance] ALLTCS."⁴ So this land qualifies, and as the *Addendum's* analysis shows, continues to qualify as agricultural lands of long-term commercial significance.⁵ And this land continues to have an Agriculture comprehensive plan designation.⁶

2-2

But the *Addendum* does not identify as a potential adverse impact of this action the dedesignation of agricultural lands of long-term commercial significance. This is a major deficiency of the *Addendum*.

Also, in discussing the readiness of this property for industrial development compared to sites in the urban growth area, the *Addendum* does not note that there will be years of litigation over this site as occurred after the illegal 2007 dedesignation. Again, this is a deficiency of the *Addendum*.

¹ See pages 13 and 14 of the *Addendum Part I: Inventory*.

² See *Comprehensive Growth Management Plan NE Vancouver UGA – Map 1 Deliberation Components* and *Comprehensive Growth Management Plan NE Vancouver UGA – Map 2 Deliberation Components* enclosed with the paper original of this letter.

³ *Clark Cnty. Washington v. W. Washington Growth Mgmt. Hearings Review Bd.*, 161 Wn. App. 204, 220, 254 P.3d 862, 868 (2011) *vacated in part Clark Cnty. v. W. Washington Growth Mgmt. Hearings Review Bd.*, 177 Wn.2d 136, 298 P.3d 704 (2013). This portion of the decision was not vacated.

⁴ *Id.*

⁵ *Addendum Appendix B: Agricultural Lands Analysis* pages 7 – 10.

⁶ County/UGA Comprehensive Plan Clark County, Washington accessed on Oct. 14, 2015 at: http://www.clark.wa.gov/planning/comp_plan/documents/AmendComplan_2013.pdf

The Addendum fails to disclose that Site 1 qualifies as “Clark County's Best Farm Land” and fails to disclose the conversion of “Clark County's Best Farm Land” as a significant environmental impact

The Clark County Food System Council has identified all of Site 1 and much of the land in its vicinity as “Clark County’s Best Farm Land.”⁷ The Clark County Food System Council identified this land “by looking at characteristics of the land that make it suitable for food production.”⁸ These included soils with land capability 1 through 4 soils, land that is flat and rolling, lands that have at least four acres outside the buffers around stream habitats, and “lands that are currently zoned for agriculture or rural residences. ... [They] excluded lands that are tax exempt because they are owned by churches, land trusts, or governments.”⁹

2-3

However, the *Addendum* does not disclose that this land has been identified as some of “Clark County’s Best Farm Land.” Nor does it discuss the consequences of paving over “Clark County’s Best Farm Land.” This is a significant deficiency of the *Addendum*.

The Addendum fails to disclose that there is enough land in the County’s UGAs to accommodate the County’s planned residential and job projections and, further, that the long-term prospects for annexation the Rural Industrial Land Bank are low

While the *Addendum* mentions in several places that the long-term prospects for annexation of the Rural Industrial Land Bank must be discussed, it fails to discuss the prospects for annexation. The *Addendum* also fails to disclose that there is more than enough land in the County’s urban growth areas to accommodate the County’s planned employment growth. As the most recent *Clark County Buildable Lands Report* documents:

2-4

In 2014, the Board of County Commissioners chose to plan for a total of 91,200 net new jobs. The County has an estimated capacity of 101,153 jobs as follows: The 2015 VBLM, indicates a capacity of 76, 978 jobs. The cities of Battle Ground, La Center, and Ridgefield, have indicated they have additional capacity to accommodate 16, 755 jobs. Publicly owned land is not included in the model, therefore we assume that the

⁷ *Promoting Agricultural Food Production in Clark County*, A proposal developed by the Clark County Food System Council p. 4 (November 2013) accessed on Oct. 15, 2015 at: http://www.clark.wa.gov/Planning/aging/documents/14-0218_FSC_PP.pdf and enclosed with the paper original of this letter.

⁸ *Id.* p. 5.

⁹ *Id.*

7,400 new public sector jobs estimated by ESD will occur on existing publicly owned facilities.¹⁰

Since the urban growth area can only be expanded to accommodate the County's need for housing and jobs¹¹ and the existing urban growth areas can already accommodate both projections,¹² it is unlikely the urban growth area will be legally expanded anytime soon. Since land outside the urban growth areas cannot be legally annexed, the prospects for annexation over the next 20 years are poor. The *Addendum* does not disclose that adequate capacity already exists in the County urban growth areas and the prospects of annexation over the next 20 years are low. These are significant deficiencies in the *Addendum*.

2-4
cont.

The Addendum does not identify reasonable mitigation measures

An EIS, including an addendum, must identify reasonable mitigation.¹³ RCW 36.70A.365(2)(a) requires that the “[n]ew infrastructure is provided for and/or applicable impact fees are paid ...” for the Rural Industrial Land Bank. But the *Addendum's* discussion of mitigation measures on page 26 of the *Addendum Part II: Alternative Sites Analysis* includes no information on how the new infrastructure will be provided or how the impact fees the county charges will be updated to include the considerable costs of the needed infrastructure. Nor are any systems development changes discussed for providing water and sewer service.

2-5

Similarly, RCW 36.70A.365(2)(f) requires that “[p]rovision” must be “made to mitigate adverse impacts on designated agricultural lands, forest lands, and mineral resource lands[.]” But again, the *Addendum* does not include this required mitigation. Given that these properties are agricultural lands of long-term commercial significance and are adjacent to agricultural lands of long-term commercial significance this is a significant deficiency.

The Addendum fails to disclose that that Site 1 and other sites are outside any sewer service area

While the *Addendum* discusses sewer service for Site 1 and other sites, it fails to disclose that Site 1, and other non-urban growth area sites, are outside of the Clark Regional Wastewater District and the City of Vancouver's Sewer Service Boundary.¹⁴

2-6

¹⁰ *Clark County Buildable Lands Report* p. 11 (June 2015) accessed on Oct. 15, 2015 at: http://www.clark.wa.gov/thegrid/documents/061015WS_2015BUILDABLE_LANDS_REPORT.pdf and enclosed with the paper original of this letter.

¹¹ *Thurston County v. Western Washington Growth Management Hearings Bd.*, 164 Wn.2d 329, 351 – 52, 190 P.3d 38, 48 – 49 (2008). See RCW 36.70A.110 and RCW 36.70A.115 which limit the size of UGAs.

¹² *Clark County Buildable Lands Report* pp. 9 – 14 (June 2015).

¹³ WAC 197-11-440(6)(a).

¹⁴ *Addendum Part II: Alternative Sites Analysis* pp. 17 – 18; Figure 5.8 Existing Sanitary Sewer System. Source: Vancouver Public Works Department from the *City of Vancouver Comprehensive Plan* accessed on Oct. 15, 2015 at:

So sewer service to Site 1 and other non-UGA sites is speculative since the sites are not in a sewer service area. That Site 1 is outside any sewer service area is important information for the public and decision makers to know and its omission is a serious deficiency of the *Addendum*.

2-6
cont.

While we appreciate that the Addendum acknowledges that the various non-UGA alternative sites have good access to local markets, it fails to acknowledge good access to regional markets

We appreciate that the *Addendum* acknowledges that the various non-UGA alternative sites have good access to local markets.¹⁵ The Globalwise, Inc. *Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington Preliminary Report* shows that local farmers do sell their products at local markets.¹⁶ These sites also have good access to regional markets. The two major poultry processors are in Western Washington,¹⁷ so these areas have good access to them. The areas' and the county's good access to I-5 also provides good access to regional livestock markets.¹⁸ We request that the EIS be updated to reflect these important facts.

2-7

The Addendum misstates some facts about farms and omits important information on growing farm income

The *Addendum* claims that “[t]he agricultural activities are taking place in the context of declining large and mid-sized farms ...”¹⁹ But large farms are not declining in Clark County. Between 2007 and 2012, the number of farms 1,000 to 1,999 acres in size increased from zero to two and the number of farms 2,000 acres or more in size increased from one to two.²⁰

2-8

http://www.cityofvancouver.us/sites/default/files/fileattachments/community_and_economic_development/page/874/vancouver_comprehensive_plan_2014.pdf and enclosed with the paper original of this letter; Clark County Regional Waste Water District map accessed on Oct. 15, 2015 at:

<http://www.crwwd.com/about/service-area.html> and enclosed with the paper original of this letter.

¹⁵ *Addendum Appendix B: Agricultural Lands Analysis* p. 8.

¹⁶ Globalwise, Inc., *Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington Preliminary Report* p. 27 (Prepared for Clark County, Washington: April 16, 2007) accessed on Oct. 16, 2015 at:

http://www.clark.wa.gov/planning/comp_plan/documents/final_ag_analysis_prelim_report.pdf and cited pages enclosed with the paper original of this letter.

¹⁷ *Id.* at p. 24.

¹⁸ Stephanie Meenach, Eric L. Jessup, and Kenneth L. Casavant, *Transportation and Marketing Needs for the Washington State Livestock Industry SFTA Research Report #12* p. 5 (Washington State University School of Economic Sciences: Nov. 2004) accessed on Oct. 16, 2015 at:

http://www.sfta.wsu.edu/research/reports/pdf/rpt_12_livestock.pdf and enclosed with the paper original of this letter.

¹⁹ *Addendum Appendix B: Agricultural Lands Analysis* p. 7. See also *Addendum Appendix B: Agricultural Lands Analysis* p. 37 “The long-term trend is of decline in large and mid-size operations ...”

²⁰ United States Department of Agriculture, National Agricultural Statistics Service, *2012 Census of Agriculture Washington State and County Data Volume 1 • Geographic Area Series • Part 47 AC-12-A-47 Chapter 2: County Level Data, Table 8. Farms, Land in Farms, Value of Land and Buildings, and*

Income from farm-related sources is up sharply, increasing from \$4.2 million in 2007 to \$5.98 million in 2012. This is an increase of 41 percent, a much larger percentage increase than the Washington State increase of 27 percent.²¹ The county should correct these errors in an EIS and provide a more balanced picture of agriculture in Clark County.

2-8
cont.

The Addendum fails to disclose the impacts on the Washington State Department of Agriculture's Washington Agriculture Strategic Plan 2020 and Beyond and the agricultural industry

Washington State Department of Agriculture's *Washington Agriculture Strategic Plan 2020 and Beyond* documents the need to conserve existing agricultural lands to maintain the agricultural industry and the jobs and incomes the industry provides.²² As the strategic plan concludes "[t]he future of farming in Washington is heavily dependent on agriculture's ability to maintain the land resource that is currently available to it."²³ The *Addendum* does disclose that this land is current available to agriculture and in fact is currently being farmed.²⁴ Globalwise, Inc. concluded that "[o]ne of the key obstacles in Clark County is the limited access to high quality agricultural land at an affordable cost."²⁵ As both this letter and the *Addendum* have documented, Site 1, and the other alternatives, are high quality agricultural land.

2-9

However, instead of considering the state's official agriculture strategic plan, the *Addendum* uses unsubstantiated opinion to argue that the dairy farm current using the site should be allowed to relocate to eastern Washington.²⁶ But this will reduce the farmland currently available to agriculture by paving it over and is inconsistent with the state's official agriculture strategic plan. It will also increase the problem of access to high quality agricultural land at an affordable price because there will be a loss of over 600 acres of agricultural land. Again, the *Addendum* fails to disclose these impacts.

Land Use: 2012 and 2007 p. 271 (May 2014) accessed on Oct. 15, 2015 at:

http://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_2_County_Level/Washington/wav1.pdf and a copy of *2012 Census of Agriculture Washington State and County Data Volume 1* is enclosed with the paper original this letter.

²¹ United States Department of Agriculture, National Agricultural Statistics Service, *2012 Census of Agriculture Washington State and County Data Volume 1* • Geographic Area Series • Part 47 AC-12-A-47 Chapter 2: County Level Data, Table 6. Income from Farm-Related Sources: 2012 and 2007 p. 261 (May 2014).

²² Washington State Department of Agriculture, *Washington Agriculture Strategic Plan 2020 and Beyond* pp. 50 – 52 (2009) accessed on Sept. 10, 2015 at: <http://agr.wa.gov/fofi> and enclosed with the paper original of this letter.

²³ *Id.* at p. 50.

²⁴ *Addendum Appendix B: Agricultural Lands Analysis* p. 37.

²⁵ Globalwise, Inc., *Analysis of the Agricultural Economic Trends and Conditions in Clark County, Washington* Preliminary Report p. 48 (Prepared for Clark County, Washington: April 16, 2007).

²⁶ *Addendum Appendix B: Agricultural Lands Analysis* p. 37.

Rural Industrial Land Bank Addendum Comments

October 16, 2015

Page 7

We strongly urge the County to issue a new EIS that addresses these deficiencies. Please inform me if the County decides not to do so.

Thank you for considering our comments. If you require additional information please contact me at telephone 206-343-0681 Ext. 118 and email tim@futurewise.org

2-10

Very Truly Yours,



Tim Trohimovich, AICP
Director of Planning & Law

Enclosures

Rural Industrial Land Bank Environmental Review

What are your comments on the addendum to the 2007 Environmental Impact Statement prepared for the Rural Industrial Land Bank proposal?

All Statements sorted chronologically

As of October 22, 2015, 8:05 AM



As with any public comment process, participation in Engage Clark County is voluntary. The statements in this record are not necessarily representative of the whole population, nor do they reflect the opinions of any government agency or elected officials.

Rural Industrial Land Bank Environmental Review

What are your comments on the addendum to the 2007 Environmental Impact Statement prepared for the Rural Industrial Land Bank proposal?

As of October 22, 2015, 8:05 AM, this forum had:

Attendees: 41

All Statements: 5

Minutes of Public Comment: 15

This topic started on October 5, 2015, 10:53 AM.

Rural Industrial Land Bank Environmental Review

What are your comments on the addendum to the 2007 Environmental Impact Statement prepared for the Rural Industrial Land Bank proposal?

Commenter 3

Name not available (unclaimed)

October 21, 2015, 4:49 PM

Dear Members of the Commission: I am writing because I feel it is critically important NOT to rezone farmland for light industrial use. In particular, I am concerned about the Lagler farmland. While I understand the financial difficulties farmers so often face, having come from several generations of small farmers myself, at the same time once this land is gone, it is gone. How many more large box stores and storage units does one county need? Twenty, or even ten years from now, we will wish we still had intact farmland in order to feed a growing population. If we preserve it now, we are sure to find that we have an inestimable treasure later on. In addition, there are fewer and fewer parts of Clark County which are habitat for some of the wild creatures we thrill to see: the bald eagles, great blue herons, woodpeckers, and other birds and animals which still exist in the area of the Lagler farm. The CASEE educational center, part of the Battle Ground School District, is right across the road from this farm area, fulfilling an urgent need to educate youth and inspire them in environmental and farming careers. Please consider the future -- our future -- and do not turn Clark County into wall-to-wall concrete and light industrial zoning. Enrich our future in a sustainable way. Thank you.

Terry Covington
13717 NW 2nd Ave., #G87
Vancouver, WA 98685
tcovington4@hotmail.com

Commenter 4

Barb Rider inside Clark County (on forum)

October 21, 2015, 9:07 AM

21 October 2015
Clark County Community Planning
Attn: Rural Industrial Land Bank
PO Box 9810
Vancouver, WA 98666-9810

Dear Planning Group,

I'd like to give you input on the Environmental Review RCW36.70(2)(b) and Addendum to the Clark County Management Plan Final concerning all the farmland areas proposed to be re-zoned to "light industrial" or other uses in Clark County, and specifically, the Ackerland and Lagler Properties in "Exhibit 1".

AGRICULTURE ZONING CHANGES: In short, I would argue that the last thing Clark County should be doing is re-zoning ANY of its agricultural lands to light industrial, industrial or residential, or any other non-agricultural use. This is an argument to retain the current zoning of ALL the farm land in the entire county as it currently exists – no changes.

FUTURE NEEDS: Clark County has experienced extremely rapid growth over the last 30 years. Understandably, the county leaders are trying to plan for future needs of the county residents. But, instead of looking only at the desire for more housing and industrial "parks", we must also look to the importance of food produced in our own local area, too.

Rural Industrial Land Bank Environmental Review

What are your comments on the addendum to the 2007 Environmental Impact Statement prepared for the Rural Industrial Land Bank proposal?

FARMLAND LOST: I have witnessed firsthand what happened, and continues to happen, in California, Texas, Florida and the mid-Willamette Valley, Oregon, when rapid growth ensues and the sprawl from the nearby cities is allowed to gobble up good quality or even moderate quality farmland. In those areas, as is already happening in Clark County, once large tracts of farmland have become surrounded and bisected by non-farm use, the ability to farm becomes more and more difficult, and the price of land formerly zoned agricultural, becomes too high priced for farmers to afford it and it is broken up and sold, never to be farmed again.

ADJACENCY OF FARMS IMPORTANT: Farmers rely upon each other. There is a synergy and sharing of tools, knowledge and labor that is not measurable in any study performed by an external group relying upon satellite maps and geological surveys. Farmers trade services with each other, including tractors, tools and “know-how”. They use local roads to move animals, feed, seed, materials and fertilizer from one area to another, as they “go about their business”. They group together to ship their products to share the cost and efficiencies of larger volumes.

CUSTOMER ZONES: And farmers rely upon the locality of their individual businesses (yes, farming IS a business, too!) to attract customers who KNOW there are a multitude of different farm products in their specific area. For instance, within the 5 mile range of the Ackerland and Lagler properties, raspberries, pumpkins, lavender, strawberries, tomatoes, cucumbers and honey – to name a few - are sold at “fruit stands” and “farm stores” in season and people flock to buy them all! Not to mention the multiple nurseries, as well!

How many in our community realize that the Lagler dairy is part of the Tillamook Cooperative and the Tillamook cheese and milk products they eat, are, in part from this local farm?

There are also a number of CSAs (direct sale produce farms) which sell their produce to both their regular customers and seasonal customers.

And quite a few farmers in the Clark County area amend their income by throwing their farms open to the public during seasonal activities – like Halloween and spring – to come and enjoy a little taste of “the farm life”. In fact, many of the local elementary schools make it a routine “field trip” for their students to go to a farm so they can “see where their food comes from”. Ask your kids about these field trips!

NEW NEIGHBORS, NEW PROBLEMS: By breaking up the continuity of farmland in Clark County, there is another problem, as well. When non-farm residential areas are embedded in a farm area, the new residents typically do not enjoy or appreciate the “unknown side” of farming and begin to complain and request “reductions” in the “annoying attributes” of living next to a farm that they previously were unaware of – dust, smells, tractors in the road, the occasional loose animal on the run, early and late use of tractors during seasonal period such as harvest or planting when farmers may work from dawn to dusk, or, even in the dark with lights on their tractors showing their way. While many non-farmers enjoy the bucolic looking fields of crops and animals as they drive by swiftly in their vehicles, when they actually LIVE next to a working farm, they often do not want to deal with the reality of being this close to a farm. Then, often, begin the demand for limits to normal farm activities by the new neighbors.

A farmer who cannot work the long hours required because of the seasonal and sometimes urgent nature of farming activities – like getting a crop in before the weather takes a dramatic turn for the worse - is a farmer

Rural Industrial Land Bank Environmental Review

What are your comments on the addendum to the 2007 Environmental Impact Statement prepared for the Rural Industrial Land Bank proposal?

who will not be farming very much longer.

MY KNOWLEDGE BASE: As to where I glean my knowledge from, I grew up in a farm and logging town from the mid-50's to the mid-70's in the mid-Willamette Valley area of Oregon State. The land near the small town of Lebanon, Oregon looks remarkably like Clark County – mostly flat farm land surrounded by hills covered in Douglas fir-treed forests.

As a kid and teen, my siblings and friends spent our summers picking berries, beans, and walnuts, moved irrigation pipe on farms and also worked at the local cannery (which is still functioning today serving farmers for miles around). We helped friends and neighbors get their hay in during haying season, too, and knew when visiting farm kid friends we would help them with their chores before playing could begin.

No, I'm not a farmer and my parents are not farmers. But, I still have family and friends who still farm and I hear and see what transpires when farm land changes to tracts of homes or industrial areas after agricultural zoning is lost. Farmers have an incredible synergy and ties with each other and their community – ties which are hard to codify from a satellite view.

WHY IS FARMING IMPORTANT: But, why is it important to keep farming alive and well in Clark County?

The farmland all over our nation is disappearing or becoming less productive. Some of it has been covered up by concrete and industrial buildings. Some has been gobbled by suburbia. But, lately, as in California and Arizona, more of it is so drought-stricken, the land is becoming a wasteland of dry beds of soil that blow away in the next high wind.

FOOD SECURITY: We need to keep farming in Clark County. We need to be able to take up some of the slack of lost farm production in other areas of our nation so we can continue to provide food security within our county and country's boundaries. Food generated within the USA boundaries is a GOOD thing. Covering up and splintering quality farm land is the last thing we should be doing in Clark County today. Planning for a future that includes farming in our county is more important than ever.

IN-FILL NOT SPRAWL: Instead of sprawl, let's require more "in fill" using the existing non-farm land available. We need many, many more multi-story apartment buildings for our county residents, not huge houses on huge lots surrounded by huge lawns. Situate large buildings for storage and distribution facilities in the existing industrial park lands in the county – many still very empty – or add more industrial parks near other industrial parks. Let's do the right thing and not turn Clark County into another Jacksonville, Florida – one of the biggest cases of urban sprawl in the USA!

Let's keep our farm land whole and safe for the present and the future.

Thank you for listening!

Sincerely,
Barb Rider
PO Box 647
Camas, WA 98607

Rural Industrial Land Bank Environmental Review

What are your comments on the addendum to the 2007 Environmental Impact Statement prepared for the Rural Industrial Land Bank proposal?

360 834-9695
bhrider@comcast.net

1 Attachment

https://pd-oth.s3.amazonaws.com/production/uploads/attachments/13j8oxtfnoo0.30o/MapOfLaglerArea_JPEG.jpg (217 KB)

2 Supporters

Commenter 5

Name not shown (unverified)

October 20, 2015, 10:09 PM

Keep the agriculture. We don't need more development. We need to better utilize what we have, plain and simple.

Commenter 6

Jean Dougherty inside Clark County (on forum)

October 20, 2015, 9:40 PM

If there is an existent farm, in the area designated industrial, can they keep farming? Or do they have to be "grandfathered " in? If a company want to be a commercial farmer, with crops grown in a building, is that possible , in an area zoned commercial or industrial?

Commenter 7

Name not shown inside Clark County (on forum)

October 10, 2015, 4:51 PM

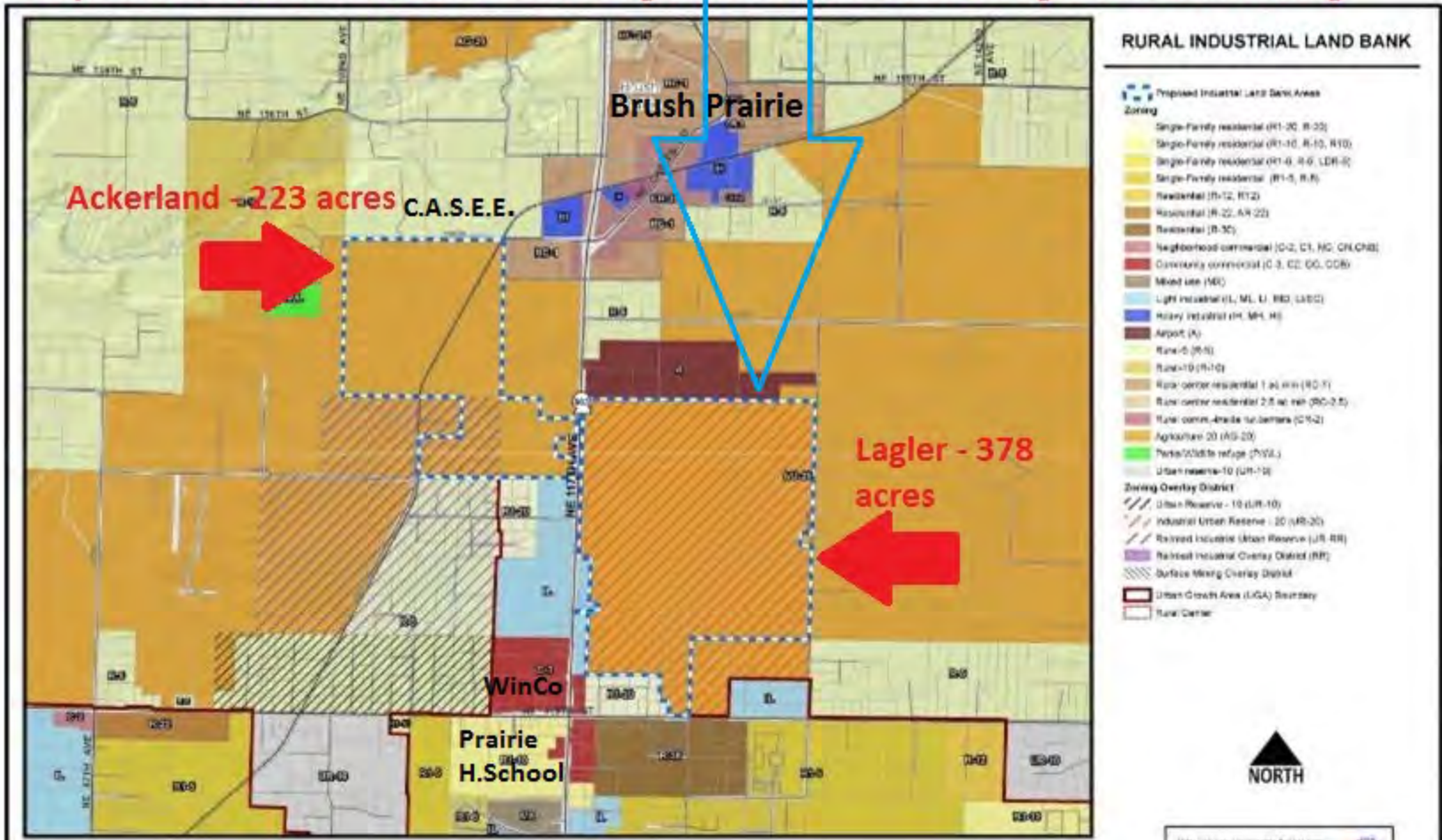
I would like to know if the native vegetation buffer will be applied where the Industrial Zone is bordered by a road. I would also like to know where the planned vehicular access points would be for Site 1.

Exhibit 1 below shows these areas. Presently the zoning for both properties is Agriculture (AG-20). The requested zoning is Light Industrial (IL). The IL zone uses are listed in Clark County Code (CCC) Section 40.230.085.

The white & blue striped areas are the proposed re-zone areas from agricultural to light industrial.

Exhibit 1. Ackerland and Lagler Properties

Proposed Conversation of 600 acres of agricultural zoned land to light industrial zoning



October 19, 2015

RECEIVED

OCT 19 2015

Clark County Community Planning
Attn: Rural Industrial Land Bank
PO Box 9810
Vancouver, Washington 98666-9810

Dear Sirs and Madams:

Subject: Comments on the Clark County Rural Industrial Land Bank Programmatic Environmental Review pursuant to RCW36.70A(2) (b), and Addendum to the Clark County Management Plan Final Environ Imapt Statement May 4, 2007 (October 2015)

Thank you for the opportunity to comment.

QUALIFICATIONS OF COMMENTER. I live and farm in close proximity to the Lagler Dairy and proposed Rural Industrial Land Bank. Perhaps, more importantly I have made it my life's work to contribute to creating a more socially, economically and environmentally sustainable agricultural system in this country and this county. I have extensive academic and professional experience in agricultural policy, as well as practical experience working on farms across the state and region. I have been observing the subject area of the "docket site" for the last twenty years.

8-1

SUMMARY OF COMMENTS. The analysis provided by Berk in the Addendum is flawed and inadequate. Direct observation reveals that medium to large size farms are thriving and expanding in and around the subject area of the docket site. The consolidation of the local dairy industry into a few large dairies suggests that careful assessment of the consequences of losing an additional dairy and more dairy land should be conducted before de-designating the docket site.

8-2

The docket site is key to maintaining a number of economic, social and environmental values that the wider subject area, and surrounding rural lands provide. De-designation of this property will have far reaching consequences. These consequences and alternative policies should be considered.

8-3

INADEQUACY OF BERK ANALYSIS. Based on my experience and expertise in agriculture, I find the designation analysis of the docket site woefully inadequate. Perhaps the most flagrant error is the mis-identification of cane berry (raspberry, blackberry, etc.) acreage in the vicinity, as "cranberries". While this example might seem minor, it is diagnostic of the hazards of hiring contract analysts from a distant city, who relied on remote satellite imagery and the outdated published work of others, to compile their data. The direct knowledge that could have been gained from local sources is glaringly absent.

8-4

Berk sites a previous study that identifies 3 farms (of commercial significance) in the subject area. This number is likely out of date, inaccurate and low. Including Chapman's Nursery, Lavender Accent and Lagler Dairy, three such farms have frontage on SR 503. But for the sake of argument, we could assume the three farms cited are Lagler Dairy, Silver Star Farms and Bi-Zi Farms. Removal of the Lagler Dairy will cut Bi-Zi farms off from the larger fabric of Ag Resource lands in the area. This isolation will likely intensify pressure for Bi-Zi to cease operation and be absorbed into the Urban Growth Boundary.

8-5

TREND ANALYSIS. In the past some of this development pressure has come from County

8-6

Government itself. As long as county government continues to approve and appear to encourage de-designation of agricultural resource lands, that expectation will be built into the market price of these lands, pricing them out of the agricultural production market.

8-6
cont.

Berk cites a variety of reasons for a trend of increasing numbers of small farms and decreasing number of large farms. However, it does not adequately address the degree to which development pressure and government policy may be affecting or driving the trend.

It would be incorrect to conclude from the juxtaposition of these trends in the document, that small farms are replacing large farms. They occupy different market niches and different land use zones. If anything, the small farms have strengthened the larger farms by identifying markets for fresh local products that they cannot by themselves serve.

8-7

One possible explanation is that government policy and development pressure are the common factor between the two trends. The expectation of land use policy changes prices beginning farmers out of the market for larger Agricultural Resource parcels, decreasing the demand for farmland as farmland. Retiring farmers experience the lack of demand and pursue re-zones, continuing a vicious cycle. A consistent land use policy could break the cycle and protect farmland, as the Growth Management Act intends.

LAND USE PATTERN. Berk's failure to utilize direct local knowledge, and the choice to include only a contiguous pattern of Agriculture Resource lands, leads them to false conclusions about the pattern of agricultural use and the commercial significance of agriculture in the subject area of the docket site.

Silver Star Farms operates on numerous small to mid-sized parcels across the subject area and beyond. A common complaint of the Laglers and other farmers is the harassment they experience when moving equipment along local roads between parcels they are farming. As a neighbor to Silver Star's home site, I witness constant traffic of equipment leaving that site for other parcels. Siting an industrial facility that may greatly increase road and rail traffic would seriously impede their operation. Silver Star is mainly a cane berry and strawberry operation. Its farming of numerous parcels across the area suggest that there is a great deal of interdependence between the various parcels they own and lease, contrary to Berk's analysis of no known interdependence. I believe Bi-Zi also grows some berries, and it is likely that cooperation takes place between these farms in terms of equipment use, and supply purchasing.

8-8

I can also attest to cooperation between Silver Star and Lagler in the areas of equipment sharing, custom farming and emergency assistance.

ECONOMIC ASSESSMENT NEEDED. The justification for de-designation of the Lagler Dairy is creation of jobs. While we commend the landowner's vision of a high tech facility, warehouses and distribution centers are a more likely outcome.

An assessment should be done comparing the quality and quantity of jobs created by such facilities, to the jobs lost if these farms disappear. Between them, Lagler, Bi-Zi and Silver Star, probably employ around 40 people full time, plus considerable part-time and seasonal labor. A younger generation is active on all three farms and could be expected to continue the operations.

8-9

As well as assessing current employment, it should be recognized that the Lagler, Silver Star and Bi-Zi owners have been farming and employing others for from 50 to 100 years, and could go on doing so for

an equal time into the future, whereas industrial developments such as Hewlett-Packard have come and left the area over the course of a few decades, leaving empty buildings behind.

8-9
cont.

In addition to direct employment, the employment created for suppliers to the farms and processors of the farms' products should be evaluated.

ALTERNATIVES SHOULD BE CONSIDERED. Before taking the irrevocable step of de-designating prime agricultural soils, a consideration of possible alternatives to the present situation should be considered. The Lagler/Ackerlands have expressed concern that they may not be able to remain competitive into the future. In addition they feel harassed by the encroaching population and have difficulty working around and across the highway that bisects their operation.

8-10

ALTERNATIVE I. FACILITATE A MORE WELCOMING ENVIRONMENT FOR OUR LOCAL FARMERS. Public education could be done to make the public aware of the rights of farmers, and the essential role they play in providing food, open space and habitat for wildlife. Motorists could be educated about how to safely and courteously navigate around farmers moving equipment on the roads.

Ways of mitigating the impacts of the State Highway could be funded by State and/or local government. At a minimum, a pipe hole could be drilled under the highway allowing manure slurry to be pumped to the Ackerland property, nearly doubling the area available for manure management.

More ambitiously an underpass could be built that would ease transfer of equipment and livestock under the highway. State government could be lobbied to provide grants to dairies to help meet more restrictive manure management regulations. Perhaps such improvements would allow the Laglers to remain competitive, meet the coming stricter regulations on manure management and continue to produce milk and provide other values to the community.

8-11

ALTERNATIVE II. FACILITATE TRANSFER OF THE PROPERTY TO A DAIRY PLANNING TO CONTINUE OPERATION. The transition process in the industry is not only one of dairies leaving the area, but also of remaining dairies increasing size to remain competitive. If the Laglers are resolute in leaving the area, the community should consider the possibility of using the land to assure continued production of one of our most basic foods.

ALTERNATIVE III. ENCOURAGE THE LAGLER/ACKERLANDS TO SELL THEIR LAND FOR OTHER KINDS OF AGRICULTURAL PRODUCTION. If, in fact, industrial dairy production is not suited for operation on the urban fringe, it is not necessarily true that other forms of agriculture could not utilize the property. It is typically the case that livestock producers occupy lands not suitable for production of more lucrative crops such as berries. This is not the case in this instance. As the soil survey for Clark County put out by the Department of Agriculture Natural Resources Conservation Service indicates, the soils occupied by the Dairy have no limitations for fruit and vegetable production. The utilization of adjacent lands by fruit and vegetable producers provides additional evidence. It is estimated that these operations generate revenues of \$7,000 to \$10,000 per acre, much higher than what growing grass for cows will generate.

Some areas of the dairy are already paved over, and these could be used for agricultural processing facilities or other light industrial uses.

ALTERNATIVE IV. Local investors could form a Real Estate Investment Trust (REIT) to purchase lands such as the Lagler/Ackerland properties and lease them to mid-sized and small farms for

commercially significant production. Such REITs already exist particularly leasing land for organic production, but a locally owned REIT with flexible parameters would be preferable. A partnership could be established between the REIT and the 78th Street Farm to create a small to mid-size farm business incubator, to prepare beginning farmers to succeed in utilizing this valuable land resource.

8-11
cont.

AREA WIDE CONSEQUENCES OF DE-DESIGNATION. I commend the Lagler family for the civic mindedness and long term thinking of their proposal. However, the wider implications of removing the dairy from Agriculture Resource status, in my opinion, outweigh the benefits of industrial jobs and tax revenues.

The remaining large to mid-sized farms will experience increasing pressures of development and traffic congestion. Support services and markets for remaining farming operations throughout the county will be weakened by shrinking demand.

The Lagler/ Ackerland Properties anchor a rural/agricultural district that defines the boundaries of Vancouver and Battle Ground and provides a relief from the experience of endless commercial and residential sprawl. These properties provide the plug in the dam that keeps development from flooding down the banks of Salmon Creek, banks that are characterized by steep canyons of loose soil, poorly suited to residential development.

8-12

Some argue that economic prosperity is not achieved by “chasing smokestacks”, but by providing a quality of life that attracts innovative start-ups to locate in your community. A man recently moved in next door to us who is a software engineer who works from home. He and his wife manage a small herd of alpacas and sheep from which she creates and sells fiber art. Our current landscape is surely a factor in their choice to locate here. Need I say more?

Along with the adjacent riparian zone, the open prairie-like environment of the properties' fields and pasture offer a diverse and rich environment for wildlife. Thousands of migratory birds stop to graze the Lagler Dairy grasses. Diverse raptors from kestrels to bald eagles can be seen hunting the open fields. Development will fragment and isolate the few protected wild land parcels, diminishing their habitat value.

Finally, even the commendable suggestions Berk makes for berms and trees to buffer the population from the proposed industries will destroy the expansive panoramic views the Dairy provides to commuters and residents passing through the area.

A WORD ABOUT FOOD SECURITY. The Berk analysis quotes one view of food security expressed by the Clark County Food Systems Council. This view approaches “security” as we think of “social security,” concerned with assuring that vulnerable populations have access to adequate, wholesome and healthy food supplies.

A second view of food security considers the food system from a perspective more related to “homeland security.” Is our food supply safe from various societal and/or natural threats? Can we assure our food will be safe to eat? Can we assure that our food supply won't be interrupted as a result of human conflict or natural calamities?

8-13

Fluid milk is a very basic, critical element of our food supply. It is highly perishable and expensive to transport. The Lagler dairy likely produces about a quarter of the milk produced in the county. As we consider the future of our food supply, should we not ask whether the capacity to produce milk to be

consumed locally might not be a high priority?

The Berk study suggests that the Lagler Dairy is not part of the local food system. I don't know about my neighbors, but I buy my Tillamook ice cream, butter, sour cream and yoghurt at the super market within sight of the dairy. It is not even accurate to say that the Laglers sell their milk to a creamery in Tillamook, Oregon and that they sell it back to us. As a member of the Tillamook Dairy Co-op, the Lagler Dairy is the processor, and some of the profits, in addition to the direct milk revenue returns to Clark County to be spent and invested here.

8-14

Local is a relative term, and buying cheese from Tillamook made from milk from Brush Prairie adds more to food security, and does more for our community than buying Parmesan from Parma, Italy.

IN CONCLUSION. The planners who present this proposal to the public, make much of the fact that this proposal originated with the landowners, despite the fact that the governing regulations specify that, "The intent of a landowner to use land for agriculture or cease such use is not the controlling factor in determining if land is used or capable of being used for agricultural production."

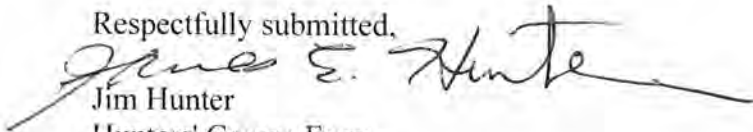
8-15

While I commend the landowners intentions, approving this proposal because he wishes it, creates chaos in the planning process. Many would want to build houses on the land, but the landowner recognizes that jobs are needed to employ the people who live in the houses. But, of course land is also needed to feed the people who have the jobs and live in the houses. The Growth Management Act recognizes this need and requires that the planning process address it.

Between global political unrest and global and regional climate change, there is plenty of uncertainty in relying on distant sources for our food, I urge you to consider this and the other factors in these comments.

8-16

Respectfully submitted,



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Clark County Community Planning
Attention: Rural Industrial Land Bank—“Comments on the addendum”
Oliver Orjako, Director

21 October 2015

Congratulations! The arduous, expensive process, and overly redundant documentation of the four potential land bank sites have a higher and better use. Indeed, the Agricultural De-designation Appendix formulates a draft Agricultural Land Bank proposal. Long-term commercially significant agriculture is variously mapped and described. You can improve on the overgeneralizations and comparisons to Census of Agriculture data and outdated analyses of limited scope. The agricultural significance is underplayed, apparently in an effort to justify one landowners petition to de-designate the site of his active farming operation. The only way to abide by the intent of the GMA to keep the land in agriculture is to keep the land in agriculture; it’s that simple. With all due respect to current, past, and future farming operations, de-designation is not justifiable.

9-1

We do not need to push forward an RILB, but we do need agricultural zoning. And of course we need to keep maximum parcel sizes, for any significant economic development. The “light industrial” we need to accompany (not replace) agricultural land would be agriculture and food related “industry.”

9-2

Amazingly, all the sites could represent potential Agricultural Production Districts. There are of course other neighborhoods in Clark County that would be still suited for such districting as well. In such regions, various policy and economic development tools can be used to support the infrastructure and other needs of the agriculture community and its beneficiaries. All residents of the region and all participants in the food system benefit, in the long run, when farmland is conserved, along with critical areas, ecosystem services, and other natural resources. Farmers benefit as well, as the infrastructure and sector capacity is better maintained, adapted, and implemented. It is very heartening that these four areas you have cursorily analyzed have a “majority of land in current use taxation,” further documenting their agricultural significance, and current use.

9-3

As previously and otherwise recommended, please refer to the 2009 Agricultural Preservation Committee report. Omitting this County (State grant-funded process) report, yet citing others, indicates an avoidance and further abrogation of the County’s obligation to support farmers. The County’s food system resilience would be greatly enhanced if farmers were supported in overcoming the barriers and challenges, as outlined clearly with recommended solutions in the 2009 report. Food security depends on all of the food system, and is not just pertaining to the emergency food system and direct marketing venues. There are many ways to support farmers other than gerrymandering yet another future development scheme onto prime agricultural land. The UGA expansion has already adversely impacted agriculture in Clark County. Using one of the recommended policy tools, the County could purchase the development rights, for example. Why instead would you de-designate land and push farmers’ further exodus to the East, South, or

9-4

North due to your unfavorable policies? Farmers both young and old want to stay or start farming here! All sizes of operations are needed, and a diversity of products are indeed feasible to produce here, a fact supported by the numbers and diversity of farming operations. Farmers are using various site class lands as well. Have you asked current farmers about their operations on the different soil types and micro-climates? You did these intensive studies on only four areas, yet you don't seem to know much about the farms that are actually in the areas. Why over-generalize using outdated analyses, satellite imagery? Why repeat the worn out hypothesized "transition" of the agricultural sector? There are always transitions and adaptations in the farming sector.

9-4
(cont.)

RE: "Determination of Significance and Adoption of Existing Environmental Document

Linking the proposed de-designation of agricultural land of long term commercial significance to the 2007 Clark County Comprehensive Plan and EIS is further evidence of the need to consider any such de-designation proposals within the 2016 Comp Plan update process. Previous and other comments address this issue. What does it mean "not applicable" when indeed the UGA expansion in the 2007 Comp Plan was challenged, and agricultural lands were removed from the UGA as proposed in 2007, due to a legal challenge. The County lost its case!

9-5

RE: Agricultural De-designation Appendix

Furthermore, in the Agricultural De-designation Appendix, reference to the 2007 Analysis and Comprehensive Plan Update further indicate that this proposal should indeed be part of a COMPREHENSIVE analysis and environmental impact statement. The County has heard this comment before and elsewhere.

Thank you for beginning of a study for an agricultural "land bank." Surely an update on the farming situation in Clark County is needed. We are post-great recession, and post-court settlement to re-designate AG land under the GMA. It's really inadequate science (and policy) to be perpetuating the limitations of the 2007 study and EIS. You could instead remedy the lack of current and comprehensive data.

9-6

Thank you for developing a justification for an agricultural production zone for the agricultural and rural lands in the area wide study. This is indeed some of the most valuable farmland in the County, as it is relatively large enough for a commercially viable mid-size farm! The infrastructure is there, there are a diversity of farms, and operations in the areas include leased and owned farmland. The GMA specifies keeping enough infrastructure to ensure viable agricultural commerce. The "transition" indicates the need for support. Yes, the "urban-oriented" farm sector is growing, but no further loss is justified. Indeed, we need to protect and enhance what is left!! Supportive systems need to be reinforced and adapted to current situation.

The County (and State) need to address the water situation! If water is a limitation for agriculture, then surely water is a limitation for the already sprawling residential development

9-7

and further proposed conversions to “industrial.” Many types of agriculture use much less water per acre than residences. Farmland requires less from County services, thereby costing the County less per acre to service. Did you factor this in to the market value as a land use planner should?

9-7
(cont.)

The food system is a regional affair, including northern Oregon and southern Washington. Food security should be viewed on a regional basis. This RILB process is another opportunity for the County to begin designated support for agricultural land of commercial significance.

9-8

When are you going to consult with all the people and organizations listed?

Thanks for your time and consideration for supporting farming and farmland preservation in Clark County. Such efforts are sadly way past due. Do you know any farmers who feel supported by Clark County? The sector is still viable, and the land is still available and being farmed. Please do not de-designate farmland or potential farmland. There are many farmers looking for more land to farm, whether they are younger operations or multi-generational businesses. Let’s make them all feel welcome and supported.

9-9

Respectfully submitted,

Jude Wait,
Food farm resilience researcher