

Questions and Answers

Regarding The Clark County Planning Commission's Recommendations For The Vancouver Lake Lowlands

Prepared for the Port of Vancouver and Alcoa
in cooperation with Major Private Property Owners

COPY

QUESTION & ANSWERS CONCERNING THE VANCOUVER LAKE
LOWLANDS

1. WHAT DO THE PROPERTY OWNERS WANT?

We support the County's Comprehensive Plan. This existing Plan, adopted in 1979, provides a balance among industrial, environmental and recreational interests.

The property owners have followed the Plan, completed after extensive staff work and public involvement, and have made investments to implement this Plan.

If some additional reasonable environmental safeguards are needed, the property owners will support and implement them. It should be noted that extensive regulations already exist including the US wetlands permits, Washington's State Environmental Policy Act (SEPA), the County's Shoreline Management Plan, and the County's zoning, grading and building permit processes.

2. WHAT GOOD FAITH EFFORTS HAVE PROPERTY OWNERS MADE?

In 1980, consistent with the Comprehensive Plan and on the basis of the "I" symbols, the property owners accepted the DOWNZONING OF OVER 5,000 ACRES of land. This was with the understanding that the Plan and the "I" symbols would guide the future of the Vancouver Lake Lowlands.

ALCOA donated 117 acres of the the 235 acre Vancouver Lake Park. The Port of Vancouver contributed funds in which help make development of Vancouver Lake Park possible.

The Port of Vancouver initiated dredging and flushing channel improvements designed to clean up Vancouver Lake. ALCOA donated approximately 44 acres of land for the flushing channel. The Port contributed \$2.5 of the \$17 million cost.

3. HOW DOES THE HABITEK PLAN CONCERN THE PROPERTY OWNERS?

Four major concerns exist: 1) The "I" symbols have been removed; 2) existing Heavy Industrial lands north of the flushing channel are recommended for Industrial Park; 3) a duplicative environmental overlay has been proposed for all of the Lowlands; and 4) a new Ag-Wildlife zone which would further limit agriculture.

4. WHAT INVESTMENTS HAVE BEEN MADE?

Investments amounting to many tens of millions of dollars have already been made by **Federal, State and local** agencies in the lowlands. These include **street** and highway rights-of-ways and surfaces, **rail** improvements, **dikes**, deep water **channel** improvements, lake **dredging**, **electrical** power transmission and distribution systems, sanitary **sewers**, and **water** systems.

5. IS THERE A CONCERN WITH THE PROCESS USED?

Yes. If the **Habitek** plan is adopted, it will become a precedent for **weakening the County's Plan** and planning process. Major changes in policy direction tends to disrupt planning for the future. If the County's Plan can be substantially changed in just a few years with no significant changes in conditions to owners who have purchased and /or made investments in property, then the **Plan loses its effectiveness.**

Plan policy will have no predictability. An attitude of "this is the Plan until it changes" will prevail. Who will know **when** the next **major change will occur?** What will be the major land use interest at that time?

6. DIDN'T THE CONSORTIUM GRANT YOU CONCESSIONS?

Any benefit we might receive from the minor changes they made were **nullified by the extreme restrictions** created by the Habitek plan.

7. WHY DIDN'T YOU PARTICIPATE IN THE PROCESS FROM THE BEGINNING?

We submitted formal requests for membership, we were **turned down.**

We **came** to many of the initial meetings **as observers**, as we were given the impression that our participation in the process could potentially negatively influence the process.

Once the Habitek Consortium had formulated a plan, we were asked to comment and did so. We have continued to comment, particularly as we realized that the Habitek plan had become a plan for an indefinite **moratorium.**

QUESTION & ANSWERS CONCERNING THE VANCOUVER LAKE LOWLANDS

Page 4

8. NOT MUCH NEW HAS HAPPENED IN THE LOWLANDS - WHAT IS THE NEED FOR ALL THIS INDUSTRIAL LAND?

Many of the most critical services, water, sewer, access are at the southeast section of the Vancouver Lake Lowlands. The Port of Vancouver among other property developers have worked on developing these properties first. These lands are now all developed. Then too, expansion to the west and north would have had to leapfrog ALCOA properties.

For tens of years, up until 18 months ago, these **key vacant parcels** of land owned by ALCOA were being held in trust, not for sale. **Now, much of this has been declared as surplus** property and ALCOA wishes to begin marketing these properties, but has held off pending completion of the Habitek process.

In the past year, **Clark County has "lost" 1,500 acres** of land designated for **Heavy Industrial** in the Washougal area through purchases. Clark County's longterm supply, in fact, only supply of Heavy Industrial land now is located in the Lowlands. We have not seen any documentation that the County has changed its long-term forecasts of growth and industrial land needs. Why should the County further reduce its industrial land inventory?

9. ARE YOU AWARE OF THE COMMUNITY'S INTEREST IN THE LOWLANDS?

The community has given mixed signals. Based upon the number of people who use our land on an intermittent basis to hunt, fish, swim, birdwatch, etc., they have indicated great interest. Based upon the results of last week's election returns concerning **Initiative 90**, it would appear that Clark County voters are not prepared to participate even to a small degree in funding the acquisition of wetlands and similar environmentally important areas.

It is particularly frustrating to the farmers to continue to provide a food source for wildlife, and for the other property owners to continue protecting environmentally sensitive areas, presumably to the community's benefit, when the community does not appear to wish to honor the **merits of its own Plan adopted just a few years ago.**

The final decision has not yet been made. We continue to have major concerns. We will continue to **work with the County to achieve a balanced plan.**

QUESTIONS CONCERNING THE CLARK COUNTY PLANNING PROCESS

What is the purpose of our Clark County Comprehensive Plan ?

The Clark County Comprehensive Plan, Volume II page 1 states:

"The Land Use Plan provides a basis for coordinated action by enabling various public and private interests to undertake specific projects with a consistent understanding of community goals and objectives."

Further on page 1 it also states:

These same community policies serve individual property owners and private interest groups as a means of evaluating their individual decisions in light of community objectives." **"They are assured by the Plan that once they commit their investment to the land, there will be a reasonable continuity of land policies which will protect their interests."**

In 1980, the property owners accepted the downzoning of over 5,000 acres of land from Heavy Industrial to Agriculture as directed in the 1979 Plan, with the understanding that the "I" symbols would allow some consideration of proposals that met the criteria in the plan. Now the Habitek plan takes away the "I" symbols. What assurance of "reasonable" continuity of land policies would occur if Habitek is adopted?

What is the Procedure for Plan Changes?

The Clark County Comprehensive Plan states on page 2 that the Plan is:

"Responsive - Able to adjust to changes of condition, unforeseen circumstances, or new local and regional trends. This will be accomplished through annual updates and five (5) -year, iterative rewrites."

Five Year Subarea Plan updates such as South County, Ridgefield, 179th Street have all demonstrated that **changes in conditions** have warranted a new look at these areas.

What need for change of conditions is there for the Vancouver Lake Lowlands area?

No significant changes have occurred in the Vancouver Lake Lowlands.

Under the section titled "Review Process" (page 3), the Clark County Comprehensive Plan states:

"Further, it is the intent that all amendments or changes in the Land Use Plan, map, text, zone changes, boundaries, or building permits, shall contribute to and enhance the common good with respect to overall housing needs, or economic, commercial, or industrial needs of the County and region as a whole."

No findings or conclusions have been presented to show why such major changes as the removal of "I" symbols, environmental overlay, changing the area north of the flushing channel from Heavy Industrial to industrial park should take place.

Have the Countywide consequences of reducing the only remaining viable Heavy Industrial area in the been considered?

What legal and procedural errors may have been made which cloud the application of the Habitek plan?

The environmental overlay appears to be a moratorium on development. The County is placed in the position of having to justify and document prior to adoption of Habitek why no development can occur and what specific actions need to be completed before a new development proposal can be considered.

The Planning Commission made its Habitek decision at a meeting that did not have notice or a motion from the previous meeting that indicated when this meeting would occur.

No findings of fact or conclusions of law were made by the Planning Commission when recommending the rezoning of the Lowlands.