**Schroader, Kathy**

**From:** Tim Trohimovich <Tim@futurewise.org>
**Sent:** Monday, December 14, 2015 11:20 AM
**To:** Euler, Gordon, Cnty 2016 Comp Plan
**Subject:** Comments on the proposed Rural Industrial Land Bank for PC Public Hearing
**Attachments:** Futurewise Comments on Rural Industrial Land Bank for Planning Commission Dec 17 Public Hearing Dec 14 2015.pdf

Dear Sirs and Madams:

Enclosed please find Futurewise's comments on the proposed Rural Industrial Land Bank for the Planning Commission's December 17, 2015 public hearing. One of the referenced enclosures is enclosed with the letter. The other will be in a second e-mail. Please contact me if you need anything more.

**Tim Trohimovich, AICP**
**Futurewise | Director of Planning & Law**
816 Second Avenue, Suite 200 | Seattle, Washington 98104
p 206.343.0681 Ext. 118
Email tim@futurewise.org

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December 14, 2015

Mr. Steve Morasch, Chair
Clark County Planning Commission
Clark County Community Planning
PO Box 9810
Vancouver, Washington 98666-9810

Dear Chair Morasch and Planning Commission Members:

**Subject: Comments on the proposed Rural Industrial Land Bank for the Planning Commission's December 17, 2015 public hearing.**
Sent via email to: comp.plan@clark.wa.gov; gordon.euler@clark.wa.gov

Thank you for the opportunity to comment on the proposed Rural Industrial Land Bank. We urge the Planning Commission to recommend denial of the Rural Industrial Land Bank because it is unneeded and will pave over a working farm.

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 Rural Industrial Land Bank is unneeded because land suitable to site the major industrial development is available within the Clark County's existing urban growth areas and therefore the Rural Industrial Land Bank violates the Growth Management Act (GMA)

The Growth Management Act (GMA), in RCW 36.70A.365(2)(h), provides that one of the requirements for a "major industrial development" is 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 with master planned locations. The *Addendum* identifies land suitable for major industrial development in the existing urban growth areas.[1] Consequently, the Rural Industrial Land Bank cannot be approved at this time

[1] *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*

and, therefore, a Rural Industrial Land Bank on any of the non-urban growth area sites will violate the Growth Management Act.

## There is enough land in the County's UGAs to accommodate the County's planned residential and job projections

The most recent *Clark County Buildable Lands Report* documents that there is more than enough land in the County's urban growth areas (UGAs) to accommodate the County's planned employment growth. The *Clark County Buildable Lands Report* states:

> 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 [Vancouver Buildable Lands Model], 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 7,400 new public sector jobs estimated by ESD [State of Washington Employment Security Department] will occur on existing publicly owned facilities.[2]

So there is no need for the Rural Industrial Land Bank. The Planning Commission should recommend denial of this proposal.

## The Rural Industrial Land Bank is unneeded because Commercial and Light Industrial is already located in this area

Not only is there enough land in the UGAs, but Commercial and Light Industrial land is already located west and south of the proposed Rural Industrial Land Bank. The existing Vancouver urban growth area is also just south of the site. While this proposal is being sold on the grounds that rural residents could easily drive to jobs on the new site, there are already opportunities for jobs in this area. So again, the Rural Industrial Land Bank is unneeded.

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*Final Environmental Impact Statement* (October 2015) pages 13 and 14 of the *Addendum Part I Inventory* accessed on Dec 14, 2015 at: http://www.clark.wa.gov/planning/landbank/. Hereinafter referred to as the *Addendum*.

[2] *Clark County Buildable Lands Report* p 11 (June 2015) accessed on Dec. 14, 2015 at http://www.clark.wa.gov/thegrid/documents/061015WS_2015BUILDABLE_LANDS_REPORT.pdf and enclosed with the paper original of Futurewise's October 16, 2015 letter commenting on the *Addendum*.

## The proposed Rural Industrial Land Bank qualifies as agricultural lands of long-term commercial significance and should be conserved

The proposed Rural Industrial Land Bank is Area VB from the County's illegal 2007 attempt to dedesignate this agricultural land.[3] Area VB was found to be illegally dedesignated by both the Growth Management Hearings Board and Clark County Superior Court.[4] 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."[5] So this land qualified, and as the *Addendum's* analysis shows, continues to qualify as agricultural lands of long-term commercial significance.[6] And this land continues to have an Agriculture comprehensive plan designation.[7]

Agriculture had long-term commercial significance in Clark County. Income from farm-related sources is up sharply in Clark County, 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.[8] Between 2007 and 2013, the average market value of products sold per farm increased five percent from $25,079 to $26,367.[9] Clark County farmers rank second in Washington State in the number of "broilers and other meat-type chickens" they are raising.[10] The Clark County Food System Council reports that "in the past 5 years Clark County has seen an increase in the number of Community Supported Agriculture programs, growth in

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[3] 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 Futurewise's October 16, 2015 letter commenting on the *Addendum*.
[4] *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.
[5] *Id.*
[6] *Addendum* Appendix B Agricultural Lands Analysis pages 7 – 10.
[7] 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
[8] 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) accessed on Dec. 14, 2015 at: http://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1, Chapter_2_County_Level/Washington/ and a copy of *2012 Census of Agriculture Washington State and County Data Volume 1* was enclosed with the paper original of Futurewise's October 16, 2015 letter commenting on the *Addendum*.
[9] US Department of Agriculture National Agricultural Statistics Service, *2012 Census of Agriculture County Profile Clark County, Washington*, p. 1 accessed on Dec. 14, 2015 at: http://www.agcensus.usda.gov/Publications/2012/Online_Resources/County_Profiles/Washington/cp53011.pdf and enclosed with this letter.
[10] *Id.*

the number of farmers markets, and more interest in locally sourced and organically grown food."[11] So farming and ranching has economic value for Clark County.

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.[12] 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."[13] The *Addendum* discloses that this land is current available to agriculture and in fact is currently being farmed.[14] 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."[15] As both this letter and the *Addendum* have documented, the site of the proposed Rural Industrial Land Bank is high quality agricultural land.[16]

The Rural Industrial Land Bank proposal is simply an attempted end run around the fact that this land qualifies as agricultural land of long-term commercial significance and so cannot be included in the urban growth area. We urge the Planning Commission to recommend denial of this proposal. If there was a needed to expand the UGA or provide sites outside the UGAs for major industrial developments, which there is not, there are sites that are not agricultural lands of long-term commercial significance that could be paved over.

## The proposed Rural Industrial Land Bank qualifies as "Clark County's Best Farm Land" and should be conserved

The Clark County Food System Council has identified all of the proposed Rural Industrial Land Bank and much of the land in its vicinity as "Clark County's Best Farm Land."[17] The Clark County Food System Council identified this land "by looking at

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[11] *Promoting Agricultural Food Production in Clark County*, A proposal developed by the Clark County Food System Council p. 2 (November 2013) accessed on December 14, 2015 at http://www.clark.wa.gov/Planning/aging/documents/14-0218_FSC_PP.pdf and enclosed in a separate email.

[12] Washington State Department of Agriculture, *Washington Agriculture Strategic Plan 2020 and Beyond* pp 50 – 52 (2009) accessed on Dec. 14, 2015 at: http://agr.wa.gov/fof/ and enclosed with the paper original of Futurewise's October 16, 2015 letter commenting on the Addendum.

[13] *Id.* at p 50

[14] *Addendum Appendix B: Agricultural Lands Analysis* p 37.

[15] 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) accessed on Dec. 14, 2015 at. http://www.clark.wa.gov/planning/comp_plan/documents/final_ag_analysis_prelim_report.pdf.

[16] *Addendum* Appendix B: Agricultural Lands Analysis pages 7 – 10.

[17] *Promoting Agricultural Food Production in Clark County*, A proposal developed by the Clark County Food System Council p. 4 (November 2013).

characteristics of the land that make it suitable for food production."[18] 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."[19]

This is another reason that this land should be conserved. The Planning Commission should recommend denial of this proposal.

## The Addendum does not identify reasonable mitigation measures and so violates the Washington State Environmental Policy Act (SEPA) and the Growth Management Act (GMA)

An environmental impact statement (EIS), including an addendum, must identify reasonable mitigation.[20] The GMA, in 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 is not available at this site.

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 failure to identify mitigation violates both the Washington State Environmental Policy Act (SEPA) and the GMA. This is other reason the Planning Commission should recommend denial of the Rural Industrial Land Bank.

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

[18] *Id.* p. 5
[19] *Id.*,
[20] WAC 197-11-440(6)(a).

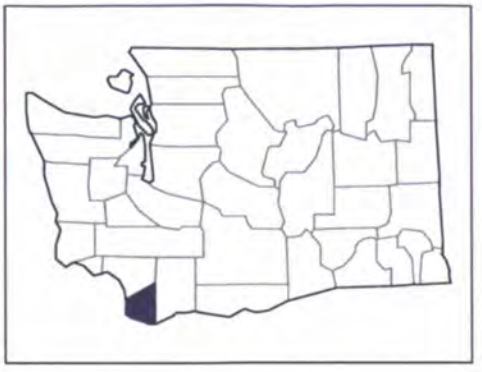
Very Truly Yours,

Tim Trohimovich, AICP
Director of Planning & Law

Enclosures

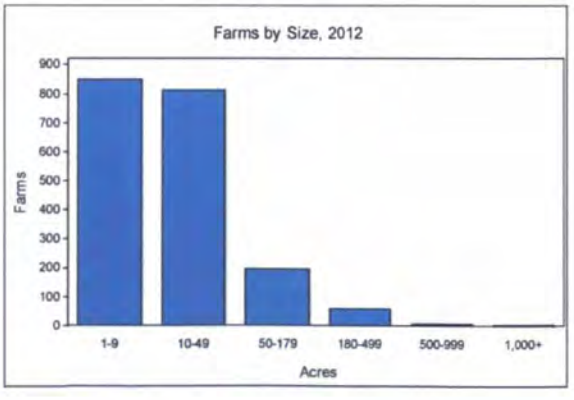
2012 CENSUS OF AGRICULTURE

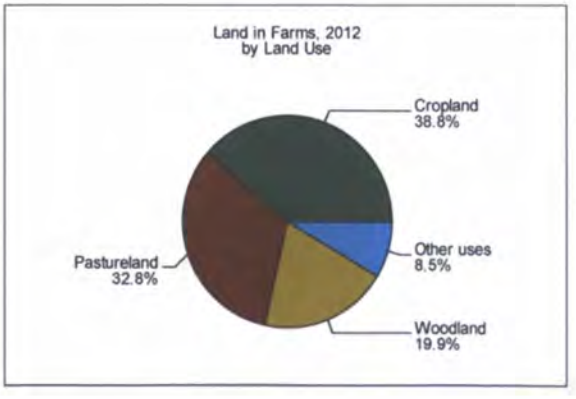
COUNTY PROFILE



# Clark County
# Washington

| | 2012 | 2007 | % change |
|---|---|---|---|
| **Number of Farms** | 1,929 | 2,101 | - 8 |
| **Land in Farms** | 74,758 acres | 78,359 acres | - 5 |
| **Average Size of Farm** | 39 acres | 37 acres | + 5 |
| **Market Value of Products Sold** | $50,861,000 | $52,691,000 | - 3 |
| Crop Sales $18,856,000 (37 percent)<br>Livestock Sales $32,005,000 (63 percent) | | | |
| Average Per Farm | $26,367 | $25,079 | + 5 |
| **Government Payments** | $293,000 | $115,000 | + 155 |
| Average Per Farm Receiving Payments | $6,359 | $3,397 | + 87 |



2012 CENSUS OF AGRICULTURE

COUNTY PROFILE

# Clark County – Washington

## Ranked items among the 39 state counties and 3,079 U.S. counties, 2012

| Item | Quantity | State Rank | Universe [1] | U.S. Rank | Universe [1] |
|---|---|---|---|---|---|
| **MARKET VALUE OF AGRICULTURAL PRODUCTS SOLD ($1,000)** | | | | | |
| Total value of agricultural products sold | 50,861 | 23 | 39 | 1,757 | 3,077 |
| Value of crops including nursery and greenhouse | 18,856 | 24 | 39 | 1,738 | 3,072 |
| Value of livestock, poultry, and their products | 32,005 | 16 | 39 | 1,248 | 3,076 |
| **VALUE OF SALES BY COMMODITY GROUP ($1,000)** | | | | | |
| Grains, oilseeds, dry beans, and dry peas | 489 | 27 | 34 | 2,401 | 2,926 |
| Tobacco | - | - | - | - | 436 |
| Cotton and cottonseed | - | - | - | - | 635 |
| Vegetables, melons, potatoes, and sweet potatoes | (D) | (D) | 39 | (D) | 2,802 |
| Fruits, tree nuts, and berries | 6,838 | 14 | 39 | 171 | 2,724 |
| Nursery, greenhouse, floriculture, and sod | 5,691 | 12 | 38 | 394 | 2,678 |
| Cut Christmas trees and short rotation woody crops | (D) | 3 | 33 | (D) | 1,530 |
| Other crops and hay | 2,735 | 19 | 39 | 1,062 | 3,049 |
| Poultry and eggs | 7,774 | 9 | 39 | 659 | 3,013 |
| Cattle and calves | 8,002 | 18 | 39 | 1,471 | 3,056 |
| Milk from cows | 14,525 | 12 | 30 | 403 | 2,038 |
| Hogs and pigs | (D) | (D) | 37 | (D) | 2,827 |
| Sheep, goats, wool, mohair, and milk | 309 | 9 | 39 | 536 | 2,988 |
| Horses, ponies, mules, burros, and donkeys | 749 | 9 | 39 | 345 | 3,011 |
| Aquaculture | (D) | 26 | 34 | (D) | 1,366 |
| Other animals and other animal products | 361 | 14 | 39 | 532 | 2,924 |
| **TOP CROP ITEMS (acres)** | | | | | |
| Forage-land used for all hay and haylage, grass silage, and greenchop | 17,541 | 14 | 39 | 1,112 | 3,057 |
| Corn for silage | 2,181 | 8 | 24 | 733 | 2,237 |
| Land in Berries | 1,086 | 5 | 39 | 42 | 2,339 |
| Cut Christmas trees | 696 | 3 | 33 | 69 | 1,557 |
| Wheat for grain, all | 570 | 25 | 32 | 1,835 | 2,537 |
| **TOP LIVESTOCK INVENTORY ITEMS (number)** | | | | | |
| Broilers and other meat-type chickens | 420,614 | 2 | 36 | 410 | 2,723 |
| Cattle and calves | 16,169 | 19 | 39 | 1,523 | 3,063 |
| Layers | 13,548 | 9 | 39 | 654 | 3,040 |
| Pullets for laying flock replacement | 3,565 | 8 | 38 | 464 | 2,637 |
| Horses and ponies | 3,104 | 6 | 39 | 187 | 3,072 |

## Other County Highlights, 2012

| Economic Characteristics | Quantity |
|---|---|
| Farms by value of sales: | |
| Less than $1,000 | 718 |
| $1,000 to $2,499 | 373 |
| $2,500 to $4,999 | 306 |
| $5,000 to $9,999 | 216 |
| $10,000 to $19,999 | 112 |
| $20,000 to $24,999 | 55 |
| $25,000 to $39,999 | 47 |
| $40,000 to $49,999 | 15 |
| $50,000 to $99,999 | 37 |
| $100,000 to $249,999 | 22 |
| $250,000 to $499,999 | 3 |
| $500,000 or more | 25 |
| Total farm production expenses ($1,000) | 54,736 |
| Average per farm ($) | 28,375 |
| Net cash farm income of operation ($1,000) | 2,398 |
| Average per farm ($) | 1,243 |

| Operator Characteristics | Quantity |
|---|---|
| Principal operators by primary occupation: | |
| Farming | 682 |
| Other | 1,247 |
| Principal operators by sex: | |
| Male | 1,483 |
| Female | 446 |
| Average age of principal operator (years) | 59.0 |
| All operators by race [2]: | |
| American Indian or Alaska Native | 33 |
| Asian | 33 |
| Black or African American | - |
| Native Hawaiian or Other Pacific Islander | 5 |
| White | 2,953 |
| More than one race | 29 |
| All operators of Spanish, Hispanic, or Latino Origin [2] | 82 |

See "Census of Agriculture, Volume 1, Geographic Area Series" for complete footnotes, explanations, definitions, and methodology.
- Represents zero. (D) Withheld to avoid disclosing data for individual operations.
[1] Universe is number of counties in state or U.S. with item. [2] Data were collected for a maximum of three operators per farm.