

Comments for June 15, 2020 Hearing Examiner re: CMP-19-01 and REZ-19-01

Ms. Sharon Rice
Skamania County Hearings Examiner
c/o Skamania Community Development Department

Re: File No. CMP-19-01 and REZ-19-01

West End Community Comprehensive Subarea Plan (WECCSP) Amendment and Rezoning Application (Kellett Rd - Parcel # 02052500090000)

As you consider this requested WECCSP amendment and rezone application referenced above, it is important to remind you of information we formerly provided on June 7, 2017 of the forethought, vision and community effort that resulted in the WECCSP, including the work that has continued since its adoption (*see Appendix pages 10-13, "History of the Development of the West End SubArea Comprehensive Plan*).

The original plan and zoning have been reaffirmed numerous times by community members and the various Skamania County Planning Commissions. The original intent of the 60% infill requirement for amending the WECCSP was upheld by the June 17, 2017 recommendation of the Hearing Examiner and was accepted by the Skamania County Board of Commissioners (BOCC). To alleviate any further misinterpretation, calculation methodology for determining 60% infill was recommended by the Planning Commission and adopted by the BOCC in 2018.

THIS PROPOSED WECCSP AMENDMENT DOES NOT MEET THE REQUIRED CRITERIA FOR APPROVAL

Criteria against which the proposed amendment must be evaluated and found to be in substantial compliance for approval:

a. A text and/or map amendment is necessary to resolve inconsistencies within the West End Comprehensive Subarea Plan with which the county has no objection;

There are no inconsistencies that require resolution. As stated on page 1 of the West End Community Comprehensive Subarea Plan (WECCSP) the West End Planning Process was undertaken due to:

“The high number of individual rezone requests received between the years of 1990 and 2001 prompted this request. Over 1,400 acres were rezoned without the benefit of regional review or broad public involvement during this time period, with no end in sight. “ ...”This Subarea Plan is intended to meet current and future needs of the West End Community and be less likely to be subject to a high degree of change unlike the current state of the 1977 Comprehensive Plan (Planning 1977).”

The plan took into account that growth in population in the West End might either continue at the rate that it had been in the 5 years prior to 2004 (when the plan was developed), or slow down and more closely approximate the growth experienced in the rest of the county (Appendix page 26, page 32 of WECCSP).

“Using the OFM countywide annual growth rate of 1.25% the West End Subarea population is projected to increase by 546 people by the end of 2025, giving the West End Subarea a total **population of 2,414 or 924 residences.**

Alternatively, using the actual building permit statistic of 3.9% annual increase in the number of residences, the number of residences in the West End Subarea is projected to increase by 868 residences by the end of 2025, giving the West End Subarea a total of **1,583 residences.** In this analysis, the total population of the West End Subarea would be **4,135 people.**

... Using the Land Use Designations shown on Figure 3-1, the potential buildout of the West End Subarea is 2,608 residences or a population of 6,812 people. Under the higher growth rate based on actual building permit trends, this population would not be achieved until the year 2039. Using the OFM annual growth rate of 1.25%, this population would not be achieved until the year 2110.”

The estimated homes/structures built from 2007 (*figures used in the adopted 2007 WECCSP*) in RL2 zoning is 98 (*302 in 2019 - 204 existing homes in 2007*)...or an average increase (*98 divided by 204 divided by 13 years*) of 3.7% per year (*based on Acreage Breakdown RL2 Potential Lots included in the applicant's filing [Appendix page 34] and page 33 of the WECCSP located on Appendix page 27*). This rate of increase is close to the 3.9% annual increase in West End homebuilding that was occurring in the 5 years prior to 2004 and is greater than the countywide annual growth rate of 1.25% in 2004. It falls in the upper end of the range of growth planned for, though this range was for the entire West End, not simply RL2 properties. Using the figures we have access to, we can provide an estimate of the growth rate for the entire West End from 2007 to August 2017. In 2007 when the WECCSP was approved, there were 715 homes/structures. According to the assessor's report of August 5, 2017 Assessor's map (*see Appendix page 54*) there were 943 developed homes/structures, for an increase of 228. This equates to a 3.0% growth rate over these 10.5 years (*228 divided by 715 divided by 10.5 years*). **This building rate falls in the range of the planned growth range, and is not inconsistent with the WECCSP plan.** Nor is this level of growth a substantial change in conditions or circumstances. **The applicant and the county are mistaken and should be looking at what the growth rate has been for the West End of Skamania county, not the entire county.** The issue is whether or not conditions have substantially changed in the West End...they have not.

The applicant infers that the county wide bare land sales decreased from 2007 through 2012 due to the WECCSP. This is incorrect reasoning. During this same period of time two significant developments more likely impacted the reduction of bare land sales. First, the United States experienced a deep recession in 2008 through 2012, resulting in record foreclosures and a significant loss of capital for land acquisition. Second, during this time period the BOCC was in the process of developing comprehensive plans and zoning for the entire county and the Swift area. In order to stop the rampant unregulated development as evidenced by the creation by deed of 230 new parcels exempt from subdivision and short subdivision and environmental regulations (2006 – 2007), the BOCC enacted and continued a series of consecutive moratoria (from 2007 through 2012) on subdividing or building permits on any 20-acre or larger parcels created by deeds since January 1, 2006 in un-zoned lands (see Ordinance 2012-08, Appendix pages 35-37).

Further, the described low inventory of RL2-acre parcels for sale is not a reason for changing the WECCSP. Whether or not an owner wants to sell, and how much people are willing to pay are simply a part of the normal ups and downs of the real estate market and not relevant as to whether there has been a significant change in circumstances. This is in alignment with the Hearing Examiner's finding of facts and conclusions (6-17-Skamania-West-End-Findings-07062017-002, page 17).

“d. The current low inventory of five-acre parcels for sale is not relevant to the question of whether there has been a significant change of circumstance. Findings 9 and 15. If five-acre parcels (as opposed to larger or smaller rural parcels) are in demand, a solution not requiring amendment of the Comprehensive Plan would be for the interested parties to purchase larger parcels within the RL5 zone and subdivide. This would satisfy the same economic development goals promulgated by the Applicants, and the intensification in land use would implement the WECCSP's land capacity analysis.”

The issue of how many zoned RL2 properties should be allowed as part of the plan was fully considered during the WECCSP development. Land at that time zoned as RL2-acre and whether or not the plan would allow for expanding the number of properties zoned RL2-acre in the future were **both a matter of considerable discussion**. At the September 7, 2004 Planning Commission public hearing, the Planning Staff presented two possible WECCSP maps for public comment, **both limiting the number of potential single-family residences. Further, neither option allowed for any additional RL2-acre zone expansion beyond what existed at the time the WECCSP was adopted**. The Alternative 3 map (Appendix 22 & 23) would have increased minimum lot size of 500 properties by changing current zoning from RL2-acre to RL5-acre. These properties would then have been no longer eligible for subdivision to divide at some future date. **The Alternative 2**

map (preferred in a vote by the community and confirmed by recommendation of the Planning Commission) [Appendix pages 20 & 21] retained the RL2-acre zoning for the properties currently so zoned. Furthermore, language was added to the plan specifically to prevent the expansion of RL2-acre zones.

*“Rural Residential areas should generally be developed at low levels of intensity (5 acre and 10 acre lots) so that demands will not be created for high levels of public services and facilities. County requirements for housing in rural areas should encourage residential development that is compatible with farming, open space, outdoor recreation, protection of significant cultural resources, rural service levels, and generally with the rural character. **Existing areas of more intense rural residential development (2 acre lots) should be acknowledged and maintained, but should not be expanded.**”*

As to the following from the application:

“The planning department has interpreted this as allowing any existing parcels in the RL2 zone to be divided down to 2 acre parcels but not allow acreage rezoned into the RL2 zone to be divided to less than 5 acre parcels.”

This is an incorrect interpretation and misunderstanding, possibly born out of a lack of first-hand involvement in the community meetings and in the creation of the WECCSP.

In essence, this proposal tries to skirt the well-thought out restrictions desired by the community and built into the WECCSP, by creating some sort of hybrid zoning classification of RL2-acre that is actually RL5-acre. The reason the applicant couldn't request RL5-acre rezoning, is that the area is not adjacent to RL5-acre zoned property. It is rather, adjacent on one side to an isolated, long existing (*since the 1990s*) sub-division of 2-acre lots that was grandfathered into the WECCSP as an isolated RL2-acre zone. Preventing the upzoning of lands that are currently zoned FL20-acre into RL2-acre is an example of the very reason that the restrictions were built into the WECCSP in the first place.

In keeping with the WECCSP intent of not expanding RL2-acre zones, it is our understanding that, since the adoption of the zoning map for the WECCSP in 2012, there has not been a single amendment request resulting in such a rezone. Furthermore, this attempt to utilize an RL2-zoning classification to essentially create what is functionally an RL5-acre zone is still out of compliance with the restrictions in the WECCSP, as **the 60% in-fill criterion has not been met for either RL2 or RL5.**

For the county staff to state that "Rural Lands 2 is an existing land use designation in the West End Subarea Plan; therefore, the new proposed designation is consistent with the plan", does not make this application for rezone consistent with the intent of the plan, which specifically excludes any further RL2 zone expansions.

This proposed WECCSP amendment and rezoning **is not consistent with the plan's intended restriction to prohibit expansion of RL2-acre zoning through the addition of 104 acres of property currently zoned FL20-acre.** Even if the proposed covenants would restrict subdividing the property beyond the proposed seventeen 6-acre parcels, they would still be zoned RL2-acre – and any of these 6-acre parcels could, at some time in the future, be further subdivided without necessitating any change to the WECCSP or zoning based upon some unknown criteria not codified in the WECCSP.

If this application is approved, it will set a precedent leading to the eventual degradation of the rural character of the West End, opening the door to turning FL20 forest lands into smaller residential lots, and increasing density in areas further removed from central fire protection services. Fire District 4 is in the process of planning for the consolidation of its station on Strunk road into the one located on Washougal River Road...thus increasing the distance and response time to service this particular outlying area.

b. Conditions have significantly changed since the adoption of the West End Comprehensive Subarea Plan or Official Controls to the extent that the existing adopted plan provision or map designation is inappropriate. Examples of significantly changed conditions include, but are not limited to: 1) sixty percent (60%) infill of existing lots within the entire mapping designation being proposed for change; or 2) new technology and uses not originally considered in the text have been developed;

Since the Hearing Examiner's last ruling on a proposed WECCSP amendment, (*June 17, 2017*) community members worked with the Planning Commission and the BOCC in 2018 to clarify the meaning of and the procedure to calculate 60% infill. This was not more restrictive, as stated in the application, but merely clarification to ensure meeting the intent of the plan. Chapter 21.08 of the Skamania County Code now defines a significant change in circumstance as:

"Substantial change in circumstances" means a significant change in conditions affecting the planning area as a whole or a substantial portion thereof. Examples include, but are not limited to, substantial development affecting the rural character of a community, sixty percent of full buildout has been achieved within the proposed zoning designation. "Full buildout" means the total number of existing and potential future lots based on the minimum parcel size within the zoning designation. Percent of full buildout is equal to

Comments for June 15, 2020 Hearing Examiner re: CMP-19-01 and REZ-19-01 (number of existing developed lots) divided by (total number of existing and potential lots based on acreage within the land use designation) times one hundred, or legal circumstances sufficient to defeat the purposes of a policy established in the comprehensive plan or subarea plan. However, the creation of the National Scenic Area and any zone changes or existing zone districts within adjacent counties will not be considered to be a substantial change in circumstance. ...”

Since 2007 and certainly since 2012 when the WECCSP zoning map was adopted, there has NOT been a substantial change in conditions. In 2007 when the WECCSP was adopted (*according to the WECCSP Table 3-1, BOCC Adopted Plan page 33...see Appendix page 27*), in the RL2-acre zoned areas, there were 204 parcels with homes/structures out of a possible 706 parcels...**or a 29% in-fill** (*Table 1 Comparison of In-fill Percentages, on page 7 of this document*).

As of December 2019, (*based on Acreage Breakdown RL2 Potential Lots included in the applicant's filing, as shown in Appendix, page 34*) there are an estimated 302 parcels with homes/structures (*shown in Table 1*) out of a possible 708 parcels...**or a 43% in-fill. An in-fill of 43% does NOT constitute a substantial change in conditions or circumstances**, as defined and calculated in the clarification above.

From the recent staff report, “The applicant provided buildout calculations showing that at the time of adoption of the Subarea Plan, buildout of 29% was achieved. Based on development activity that has occurred since adoption in 2007, current buildout has increased to 38%. This is an increase of 31% since 2007.” Evidently, the staff calculation of 38% is based on there being a total of 794 potential lots (302 existing lots + 492 potential lots = 794 [*based on Acreage Breakdown RL2 Potential Lots included in the applicant's filing, as shown in Appendix, page 34*]) at full buildout. 302 developed lots divided by 794 total lots at full buildout = 38%. This is in line with the procedure to calculate 60% in-fill specified above in Chapter 21.08 of the Skamania County Code.

A more accurate calculation of the percent of in-fill would exclude the 86 lots the county originally excluded as non-residential lots in 2007 and in their Acreage Breakout (*Appendix, page 34*), which results in a total of 708 potential residential lots at full buildout. This is in line with the 706 potential residential lots at full buildout in the 2007 WECCSP. This would be a 43% in-fill as indicated in Table 1 below.

If you use 38% as the current in-fill, it is an **increase of 9%** (38% minus 29% = 9%), **not 31%**. If you use the 43% in-fill, it is an increase of 14% (43% minus 29% = 14%). **Neither the in-fill of 38%, nor 43% meets the 60% in-fill requirement for amending the plan and does not constitute a substantial change in circumstances.**

TABLE 1 COMPARISON OF IN-FILL PERCENTAGES

LOTS (WHEN FULLY SUBDIVIDED) -FULL BUILDOUT

	DEVELOPED HOUSE/STRUCTURE	UNDEVELOPED	TOTAL	PERCENT INFILL
Year 2007*	204	502	706	29%
Year 2019**	302	406	708***	43%

PARCELS (SUBDIVIDED OR NOT)

	DEVELOPED HOUSE/STRUCTURE	UNDEVELOPED	TOTAL	PERCENT INFILL
Year 2007*	204	125	329	62%
Year 2019	302	108	410	74%

*** NOTE:** The numbers used here are from the adopted WECCSP in 2007 (*Appendix page 27*).

**** NOTE:** The calculation of the numbers is based on acreage breakdown RL2 potential lots included in the applicant's filing (*see Appendix, page 34*). The total number of potential lots at full buildout is 708. This equals 302 developed parcels + 492 potential lots (at full buildout) minus 86 excluded lots (school, cemetery, church, county, state, 20 acre zone, and an environmental constraint due to a stream).

***** NOTE:** These figures do not include 15 additional existing recorded lots (which are smaller than 2-acres) in 5 subdivisions zoned as RL2-acre, which have yet to be divided and were not denoted in the county's run of potential lots (*Appendix pages 27-34, Recorded Lots yet to be subdivided*). When included, the number of potential lots increases to 723. These figures also do not include the reduction of 13 lots, which the county identified and may assert should be excluded due to severe slopes, structure placement, etc. When both these additions and reductions are taken into consideration, the total potential lots would be 710. This does not change the percent of infill.

The applicant's attempt to use existing parcels (whether subdivided or not), **rather than potential lots at full buildout** to determine whether there is a 60% infill is **incorrect**, as articulated in the Hearing Examiner's conclusions based upon findings in 6-17-Skamania-West-End-Findings-07062017-002, page 17.

“ It is the Hearing Examiner's opinion that percentage of infill should be calculated in light of the full capacity of the land, consistent with the intent of the planning process.

c. The strongest evidence that the County Staff's calculation methodology is contrary to the intent of the WECCSP results from doing the math. County Planning Staff argued that the correct methodology is to divide the number of parcels with any improvements (349) by the total number of existing parcels in the RL5 zone, regardless of size (472). Using this methodology, the development percentage of existing lots is 74%. If this same calculation methodology is applied to the 2004 data that formed the basis for the 2007 WECCSP, the development percentage is 65% (277 residences divided by 423 parcels). To adopt Planning Staff's calculation methodology is to render the provision establishing 60% infill as a threshold for a significant change in circumstance meaningless. Alternatively, if the Board adopts Staff's calculation methodology, the Hearing Examiner recommends that the Commissioners may still conclude that the difference between 65% and 74% is not a significant change in circumstance.”

In the WECCSP, there were 329 existing parcels in RL2-acre zoning and 125 of those were developed, or a 62% in-fill of existing parcels. Currently, there are 410 existing parcels and 302 developed, or a 74% in-fill of existing parcels. Again, as in the 2017 WECCSP proposed plan amendment application, to assert that a 60% infill should be calculated on parcels rather than **potential lots at full buildout** makes no sense, given that the RL2-acre zone was already at 62% infill in 2007. As was true in the 2017 proposed WECCSP amendment of RL5-acre zones, using this method of calculating infill in RL2-acre zones does not meet the original intent of the plan, nor is it the method prescribed by Chapter 21.08 of the Skamania County Code. **This does NOT represent a substantial change in conditions as contended by the applicant.**

There have been no “new technology and uses not originally considered in the text” relevant to this application. While internet connectivity and speed have improved, residents used internet connectivity in 2004 while working from home. This technology was considered in the WECCSP planning process.

c. The proposed text and/or map amendment is consistent with the overall intent of the goals, maps, and land use element of the West End Comprehensive Subarea Plan;

This requested amendment would be in direct opposition to the WECCSP, its Vision, Mission and Goals.

From WECCSP:

“General Goal 4. Water

Maintain and protect existing quality and quantity of ground and surface waters for domestic use, for area fish and wildlife and to ensure maintenance of existing wetlands

(see Appendix pages 38 - 40 for a more complete articulation of residents concerns).

The property covered by this application includes the headwaters of Canyon Creek (a fish-bearing stream), which flows into the Washougal River, a primary fish habitat of threatened salmon and steelhead.

“Threatened salmon and steelhead are located in many of the surface waters in the West End. Resident fish species are also present. These fish provide recreational, economic, cultural, and aesthetic value to the region. They require clean, cold water to thrive. Plants, animals, and birds also contribute to the rural character of the subarea and depend on surface and groundwater of sufficient quality and quantity to meet their needs. Existing wetlands provide fish and wildlife habitat as well as water storage and filtration functions benefiting humans and the natural environment.”

The average water temperature in the Washougal River for the month of August exceeded 20c in 2014 (20.4c), 2015 (20.6c), 2016 (20.4c), 2017(20.5c), 2018(20.6c), and 2019(20.3c) (see Appendix page 44, Table 3). This represents an increasing trend of higher water temperatures. For the years from 2006, the average water temperature was between 18.4c and 20.6c. Studies by both the EPA Region 10 and Washington Dept. of Ecology recommend that over a 7-day period of time, water temperature should not exceed 18c for both salmon and steelhead during migration and rearing of juveniles (See “The Effects of Temperature on Steelhead Trout, Coho Salmon, and Chinook Salmon Biology and Function by Life Stage”, August 2005[Appendix page 43]).

“The Washougal River subbasin has been administratively closed to the issuance of new water rights by Ecology since 1987 due to the presence of ESA listed salmonid populations.”

Department of Ecology and Skamania Board of County Commissioners in 2005/2006 agreed (see Appendix page 46, Chapter 173-528 WAC) to a water rights reservation (the waters reserved for future small domestic groundwater withdrawals – permit-exempt wells) of .64 cfs for the Washougal River (WRIA 28) based upon the impending adoption of the WECCSP (page B-12, see Appendix page 49).

At the time of the June 7, 2017 hearing on the last West End Comp plan proposed amendment, we were uncertain of the time when the water reservation went into effect. The Hearing Examiner suggested that this should be clarified as noted in the conclusions.

Conclusion 3

- “...it is of note that the record demonstrates the proposed amendments could potentially have negative ramifications on water quantity and quality in the watershed”
- “With respect to the question of whether the proposal can be consistent with the 0.64 cfs water reservation, the record presented is not clear how many new residences were in existence as of the date the reservation took effect, and therefore how many additional new residences can be added without exceeding the reservation.”
- “...the evidence offered in the record is sufficient to require the question to be answered”

Research done since the hearing of June 7, 2017 offers additional evidence related to this question and refines the figures used in our previous testimony. Records from the Washington State Department of Ecology provided to Sallie Tucker Jones, document that the reservation took effect on January 19, 2009 and that 64 wells have been drilled between then and December 31, 2016 (*see Appendix page 53*). An August 5, 2017 Assessor’s map (*see Appendix page 54*) estimates a total of 943 developed parcels (*improved value of \$500 or more*) of the 1,893 possible at full buildout of WECCSP in the West End subarea. As of August 5, 2017, 993 is an increase of 228 residences over the 715 that existed in 2007. Thus, 164 (*228 minus 64*) new residences were developed BEFORE the water reservation went into effect. The 164 left a possible 1,729 (*1,893 minus 164*) as of January 18, 2009 remaining to be developed...**which was in excess of the 1,723 allowed for in WIRA 28**. This is illustrated in Table 2 below.

The 2016 WECCSP amendment and rezone which added nine potential new residences/wells, plus these proposed additional twelve potential new residences/wells (*only five wells were allowed for this 104 FL20-acres in the WECCSP, as opposed to the 17 proposed in this application*) would move the county to 1,750 wells at full buildout. This would move the county even further out of compliance with the requirement to plan in a manner consistent with the 0.64 cfs water reservation (*see Table 2, below*).

Table 2 - Maximum Number of New Residences Allowed			
	Number of potential new residences/wells (240 gallons per day)	Total gallons per day required to support new residences/wells	Resulting Instream Flow cfs *
Maximum new homes/wells allowed under WRIA 28 allocation	1,723	413,561	0.64
WECCSP based on July 2007 figures	1,893	454,320	0.70
Estimated number of New homes/wells between February, 2007 and January 18, 2009**	164	3,960	0.06
Estimated remaining number of new homes/Wells at full build out allowed by the WECCSP as of Jan 19, 2009 (1893-164)	1,729	414,960	0.64
Including the 2016 WECCSP Amendment... 9 new possible homes/wells	1,738	417,120	0.65
With the proposed (2019) WECCSP Amendment if approved...+12 more new possible homes/wells	1,750	420,000	0.65
<p>*240 gallons per day equals 0.00037133487 cfs. The resulting instream flow is calculated by multiplying number of residences/wells by 0.00037133487 cfs. Each time a new exempt well is drilled in the West End, the Dept. of Ecology reduces the remaining instream flow water allocation (from the original 413,561 gallons) by 240 gallons. Once the water reservation (413,561 gallons) is exhausted...NO MORE EXEMPT WELLS WILL BE ALLOWED IN THIS AREA. At full build out with the 2016 WECCSP amendment there are already 15 more homes/wells than allowed under the WIRA 28 allocation.</p>			
<p>** Estimate based on figures from the Assessor's office 8/5/2017 map of developed parcels with an assessed value \$500 or more in the Subarea (943) minus the developed parcels in July 2004 (715) shows that 288 parcels were developed between February 2007 and 8/5/2017. The Washington State Department of Ecology WRIA 28 Reservation Accounting spreadsheet shows that 64 new wells were permitted between 1/19/2009 and December 31, 2016. Of the 288 parcels developed a conservative estimate is that 164 (228-64) of the new homes/wells were developed before the WRIA water reservation went into effect in 2009. This estimate does not include the new wells permitted from 1/1/2017 to 8/5/2017.</p>			

This (WECCSP) proposed amendment would, if approved, lead to even greater excess in the number of potential residences when fully built out and take Skamania County further out of compliance with its obligation to plan within the .64 cfs allocation allowed by the Department of Ecology. These approved and proposed additional rezones are not covered by the previously agreed-upon water reservation of .64 cfs, as codified in WAC 173-528.

In 2017, the Washington legislature passed ESSB 6091, in response to the Hirst decision (*see Appendix pages 41 & 42 for comments and quotes on the Hirst decision*). As articulated in the quotes from the Van Ness Feldman Alert included below and RCW 19.27.097(1)(b) and RCW 58.17.110 (4), the Salmon/Washougal watershed WRIA 28, established in 2009, falls under the more recent instream flow rule. This means that subdivision approval in the areas covered by the WECCSP requires meeting two conditions – both the limitation of less than 5,000 gallons per day usage (RCW 90.44.050) and the adopted instream flow rules (RCW 58.17.110). The application includes an asserted plan of less than 5,000 gallons per day usage, but does not address compliance with the instream flow rules.

Van Ness Feldman LLP Alert VNF.com

Washington Legislature Adopts a "Hirst Fix," and Department of Ecology Considers Comments on Its Interpretation of the New Legislation

February 27, 2018

“In watersheds with more recent instream flow rules that expressly regulate permit-exempt withdrawals (those with instream flow rules adopted after 2000), ESSB 6091 requires compliance with the instream flow rule. ESSB 6091, §101 (adopting new RCW 19.27.097(1)(b)). This section preserves and relies on Ecology’s existing regulatory approach in its more “modern” instream flow rules that limit use of new permit-exempt withdrawals.”

“First, Ecology takes the position that the “grandfather” clause added to RCW 19.27.097(5) (the provision that deems permit-exempt withdrawals established before the effective date to be evidence of adequate water supply) applies only to “Hirst-affected basins” – i.e., those with pre-2000 instream flow rules. Based on Ecology’s Interpretation, the clause does not apply to the watersheds with post-2000 instream flow rules. Additionally, the statute amends RCW 58.17.110 to confirm that the subdivision approval, including the finding that “appropriate provisions” for water supply, are determined through compliance with RCW 90.44.050 and adopted instream flow rules.”

“Additionally, the statute amends RCW 58.17.110 to confirm that the subdivision approval, including the finding that “appropriate provisions” for water supply, are determined through compliance with RCW 90.44.050 and adopted instream flow rules.”

RCW 19.27.097

Building permit application—Evidence of adequate water supply—Authority of a county or city to impose additional requirements—Applicability—Exemption—Groundwater withdrawal authorized under RCW 90.44.050.

(1)(a) Each applicant for a building permit of a building necessitating potable water shall provide evidence of an adequate water supply for the intended use of the building. Evidence may be in the form of a water right permit from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form sufficient to verify the existence of an adequate water supply. An application for a water right shall not be sufficient proof of an adequate water supply.

(b) In a water resource inventory area with rules adopted by the department of ecology pursuant to RCW 90.94.020 or 90.94.030 and the following water resource inventory areas with instream flow rules adopted by the department of ecology under chapters 90.22 and 90.54 RCW that explicitly regulate permit-exempt groundwater withdrawals, evidence of an adequate water supply must be consistent with the specific applicable rule requirements: 5 (Stillaguamish); 17 (Quilcene-Snow); 18 (Elwha-Dungeness); 27 (Lewis); 28 (Salmon-Washougal); 32 (Walla Walla); 45 (Wenatchee); 46 (Entiat); 48 (Methow); and 57 (Middle Spokane).

RCW 58.17.110

Approval or disapproval of subdivision and dedication—Factors to be considered—Conditions for approval—Finding—Release from damages.

(4) If water supply is to be provided by a groundwater withdrawal exempt from permitting under RCW 90.44.050, the applicant's compliance with RCW 90.44.050 and with applicable rules adopted pursuant to chapters 90.22 and 90.54 RCW is sufficient in determining appropriate provisions for water supply for a subdivision, dedication, or short subdivision under this chapter.

The obligations of the County are specifically explicated in WAC 173-528-110 Reservation of Surface and Ground Water for Future Uses.

“Permit-exempt groundwater use

6(b) Water use from a permit-exempt groundwater well must be consistent with the allocation limits of this reservation and the Clark and Skamania County Code.”

The County obligations are further specified in RCW 9.82.130

“3(b) for counties, the obligations are binding on the counties and the counties shall adopt any necessary implementing ordinances and take other actions to fulfill their other obligations.”

Needless to say, the WECCSP was developed in compliance with the water reservation limits. Amending the WECCSP to allow further residential lots/wells beyond what was agreed to and planned for is not consistent with Skamania County’s obligations. Unchecked rezoning will lead to properties that, at full build-out, could have previously drilled a well, but would now not be able to, once the water reservation has been met - all to accommodate the subdivision of properties into smaller zones not planned for in the WECCSP.

Finally, this application would more than triple the number of potential wells on this 104 acres, which may affect and impair the headwaters of Canyon Creek.

This proposed Comp Plan amendment is not consistent with the overall intent of General Goal 4. Water.

General Goal 6. Fish

Protect waterways and aquatic life by maintaining or re-establishing natural habitat through careful and appropriate land and water use practices.

“Planning efforts by the Lower Columbia Fish Recovery Board and other entities (see General Goal 4 above for additional applicable information) are underway to restore several salmonid and other local fish species including various ESA listed and non-listed species. The West End subarea is included in these efforts. Habitat conditions influencing fish population health identified by the technical foundation for the LCFRB’s planning process include: passage barriers, stream flow, water quality, nutrient loads, habitat diversity, substrate and sediment, woody debris, channel stability, riparian function, and floodplain function.”

At the time the WECCSP was written in 2004, summer steelhead, chinook salmon, chum salmon, and steelhead were listed as “threatened” by National Marine Fisheries Service and coho salmon was listed as a candidate species (2002 Draft Washougal Subbasin Summary prepared for the Northwest Power Planning Council, page 40). In June of 2005, coho salmon were determined to be “threatened” and are now so listed.

In the *Lower Columbian Salmon and Steelhead Recovery and Subbasin Plan Vol.2, Chapter 15 for the Washougal River by the Lower Columbia Fish Recovery Board 2004 Draft* it was indicated that:

“Instream flow studies have been conducted on several stream segments to assess potential at approximately RM 3.5. Below optimal flows were identified for chinook and steelhead rearing beginning in July and lasting into October.” (*Lower Columbian Salmon and Steelhead Recovery and Subbasin Plan Vol. 2, Chapter 15, pages 15-26*)

“The Washougal River and its tributaries are the only stream systems within WRIA 28 that support runs of wild summer steelhead” (*2002 Draft Washougal Subbasin Summary prepared for the Northwest Power Planning Council, page 11*)

“Data from the NF Washougal revealed that flows didn’t reach optimal for juvenile rearing until October and were below optimal for salmon spawning in the fall. (*Lower Columbian Salmon and Steelhead Recovery and Subbasin Plan Vol. 2, Chapter 15, pages 15-26*)

“Coho habitat in the Washougal subbasin is impacted by impaired conditions related to sediment, habitat diversity, key habitat, temperature, and channel stability” (*Lower Columbian Salmon and Steelhead Recovery and Subbasin Plan Vol. 2, Chapter 15, page 39*)

“Known coho distribution extends through the mainstem Washougal River to Dougan Falls (RM 21.6), into the Little Washougal and North Fork Washougal, and into a number of smaller tributaries” (*2002 Draft Washougal Subbasin Summary prepared for the Northwest Power Planning Council, page 15*)

“Typically, coho begin entering the Washougal River in early September and continue through November” (*2002 Draft Washougal Subbasin Summary prepared for the Northwest Power Planning Council, page 15*)

Nearly every water year from 2005 through 2019, the average monthly flow (<https://fortress.wa.gov/ecy/eap/flows/station.asp?sta=28B080>) during June, July, August, September and October of the Washougal River has been significantly BELOW the minimum instream flows established by State Law WAC 173-528-060 (*Appendix page 45, Table 4.*).

During these fifteen years:

June – 10 out of 15 years average minimum flows were not met.

July – 14 out of 15 years average minimum flows were not met.

August – average minimum flows have NEVER been met.

September – 13 out of 14 years average minimum flows were not met.

October – 7 out of 14 years (for which info is available) average min. flows were not met.

Continuing to create additional potential residential lots with wells not included in the WECCSP is not sustainable (*due to its impact on threatened salmon and steelhead*), an example of responsible planning, nor is it legal.

The proposed WECCSP amendment is not consistent with the overall intent of General Goal 5. Fish.

WECCSP CHAPTER 3: LAND USE ELEMENT

A. General Policies

In addition to the specific policies governing each of the four land use types, the following general policies shall govern future development in all land use designations within the West End Community Subarea:

6. The comprehensive planning policies set out herein and all land use designations and land use regulations undertaken pursuant hereto should provide clear and objective standards to govern future development. Said policies, designations and regulations should not be varied or amended without proof of a substantial change in circumstances;

As was documented earlier, there has been no substantial change in circumstances, therefore the proposed WECCSP amendment is not warranted.

d. The proposed text and/or map amendment is consistent with RCW 36.70, those sections of RCW 36.70A to which Skamania County is required to plan under, and West End Comprehensive Subarea Plan policies;

Skamania County 2007 Comprehensive Plan
Environmental Goals and Policies

Goal E. 2: To enhance water quality; protect environmentally sensitive areas including wetlands, streams, rivers, lakes, riparian areas, and aquifer recharge areas; and manage floodplains.

As articulated under Goal 2 Water, this proposed WECCSP amendment and rezone is inconsistent with this goal.

Policy E. 2.2: Review the effects of development proposals on all fish species, which include anadromous fish and other species protected under the federal Endangered Species Act and require mitigation such as riparian habitat enhancement and water quality treatment.

As articulated in Goal 2 Water and Goal 3 Fish (WECCSP), increasing potential build-out beyond agreed WRIA limits will increase water temperatures by decreasing instream flows and further imperil threatened ESA- listed species of salmon and steelhead. This proposed WECCSP amendment and rezone is inconsistent with this goal.

e. Additionally, for an amendment to the West End Comprehensive Subarea Plan Map, the proposed designation must be contiguous along a shared boundary to the requested comprehensive subarea plan designation by at least 100 feet or 25% of the width of the property proposed to change, whichever is greater;

NO COMMENT

Comments for June 15, 2020 Hearing Examiner re: CMP-19-01 and REZ-19-01

f. Environmental impacts have been disclosed and measures imposed to avoid or, if not possible to avoid, then mitigate said impacts; and,

Cumulative impacts of continuing to add additional lots by expanding RL2-acre zoning must be considered, as required by WAC 197-11-330. The Hearing Examiner could recognize, now that a more complete picture of the West End situation is available, the potentially damaging impacts and danger of permitting further rezones beyond the quality WECCSP that was thoughtfully crafted, developed, and approved by the majority of the participating community and adopted into Skamania County Code.

WAC 197-11-330

“(3) In determining an impact’s significance (WAC 197-11-794), the responsible official shall take into account the following, that:

- (c) Several marginal impacts when considered together may result in a significant adverse impact;
- (e) A proposal may to a significant degree:
 - (ii) Adversely affect endangered or threatened species or their habitat;
 - (iii) Conflict with local, state, or federal laws or requirements for the protection of the environment; and
 - (iv) Establish a precedent for future actions with significant effects, involves unique and unknown risks to the environment, or may affect public health or safety.”

g. The applicant should examine potential ramifications of the proposed text and/or map amendment to other West End Comprehensive Subarea Plan Elements and official controls and show how the potential ramifications have been considered and addressed.

We have taken considerable time and energy to research and articulate the inconsistencies between the ill-advised Application and the WECCSP. We are deeply concerned by the precedent that would be established, if this were to be approved. Please recommend denial of this WECCSP amendment and rezone.

Respectfully submitted,

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Comments for June 15, 2020 Hearing Examiner re: CMP-19-01 and REZ-19-01

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Comments for June 15, 2020 Hearing Examiner re: CMP-19-01 and REZ-19-01

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<u>Steele Joy Ryan</u>	<u>321 Upland Rd 98671</u>
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Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

APPENDIX 1
HISTORY AND SELECTED ARTICLES

More than 250 individuals (*appendix pages 2 – 4, WECCSP pages 57-59*) actively participated in the initial three-year process, lending their expertise, concerns, and their wisdom to purposely craft a high quality plan and map designed specifically for this community and to preserve the rural character of the West End, its water resources and native wildlife. Over the course of 22 meetings (*appendix pages 5-9, WECCSP pages 1-5*), all were given ample opportunity to articulate their vision for a peaceful, enriched living environment.

Vision Statement

West Skamania County will continue to be a predominately rural environment with large open tracts of field and forest lands with residential and limited small scale commercial development. Water quality and quantity will be maintained or improved, and wildlife will continue to abound. It will be a place where its residents can find refuge from the bustle and clamor of the urban and suburban areas of Clark County, Washington and Portland, Oregon.

Mission Statement

To promote conservancy by ensuring abundant natural spaces, preserving peace and quiet, protecting and maintaining air and water quality, and sustaining native flora and fauna.

Since the community developed the WECCSP, there have been numerous attempts to undermine the reasonable restrictions provided in the WECCSP, specifically designed to prevent unbounded growth and inappropriate development. This has been a lengthy 19-year process, stretching from 2001 through present day. It has taken considerable commitment by community members to thwart these attempts. Elements of WECCSP and zoning have been litigated twice, ultimately resulting in affirming the original plan and appropriate zoning being adopted in 2007 and 2012 respectively (*appendix pages 10 -13, Development and Adoption of the West End SubArea Comprehensive Plan [WECCSP]*).

BOCC agreed to water reservations granted for the Washougal River by WRIA 27/28 and the Department of Ecology (*appendix pages 43 - 48*), based on the maximum build-out for the WECCSP area.

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

CHAPTER 6: APPENDICES

Appendix Item 1:

West End Community Meetings Attendance for Comprehensive Subarea Planning November 2001 through July 2004

The Skamania County Planning Staff would like to extend their thanks to the following people who attended the West End Community Meetings and volunteered their time and assistance in making the Subarea Plan possible:

A

Beverly Alford
Mike Adams
Orchard Agency
Tom Aspitarte
Linda Anderson
Victor Anderson

B

Kathy Barnes
Brad Barnes
Steven Baunach
Rick Balogh
Sherrill Balogh
Don Bryden
Gigi Bryden
Bob Brown
Jon Brobst
Gary Burnett
David Berry
Steven Berry
Ramona Bennett
Keith Brown
Bill Benson
Shirley Benson
Dean Burk
Gary Burnett
Kathy Burnett
Ken Brundidge
Carolyn Brundidge
Steve Bye

Laura Bye
Le Roy Burns
Robert Burns
Christina Brittain
Larry Baldwin
Helen Baldwin
Laura Barton
Colonel Barton
Craig Burnett
Mark Bowman
Madeleine Bowman
Dennis Brown
Priscilla Brown
Matt Bancroft
Peggy Bancroft
Debbie Buchanan
Josh Bard

C

Judy Craine
Patrick Corby
Silvia Calvo
Wilfred Compher
Kathy Chritz
Jeff Chritz
Kevin Cornell
Chris Cornell
Jerry Cates
Lyle Chaffee
Wilma Chaffee
Warren Chandler

Janett Chandler
Dave Czech
Rhonda Cartan
Fred Cartan
Kathy Clark
Peter Clark
Chris Clark

D

Pat Dolan
Darlene Dolan
Bert Dolan
John Dalan
Laurie Dalan
Wayne Dalan

E

Harvey Erickson
Larry M. Erickson
Eric Erickson
Victor Erickson
Brett Eakins
Kyle Eakins
Stephanie Eakins
Leo Erickson
Kim Erion
Jim Erion
John Ensley
Sharon Ensley
Craig Elliott

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

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Chris Fuller
Marcus Fuller
Leo Finck
Bill Fosburg
Therone Faris
Chris Frick
Laura Frick
Shannon Frame

G

Dennis Gogolski
Linda Gogolski
Vena Gaines
George Gaines
Jim Gassaway
Dale Grams
John Granholm
J. Michael Garvison

H

Michael Hart
Marian Hays
Marshall Hays
Stephanie Huntington
Ole Helland
June Hays
Don Hays
Mark Hastings
Jack Harper
William Harness
Marie Harness
Alan Harness
Mary Harness
Debbie Harrell
Jerry Harteloo
Bud Harris
Philip Hammill
Les Humes
Ron Huff
Lorraine Huff
Jim Hutchison
Gene Hamilton

Andrea Houts
Nancy Hammrich
Woodrow Hall
Jim Hoffman
Teri Hosman
Maurice Halleck

I

J

Rhonda Johnson
Robert Jackson
Jay Jones
Barbara Jones
Sally Tucker Jones
Shane Jundt
Melissa Jundt
Jon Jordens

K

Rudie Klopman
Muriel Klopman
Steven Klopman
Jon Kolstad
Kathy Kolstad
Joe Kear
Leouard Krutson
Beth Keeth
John Kadow
Pete Kettler
Nancy Kettler
Ken Klaas

L

Pam Lyon
Troy Lester
Dave Lester
Ted Lester
Todd Lester
John Leasure
Liz LaRue
Teresa Lundeen
Jeff Lagerquist

Anna Lehman
Gene Lehman
Jim Lawson
Sandi Lawson
Phil Long
Pam Long

M

Daryl Madden
Karen Mabry
Luther Mabry
Kaye Masco
Eric McCuan
Lou Morisette
Richard Morisette
Shelby Morisette
Fred Morgan
Harlan McIntosh
Flora McIntosh
Gary Morris
Orissa McGlothlin
Julie Moon
Sierra Moon

N

Cliff Nutting
Lori Nutting
Wil Niosi
Sharron Nelson
Karl Nense

O

P

Brian Pimm
Kathy Pimm
Rob Pabst
Richard Potter
Stephania Potter
Randy Pollard
Rick Pfeifer
Howard Pelky
Lynn Pelky

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

Linda Peters
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Todd Perman
Mitch Patton
Bruce Pfaender
Irene Pfaender
Dean Pfaender
Paul Pearce

Q

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Donnaræ Querry

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Mary Robbins
Teresa Robins
Jim Robson
Archie Rodgers
Anita Rodgers
Jay Richards
Norita Richards
Mike Rieinhart
Roxanne Renton

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Al Seaman
Jim Stein
Deb Stein
Kathy Sheehan
Bill Sowles
Izetta Sowles
Susan Stauffer
Leo Snyder
Donna Snyder
Mary Sauter
Richard Sauter
Lynnette Short
Bob Seafini

William Smith
Steven Schell
Thelma Speights
Henry Stephens
Robert Sutton
Nancy Sutton
JoAnne Skimas
John Skimas
Beverly Schwartz
Honna Sheffield

T

Bud Thorp
Gary Talboy
Elya Talboy
Gary Taylor
J. Taska
Georgia Taska

U

V

Allen Vraspir
John Vraspir
Bernette Vraspir
Rodger VanHoy
Jan VanHoy
Jeremy Vandaam

W

Dorothy Wear
Denver Wear
Dan Wear
Lawrence Whitmire
Jeff Wallua
Larry Whitney
Ed Wiemken
Jeff Wiemken
Kathy Walker
Josie Weltman
Tammy Weissenfluh
David Williams
Jeff Williams

Vera Winton
Darrel Wilhoit
Amy Weissfeld

X

Y

Z

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

HVC, 7, 07

This table is a summary of the twenty-two West End Community Meetings that were held from November 2001 through July 2004. The summary begins with the final meeting in 2004 and moves backward in time to the first meeting in 2001. The Planning Commission Draft of the West End Community Comprehensive Subarea Plan was created based on the West End Community Member's comments and concerns voiced during these meeting and by the comment letters that have been submitted throughout this process.

7/22/04	<p>Agenda: Discussion of remaining text issues; choose Comprehensive Subarea Plan Map after discussion</p> <p>Focus: Discuss the four remaining text issues and discuss the three alternative land use maps.</p> <p>The four remaining text issues that were not discussed at 6/24/04 meeting were discussed. Each item was discussed and a vote taken from those present. The text changes that resulted from the discussion and vote were added to the Planning Commission Draft after the meeting. There was discussion on the three land use map alternatives that were sent out in Draft Plan. After the discussion a vote was taken of those present to determine which map would be forwarded to the Planning Commission as the "Preferred Alternative". (Planning Commission received all three maps, but Alternative 3 was included with the Planning Commission's Draft as the "Preferred Alternative".)</p> <p>Signed in: 38; in attendance: 42</p>
6/24/04	<p>Agenda: Discussion on schedule, process and comments received</p> <p>Focus: Discussion of written and oral comments received on the Draft Plan.</p> <p>Copies of all comment letters received in time were mailed, later comment letters were available at the meeting. A handout with nine text issues to be decided upon were passed out. Items 1 through 6 were discussed and voted on. The text of the Draft Subarea Plan was discussed and modified by the group.</p> <p>Signed in: 20</p>
5/27/04	<p>Agenda: Comprehensive Subarea Plan text discussion</p> <p>Focus: Oral and written comments on draft text</p> <p>Surface mining and Conditional Use permits; lot sizes, zoning and quality of rural lifestyle. The text of the Draft Subarea Plan was discussed and modified by the group.</p> <p>Signed in: 35; in attendance: 43</p>
4/22/04	<p>Agenda: Land Use Element and Transportation goals</p> <p>Focus: Land use and transportation</p> <p>Presentation by Department of Public Works regarding current projects, road classifications, and the Six-Year Road Plan. Discussion on transportation and recreation issues in the West End. The transportation chapter, maps, and tables were discussed throughout the presentation and accepted by the group.</p> <p>Signed in: 18</p>
3/25/04	<p>Agenda: Lower Columbia Fish Recovery Board</p> <p>Focus: Draft Watershed Plan for WRIA 27/28</p> <p>Phil Trask, Lower Columbia Fish Recovery Board, gave a presentation on the Watershed Plan for the West End of Skamania County (WRIA 27/28).</p>

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

	Signed in: 35
2/26/04	<p>Agenda: Comprehensive Subarea Plan discussion; Introduction of Plan; Goals & Policies</p> <p>Focus: Begin discussion of sections of the Plan by looking at the Introduction and the general goals and policies. Text changes were recommended by the group and the draft text of the goals and policies were modified.</p> <p>Discussed Geologically Unstable Areas, Forestry Goal, Aquifer Recharge areas, Evacuation. The goals discussed were accepted by the group.</p>
	Signed in: 36
1/22/04	<p>Agenda: Subarea Plan outline; Goals & Policies</p> <p>Focus: text of the Subarea Plan, what it will include, and how does it fit with the existing County Comprehensive Plan</p> <p>Look at all of the goals from the 1977, 1996 and current plan. Tax base of residential use versus commercial or industrial use. Change or no change of the current comprehensive plan and zoning? The group reviewed the existing county wide goals, the existing Carson area goals and the accepted subarea general goals. The group then discussed how the existing goals fit with the accepted subarea goals.</p>
	Signed in: 36; in attendance: 40
10/21/03	<p>Agenda: Comprehensive Plan Mapping discussion</p> <p>Focus: mapping discussion and work on the Comprehensive Plan Land Use Map</p> <p>Divided into groups and began working on the detailed comprehensive plan maps.</p>
	Signed in: 32; in attendance: 40
9/25/03	<p>Agenda: Comprehensive Plan discussion; Brainstorming, discussion, and developing the vision (comprehensive plan designations)</p> <p>Focus: final review of the proposed uses in all Comprehensive Plan Land Use Designations; mapping discussion</p> <p>Discussed the uses in the Land Use Designations and the group recommended modifications to several items in each land use designation. The group reviewed all of the land use designations and made some changes to uses listed in them.</p>
	Signed in: 24
8/28/03	<p>Agenda: Comprehensive Plan discussion; Brainstorming, discussion and developing the vision (comprehensive plat designations)</p> <p>Focus: brainstorm uses for Forest Land of Long-Term Commercial Significance 40 (name changed to Commercial Resource Lands 40), and Neighborhood Commercial. The group finished brainstorming uses for Commercial Resource Lands 40 and Neighborhood Commercial. There was some discussion of where the Neighborhood Commercial should locate – the area around the store and “five corners” were mentioned but the group did not agree where to locate this designation.</p> <p>Handouts: Comp Plan Conservancy designation information; NSA Forest Zone pages; examples of Skagit County forest zones, Commercial zone information from Carson (Skamania County) and Benton County; ‘Proposed Comprehensive Plan Designations: Rural Lands (RL2, RL5, and RL10), Forest Lands (FL20), Commercial Resource Lands (CRL 40), Neighborhood Commercial (NC), and a list</p>

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

	called "Other items discussed" (text issues from the previous meeting)
	Signed in: 19; in attendance: 21
7/24/03	Agenda: Comprehensive Plan & map discussion; Brainstorming the vision; discussion of the vision; developing the vision
	Focus: brainstorm uses for the rural lands areas. The group finished brainstorming uses for the Rural Lands 5, Rural Lands 10, and Forest Lands 20 designations.
	Signed in: 30
5/22/03	Agenda: Comprehensive Plan & map discussion; Brainstorming the vision; discussion of the vision; developing the vision
	Focus: Discussion on the comprehensive plan maps and how they effect the zoning designations in the future. The group finished brainstorming uses for the Rural Lands 2 designation.
	Handouts: Current zoning text and current (1977) comprehensive plan designations, proposed designations and the proposed purpose of the new designations
	Signed in: 15
4/24/03	Agenda: Brainstorming the vision, discussion of the vision, developing the vision
	Focus: continue brain storming the vision of the West End. The group agreed they could "live with" the existing zoning designations as the comprehensive plan designations with some minor changes ("tweaking").
	Handouts: West End Community Sub-group page; Office of Financial Management (OFM) growth projections through 2025; County Revenue and Expenditures – Census Year (CY) 2000, and State collected revenue; Assessor Ownership Percentages (1999)
	Signed in: 28
3/27/03	Agenda: Brainstorming the vision: What is "no change"?, Density Study of current regulations; Discussion of the Vision and Mission Statements
	Focus: continue brainstorming the vision of the West End. The group discussed of "no change" and "rural" to clarify the mission and vision statements.
	Handouts: Summary table of the density study under the current regulations, proposed timeline and work plan for the West End project
	Signed in: 43
	Comments: • 5 acre perfect lot size • Don't take away the option to divide land • 5 acres is a lot of land to take care of • 2.5 acres is a good lot size • The area around the store should be left as 2 acre • People will see the community change as it develops based on the current zoning regulations • No changes to the current zoning designations equals "big" changes over time • No more residences, changes to neighborhoods • Bottom line – keep in mind everyone's individual property rights • Why are we doing this? The Planning Department was directed by the County Commissioners, who were in turn asked by citizens and planning commission members to review what is happening and make changes if necessary. There have been many rezones and a few comprehensive plan changes in the last 10 years. • Maintain the rural quality of life. Not degrade infrastructure and water quality with too fast of changes • Maintain quality of life as it is now • Lots (parcels) of 5, 10, and 20 acre size are less affordable for young families • Leave the zoning as is, young families can afford 2-5 acre lots to raise families on • 10 acre parcels are not

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

	<p>easy to sell • Roads need improvements. Speeding – police support • People have been told there are no improvement schedules for the Washougal River Road. If the population grows, there could be a problem • Maybe could require a certain number of trees, open areas, etc. to be maintained to preserve the rural character</p> <p>• West End is a suburb of Clark County and Portland – concern about maintaining a difference between Skamania County and East Clark County • People on large and small lots want to control growth • Currently there are 1,174 lots, potentially there could be 2,000+/- • As population growth occurs, there are concerns about safety, volunteer fire and ambulance services • No change – need to maintain potential growth, police, etc. • If you stagnate you die • On 5-10 acre parcels, as the current owners age they have trouble paying the raising property taxes • More homes doesn't mean lots more funds through taxes • The tax base doesn't stretch, why can't we make it stretch like other counties? (That is the focus of Skamania Forward) • "No growth" versus "orderly growth". Not advocating stopping growth, but orderly planned growth with equality for the majority • Intelligent, educated growth</p>
2/27/03	<p>Agenda: Brainstorming the visions; discussion of the vision</p> <p>Focus: First half of meeting was Board of County Commissioner Public Hearing on Amendments to the existing zoning code. Second half of meeting was a continuation of the brainstorming of the Vision and Mission Statements and general goals to be included in the comprehensive plan. The group accepted the Vision Statement, Mission Statement and General Goals for the West End Subarea.</p> <p>Handouts: Vision and Mission statements created by group of west end people</p> <p>Signed in: 50</p>
12/12/02	<p>Agenda: LeRoy Burns' Yacolt Burn presentation; Q&A</p> <p>Focus: Yacolt Burn presentation, discussion on fire prevention and evacuation.</p> <p>Signed in: 21</p>
10/24/02	<p>Agenda: Vision maps; brainstorming the vision; discussion of the vision</p> <p>Focus: Vision maps; "What does the word 'Rural' mean to you?"; developing the vision of the West End</p> <p>Comments: • Rural means farm, forest, conservation and recreation lands. Natural resources dominate and man-made structures are few and far between. • Resource land means forest, farm and potential sites for mining, with the opportunity for homes on the property. • Rural- where people value the quality of "being" over the conditioned belief in "doing" and "having". • What Rural means: no dense subdivisions, life at a slower pace, one contends with wildlife and farm animals, more quiet, more simple life-style. • No small lots. Everyone on 5 acre lots. • Rural: means different things to different people. In the beginning 'moving west', rural was 160 acre farms under the Homestead Act. Progressively small in size due to population growth and pure economics. • Rural: at least 5 acres, livestock, well water, septic tanks, private roads, wildlife, no garbage pick up, no traffic noise. • Rural means 5+ acres, no commercial uses period, i.e., geothermal facilities, surface mining, mobile home parks, etc. • What rural means to me is a sense of community. When something goes wrong all the neighbors come to help. To see what they can do for each other. Able to see the stars, all the stars. • Rural – Farm - Not dense property.</p> <p>Signed in: 35</p>

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

9/26/02	<p>Agenda: Explanation of mapping process; Q&A time for agency representatives; hand out maps; start mapping your vision</p> <p>Focus: changes to comp plan and zoning maps; designations for unzoned areas; Q&A time with agencies</p> <p>Comments: • It was suggested that the beginning Q&A session be skipped because it seems to bog down on side issues and be dominated by a few individuals. • 1) Traffic is no problem in comparison to other counties. 2) Many areas warrant higher density. 3) We need a better tax base, and much of the West End (especially Mt. Pleasant area) have land wasted – non ag. or low ag. production, and the same for timber. Therefore, higher density would benefit all. Why do we have 40 and 80 acre zones in the General Management Area of the National Scenic Area that would have no negative effect to the gorge if it changed.</p> <p>Signed in: 40</p>
6/13/02	<p>Agenda: Explanation of mapping & breaking into groups; start mapping the vision; spokesperson from each group explain their map to full group</p> <p>Focus: Mapping to better understand what the community should look like in the future</p> <p>Comments: Pertaining to T2N, R5E, Section 20: entire section should be zoned R10 with consideration given to R5 in certain areas.</p> <p>Signed in: 27</p>
4/25/02	<p>Agenda: Recap previous meetings; continue introduction of planning terms and concepts.</p> <p>Focus: continuation of planning terms and concepts</p> <p>Handouts: list of subdivisions and short plats since 1990; January meeting packet information with list of rezones approved since 1990 and pending rezones; Board of County Commissioner's public hearing notice for moratorium meeting</p> <p>Signed in: 35</p>
1/24/02	<p>Agenda: Discuss 11-15-01 meeting comments; Introduction of planning terms and concepts; discuss moratorium on rezones</p> <p>Handouts: West End 11-15-01 meeting comments for each group and on 3x5 cards; Zone classification summary chart; West End Study Area map</p> <p>Signed in: 109</p>
11/15/01	<p>Agenda: Information gathering meeting only. This meeting was the kick-off meeting to start the Comprehensive Planning and Zoning Process.</p> <p>Focus: To share thoughts, ideas and visions of the West End</p> <p>Signed in: 111</p>

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History of the Development of the West End Community Comprehensive SubArea Plan (WECCSP)

DEVELOPMENT AND ADOPTION OF WEST END SUBAREA COMPREHENSIVE PLAN

- November 2001 – West End SubArea Comprehensive Plan (WESACP) meetings begin with community participation.
- July 2004 – community meetings were completed, with over 250 community members devoting 1000's of hours and expertise in developing a quality comprehensive plan.
- The Lower Columbia Fish Recovery Board, during this general time period, was concurrently conducting an assessment of the WRIA 28 (Water Resource Inventory Assessment) for the Washougal River. The instream flow depletion reserve, after mitigation of .74 cfs on the Washougal River, of which **.64 cfs was specified for single family residences, imposed a limiting factor on the number of additional new wells for single-family dwellings in the Washougal watershed for Skamania County which would equate to 1,725.** This is documented in WRIA's Implementation Plan, *Department of Ecology, State of Washington publication no. 08-11-056 (B. 9 & 10) Chapter 173-528 WAC, December 10, 2008. (Skamania County Board of County Commissioners {BOCC} unsuccessfully lobbied for a reserve of 1.15 cfs, which would have allowed for an 80% increase in the number of additional residences – allowing 3,109, as opposed to the 1,725 which exceeds the 1,893 listed in the approved comp plan.)*

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

- Planning Commission held several workshops to refine the comprehensive plan maps and language. This was done with recognition of the WRIA 28 Instream flow limitation assessment.

- September 7, 2004 – public hearing with Planning Commission.

Two possible comprehensive plan maps were presented for public comment, both limiting the number of potential single-family residences. Map 3 would have increased minimum lot size of 500 properties by changing current zoning from 2 acres to 5 acres. These properties would then have been NO longer eligible for subdivision to divide at some future date. **Map 2 was preferred in a vote by the community and confirmed by the planning commission (with some modifications to create more regular zone boundaries).**

- November 2004 – BOCC holds public hearing based on Planning Commission recommendation. **After closing the public comment period**, BOCC modified Map 2 to include a large commercial zone at 5 corners.

- December 2004 – Lawsuit filed (due to lack of public hearing on the commercial zoning). Eleven residents filed an appeal to the illegally inserted commercial rezone.

- January to June 27, 2005 – Lawsuit progressed. When obviously going to lose, BOCC withdrew their resolution, thus repealing the West End Comprehensive SubArea plan.

- December 2005 – BOCC forwarded a much revised and weakened West End Comprehensive SubArea Plan with 32

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

acres of commercial zoning at 5 corners to the Planning Commission.

- February 2006 – Planning Commission rejects the revised BOCC WESAC plan. They recommended the BOCC readopt the **original WESAC plan with the original map (map 2)**.
- November 2006 – BOCC conducted a public hearing and agreed to adopt the original community plan and a modified map 2 to include a small extension of “Neighborhood Commercial” along the Washougal River Road.
- December 2006 – BOCC, again with **no disclosure to the public**, rather than simply a “Neighborhood Commercial” area, added a “Community Commercial” designation.
- February 2007 – BOCC adopted West End Subarea Comprehensive plan, based upon the modified Map 2 to create more regular zoned boundaries and accommodate the full build out of 1,893 new residences, which exceeds the 1,725 allowed by WRIA 28.
- May 2008 – BOCC presented 149 pages of Title 21 zoning text to the Planning Commission, which detailed numerous changes highly inconsistent with the original community developed WESAC plan.
- June, July & August 2008 – Planning Commission conducted public hearings on the zoning text changes. Community members overwhelmingly expressed opposition, with 110 oral testimonies and 362 written comments.

After losing an appeal filed by Friends of the Columbia Gorge and Save Our Scenic Area, the BOCC dropped the proposed zoning text amendments and in **May of 2012**, after

Appendices to Brown et al Comment Letter

for CMP-19-01 and REZ-19-01

a public hearing, adopted the original WESAC plan and zoning map. **This was based upon the original Map 2** with some modifications to create more regular boundaries (and accommodate the full build out of 1,893 new residences, exceeding the 1,725 allowed by WRIA 28), and a small extension of Neighborhood Commercial.

**A few selected articles documenting the West End Subarea
Comprehensive Plan history ...**

West end plan goes to Sept. 7 public hearing

One of the remaining hurdles for changes to the west end comprehensive plan is a Sept. 7 hearing before the Skamania County Planning Commission.

Area residents are invited to participate in Tuesday's two-hour public hearing at Canyon Creek Middle School, which begins at 7 p.m.

There will be a time limit for comment, based on the number of people wishing to testify. If too many are interested in providing their testimony, the meeting may be continued on Sept. 21.

Once comment is heard, the Planning Commission will close the testimony and deliberate to come up with a recommendation to the County Commissioners.

Planning staff will take the comment to the commissioners for a workshop, and provide their input. At least one more public hearing will be held before the zoning comes to a vote of the Skamania County Commissioners, said Skamania County Planning Director Karen Witherspoon.

Sixty-seven west end prop-

erty owners — of 500 properties mapped — will have the minimum lot size of their properties increased, if Map Three is adopted, said Witherspoon.

For some landowners, that means property they may have intended to divide at some future date may no longer be eligible for subdivision.

A moratorium to apply for individual rezones has been extended for six months, from Aug. 23 to Feb. 23, 2005.

If a changed comprehensive plan is adopted before the end of December, there will be an ordinance that repeals the moratorium, Witherspoon said.

The map that is approved could be a combination of Maps Two and Three, she added. Map One is the existing zoning.

Some of the 50 west end residents who signed a petition against the proposed zoning plan had not attended earlier planning meetings.

"A lot of people who signed called or came in," said Witherspoon. "It was scary if they were not aware of the process."

Continued on page 6

Planning...

Continued from page 1

Some have since become more familiar with the zoning changes and are more comfortable with them, she said.

Comment letters will be accepted until Sept. 7, and will also be taken at the meeting. If you are bringing previously unsubmitted comments to the

meeting, bring 10 copies.

For more information, call 509-427-9458. Send your comments to the Department of Planning and Community Development, P.O. 790, Stevenson WA 98648.

"Let the Planning Commission know what you want," said Witherspoon.

The Columbian

Clark County and the region

Section C

THURSDAY, JANUARY 6, 2005

Skamania residents fight rezoning

Decision affects rural character of county's west end, opponents say

By KATHIE DURBIN
Columbian staff writer

Eleven Skamania County residents have appealed the county commission's abrupt decision in November to rezone 94 acres in the county's west end from residential to commercial use without notifying the public or allowing public comment on the change.

A preliminary hearing on the appeal is scheduled for Jan. 13 in Skamania County Superior Court.

About 70 of the rezoned acres are owned jointly by four members of the Angelo family of Vancouver. The Angelos and other affected landowners are named as respondents in the appeal. But the Angelos' attorney, Tim McMahan, said the four Angelos hold the property separately from the Al Angelo Construction Co., a family-owned Vancouver development company.

"The properties are not owned by the Angelo Co.," McMahan said. "And the family did not request this neighbor-

hood commercial zoning."

County officials refuse to comment

County commissioners and planning officials have refused comment on the Nov. 22 rezoning decision, which came at the end of a three-year public involvement process. Thirty meetings were held to involve citizens in the development of the county's West End Community Comprehensive Subarea Plan.

Prosecuting Attorney Peter Banks has instructed county commissioners, Planning Director Karen Witherspoon and her staff to refer all questions about

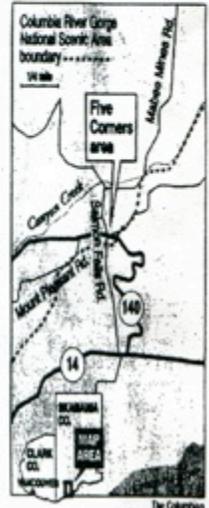
the rezoning to him.

"I am not discussing anything that happened in the west end," Witherspoon said. "We have an existing lawsuit. The prosecutor has asked that all questions be referred to him."

"Nobody can talk to you about that," said a clerk in the county commissioners' office, who also refused to provide a copy of the appeal.

Banks did not return a call seeking comment, nor did he comply with a written public-disclosure request submitted by The Columbian on Dec. 21 for docu-

PROPERTY, back page



C8 THE COLUMBIAN

LOCAL & NORTHWEST

THURSDAY, JANUARY 6, 2005

Property:

From page C1

ments related to the decision. In a Dec. 22 letter, he said he had no documents regarding the Five Corners rezoning. "As I am not the custodian for records of any county office except my own, I cannot respond for other departments or elected officials as requested in your letter," he wrote.

No chance to be heard

West end residents appealed the decision Dec. 13. They contend that county commissioners violated the residents' right to be heard on a decision that could change the character of the area. "They had been involved in a very long process for a number of years, and all of a sudden at the very last minute there was this decision to rezone," said Randall Krog, the Carson attorney hired by the residents.

Two commissioners who voted for the rezoning, L.W. "Bud"

Quinn and Bob Talent, did not run for re-election and left office Jan. 1. Quinn represented the west end and owns property near Five Corners.

According to county records, most of the rezoned land belongs to Albert Angelo, Ted Angelo, Lewis Angelo and M. Angelo-Bailey, all of Vancouver. Other landowners affected by the rezoning are Ronald and Hazel Reuse and Dale and Kenneth Bajema, who have Washougal addresses.

The rezoned area, known locally as Five Corners, is less than a mile north of state Highway 14 at the intersection of Salmon Falls Road and Washougal River Road. The land, which lies just outside the Columbia River Gorge National Scenic Area boundary, is zoned rural residential. Most of it is in pasture.

McMahan, the Angelo family's attorney, spoke briefly at a Nov. 15 public hearing on the west end plan, saying the family would like to continue to have the opportunity to use the property. It was the last hearing on

the plan and the only one held before the full county commission. At that point, Five Corners still retained its rural residential zoning in the plan, with a two-acre minimum lot size.

In an interview, McMahan said the elder Angelos were going through estate planning and wanted to make sure their property "was not significantly downsized." He said Witherspoon had advised him in advance that the commissioners were interested in commercial zoning for the property. "We said that if the county wanted to do neighborhood commercial, we had no objections," he said.

Between the Nov. 15 hearing and the commissioners' Nov. 22 meeting, Witherspoon drew a new map overlay showing the rezoning of the Five Corners area from rural residential to neighborhood commercial. She presented the overlay to county commissioners Nov. 22 with little discussion, said Teresa Robbins, a west end resident who attended the meeting. "The public was not allowed to speak," she added.

The intent of neighborhood commercial zoning is to allow small businesses that serve neighborhoods, such as groceries, laundries, beauty shops and hardware stores. The new zoning would allow construction of a two-story building with a footprint of 5,000 square feet on each two-acre parcel.

"Obviously the value of the property if it's zoned commercial is greater," attorney Krog said.

Maintaining rural character

The west end plan envisions "a predominantly rural environment with large open tracts of field and forest land with residential and limited small-scale commercial development," according to its vision statement. Though only 1,868 people and 715 houses are scattered over the 67,000 acres covered by the plan, the population is growing at a rate of nearly 4 percent per year.

A moratorium on rezoning of property in the west end had been in effect since May 2002

pending completion of the new plan. At the Nov. 22 meeting, county commissioners lifted the moratorium.

Jim Hutchison, one of the appellants, said participants in the lengthy planning process agreed early on that the Washougal River Mercantile on Washougal River Road, about three miles west of Five Corners, was adequate to serve the community's need for commercial services for the foreseeable future. Besides groceries and gas pumps, the Mercantile offers video rentals, a feed store, a gunsmith and a deli.

Hutchison said rezoning the Five Corners area for commercial use was brought up early, but citizens rejected the idea. "Everyone said, 'We don't really need it.'" He said he went to the courthouse after the Nov. 22 meeting and read every written comment submitted on the west end plan. "There was no record of anyone even talking about Five Corners."

Neighbors decided to appeal the rezoning after county commissioners refused to answer

questions about the decision at their Dec. 6 meeting. At that meeting, they submitted a letter written by west end resident Keith Brown asking commissioners to set aside the Five Corners rezoning and hold a public hearing so people could have an opportunity to comment.

The commissioners refused, Brown said.

Robbins said the county's refusal to reopen the process to allow public comment is a waste of county resources as well as private funds. "It's forced a group of concerned residents to have to spend their own funds on a legal action," she said.

"Government needs to be open and transparent," said Brown, an unsuccessful candidate for Quinn's commission seat last year. "This is an example of government not being open and transparent, not being responsive."

KATHIE DURBIN covers Skamania County for The Columbian. She can be reached at 360-759-8034 or kathie.durbin@columbian.com.

The Columbian

Clark County

*and
the
region*

SUNDAY, JUNE 19, 2005

Skamania County ready to drop land-use plan; plaintiffs protest

By KATHIE DURBIN
Columbian staff writer

In November, Skamania County commissioners made an eleventh-hour change to a land-use plan with no public notice. Now they're ready to shelve the entire plan to make the resulting legal challenge go away.

The commission has scheduled a public hearing for June 27 at 11 a.m. on its proposal to repeal the West End Community Comprehensive Subarea Plan, a document that consumed three years and thousands of hours of public involvement.

June 27 is also the deadline for Skamania County Prosecuting Attorney Peter Banks to submit a brief to Skamania County Superior Court outlining

the county's defense of its actions last year.

Al McKee, the only county commissioner still serving who took part in last year's vote, said scuttling the plan might be the most efficient way to resolve the issue. "We're considering it because we might not win (in court) and we don't want to go to the expense of paying for an appeal," he said. "We don't think that is a good use of taxpayer money."

In November, the commission voted to rezone 94 acres in the county's west end from residential to commercial use. Opponents said the commissioners approved the change al-

LAND USE, page C10

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

TUESDAY, JUNE 21, 2005

■ "Must a man always talk like other people or keep quiet? Do you remember our long conversations? We said that not the slightest truth could show its head without arousing anger and jeers."

— EMILE ZOLA, FRENCH NOVELIST, 1866
(From the Freedom Forum's First Amendment Calendar)

OPINION

SECRECY IN SKAMANIA

Citizen group gets short shrift

Call it "Five Corners Confidential." Make a grainy, black-and-white grade B movie out of it — a low-budget version of the great Jack Nicholson flick "Chinatown" about local government doing its mysterious business out of the public's view.

That's the impression the Skamania County Commissioners and various county functionaries have created in their proposal to change zoning from residential to neighborhood commercial in west county's Five Corners area.

Now, as this cheesy movie continues, the commissioners are trying to avoid embarrassment. The county went against the recommendation of a group of citizens who, at the invitation of county planners in 2001, began working on a west-county land-use plan. By the time it was over, they had held 30 meetings and spent thousands of hours on the public process.

Elected commissioners have every right, and the responsibility, to make the best final decision, even if it goes against recommendations of well-meaning, hard-working citizen advisers. But to do it in the dark-of-night fashion employed by the commission last fall, without meeting public-notification

requirements, is an insult both to the advisory group and the public.

Eleven Skamania county residents are so incensed about the procedure that they have challenged it in court, at a cost to themselves so far of about \$15,000 in attorney fees and records-copying charges. Prosecutor Peter Banks thinks the county would lose the case. Consequently, commissioners now plan to repeal the entire west-end plan and will consider that course of action at an 11 a.m. meeting June 27.

Teresa Robbins and other plaintiffs say the commissioners want to avoid an embarrassing court case by scrapping the whole plan. "They have broken the law on a number of levels and don't want the (adverse) court ruling," she said. "This way they won't have to face the consequences."

Banks says it likely will be 2007 before commissioners would revisit west-end land use.

"Chinatown," the movie, ends with Nicholson being counseled by a friend that ultimately he can only make so much progress at cleaning up civic secrets and then no more because, after all, it is Chinatown. Maybe that's the reputation Skamania County government is painting for itself.

Members of The Columbian's editorial board are Scott Campbell, Lou Brancaccio, John Laird, Tom Koenninger, Douglas E. Ness and editorial writers Elizabeth Hovde and Gregg Herrington. Editorials in the column above represent the views of the board. Letters, articles, cartoons and other elements on the Opinions, Other Opinions and View pages do not necessarily reflect the editorial position of the newspaper.

The Columbian

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Old west end plan sent to County Commission

The Skamania County Planning Commission has bounced the ball back into the Skamania County Board of Commissioners' court — or not.

In a vote following testimony from irate west end community members at two meetings held Feb. 7 and 21, the Planning Commission recommended that the county commissioners take another look at and adopt the former west end subarea plan.

That plan was developed through a series of community meetings over a three-year period. After public input ended, two previous commissioners and Commissioner Al McKee approved zoning 75 acres in the Five Corners area as "neighborhood commercial."

As a result, an appeal was filed that ended up in Clark County Superior Court. The current Board of Commissioners then threw out the west end plan and began to develop another one, on the advice of Prosecutor Peter Banks.

A pared-down plan was submitted, reducing the Five

Corners zoning to 32 acres, and removing other sections of the original.

Deleted sections included goals to protect water, wildlife, fish, community services and transportation, as well as an entire chapter and a portion of a chapter on natural resources and legislative policies.

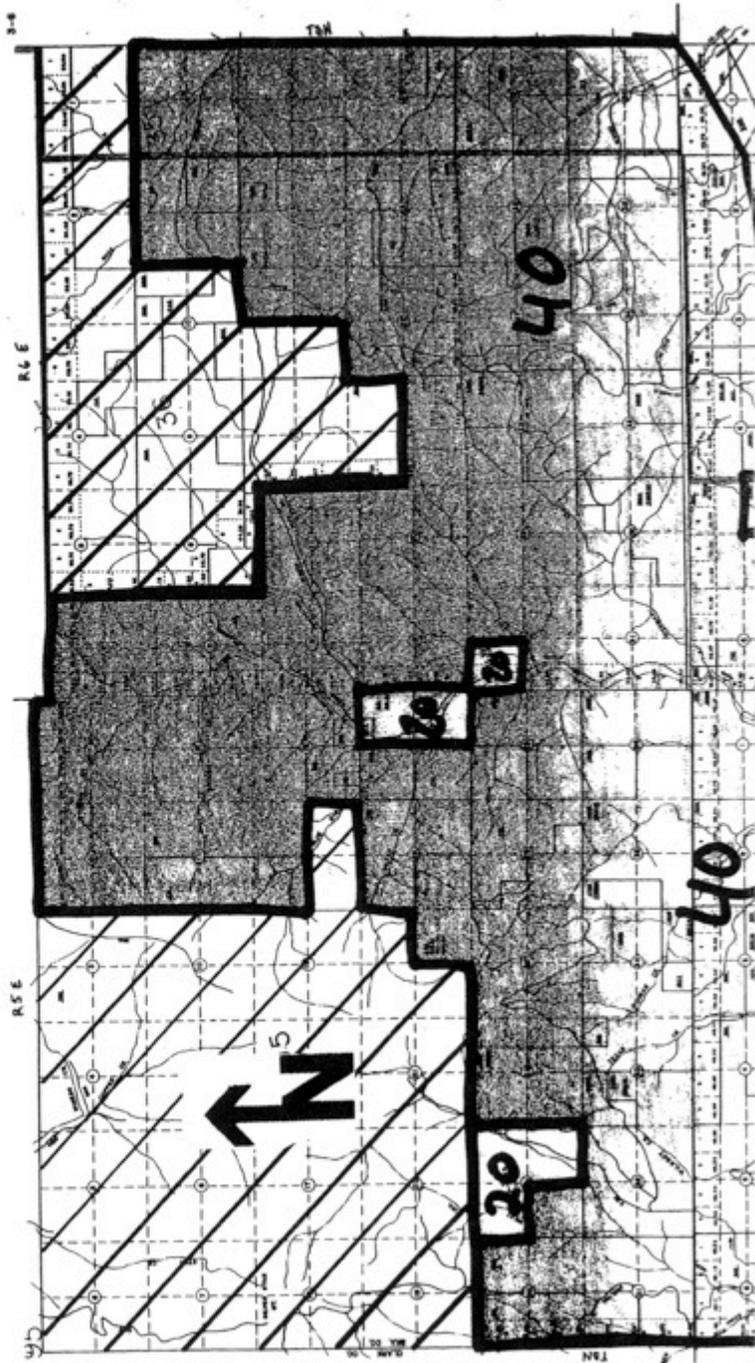
At the Feb. 7 hearing, Planning Commission member Steve Chambers asked for copies of the 2004 plan, saying he would like to "go back through the process and review everything" before deliberating Feb. 21.

Member Hal Bagnall said he would also like to look at the original maps and public input.

At the conclusion Feb. 21, the Planning Commission voted to ask the Board of Commissioners to reconsider the neighborhood commercial zoning at Five Corners and to consider adopting the 2004 plan.

Although the Board of Commissioners will be holding a hearing to consider the recommendation, no date had been set as of Monday, March 6.

**FIGURE 3-1: COMPREHENSIVE SUBAREA PLAN MAP
(Alternative 2 – Six Minor Adjustments and the
addition of Commercial Resource Lands)**



Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

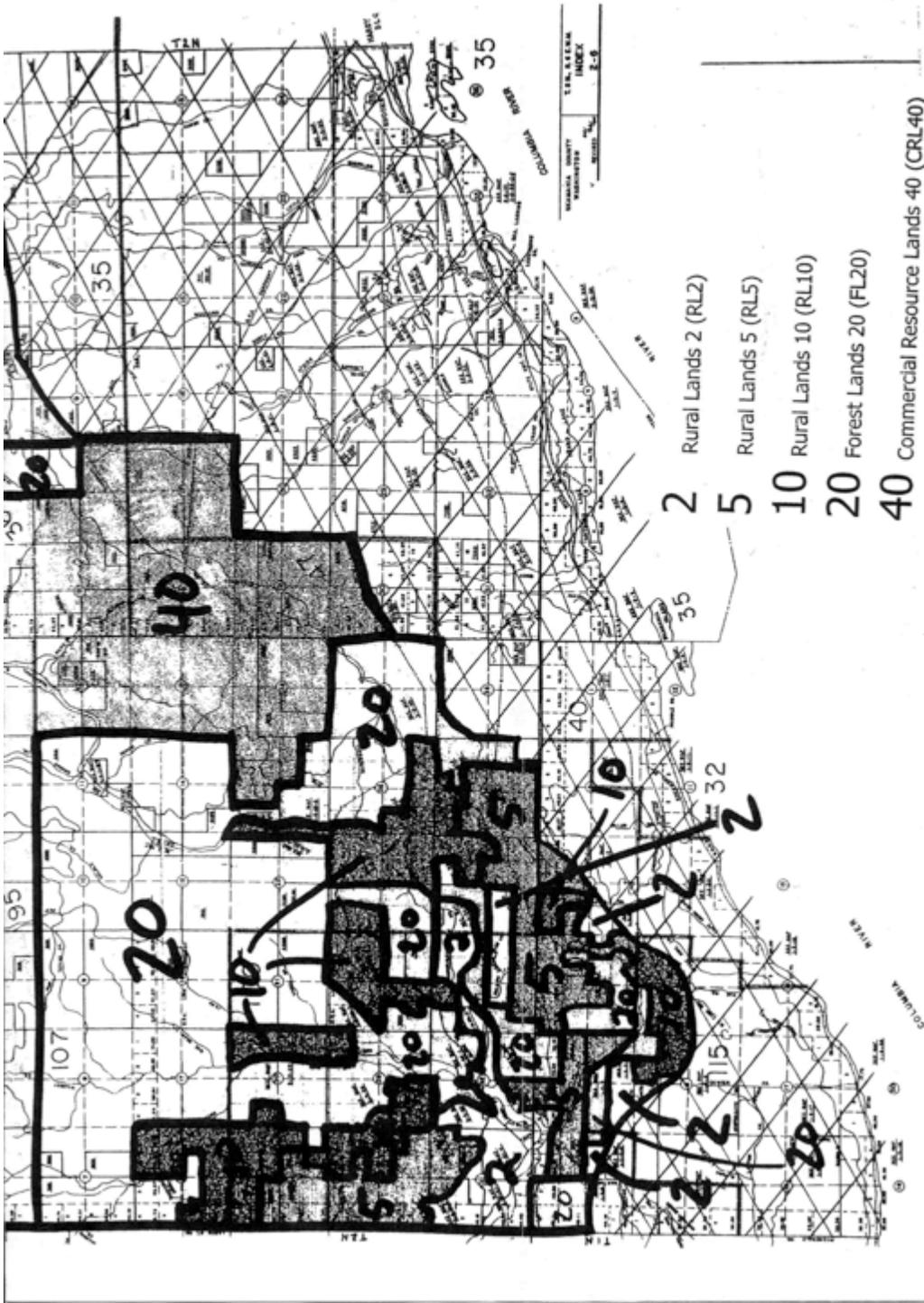
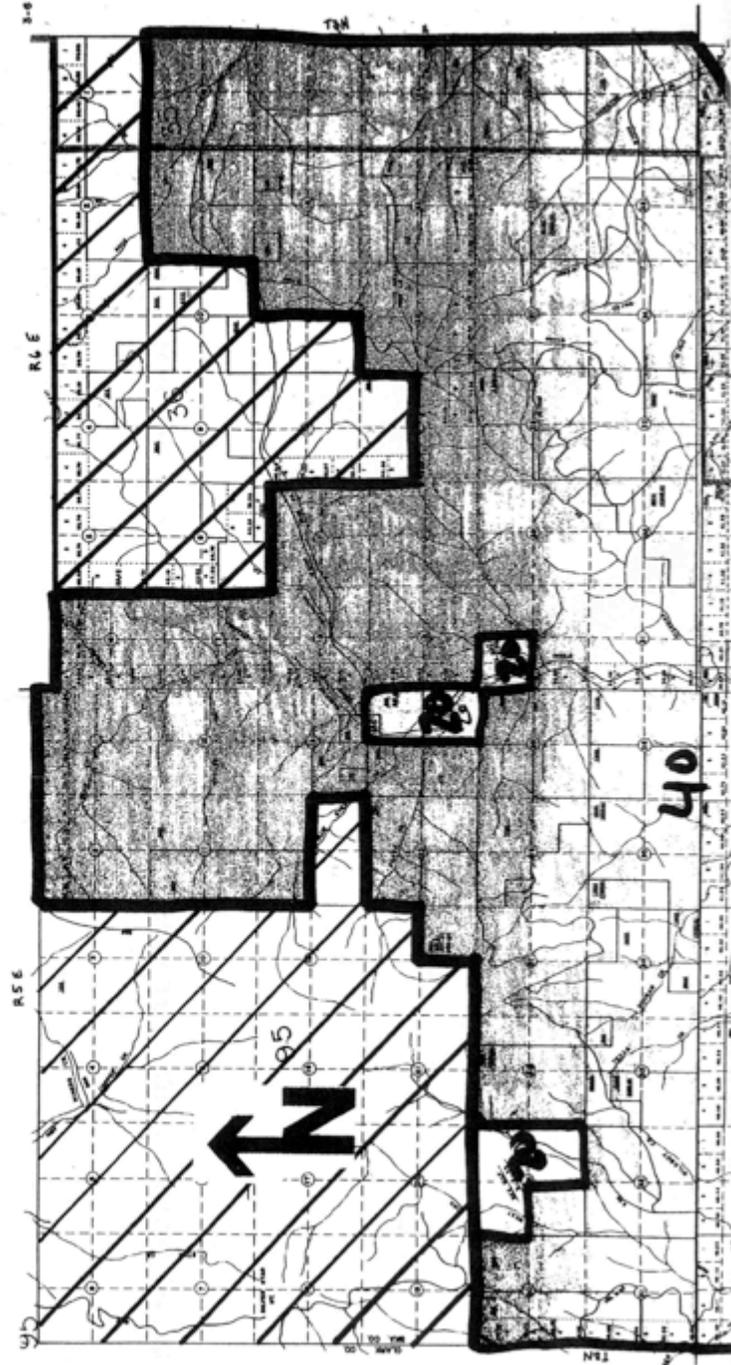
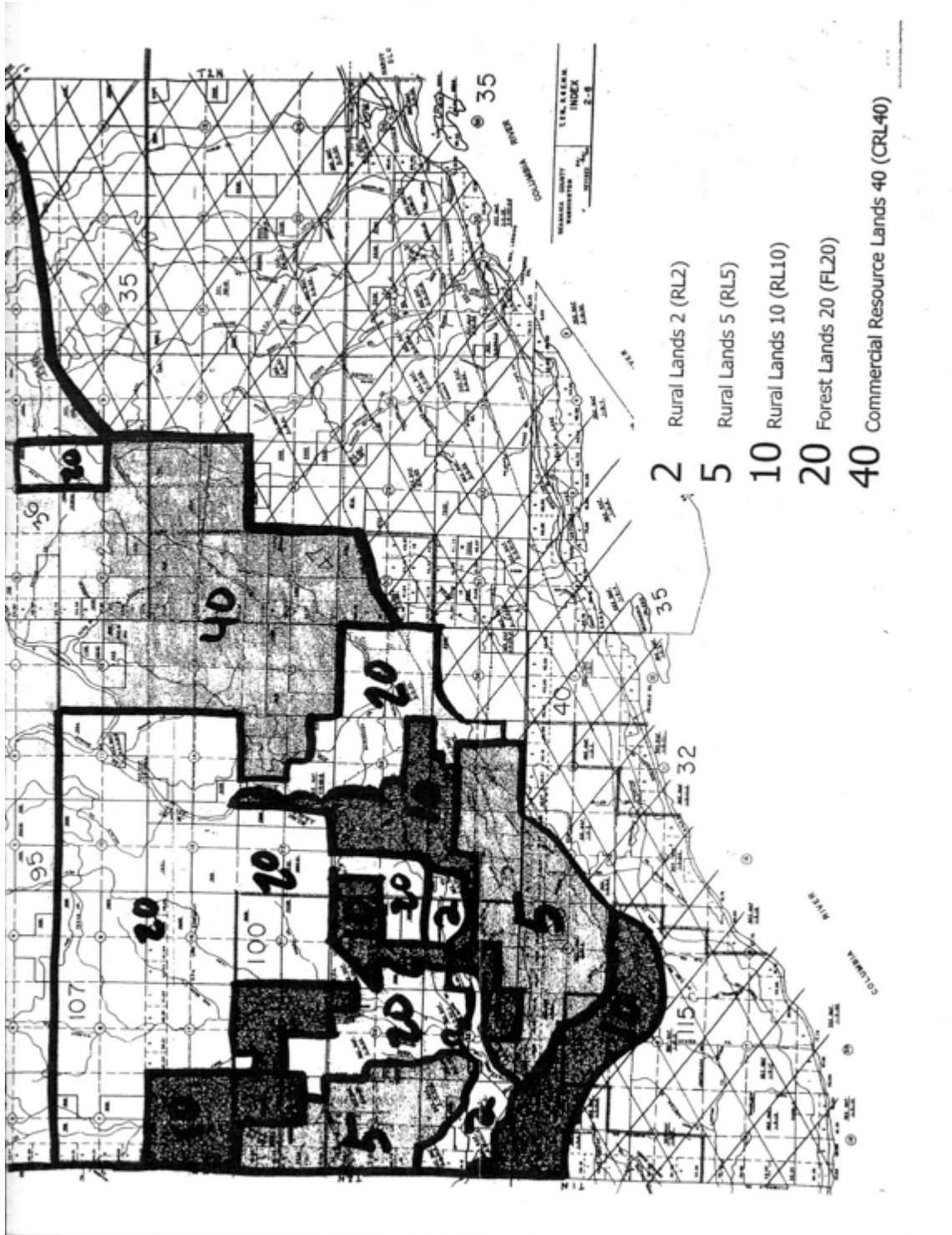


FIGURE 3-1: COMPREHENSIVE SUBAREA PLAN MAP
(Alternative 3 – Modified to create regular boundaries
between land use designations and the addition of
Commercial Resource Lands)



Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01



Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

even using this higher growth rate, the projected population of 3,390 people or 1,298 residences can be accommodated within the Land Use Designations provided by this Subarea Plan. Using the Land Use Designations shown on Figure 3-1, the potential buildout of the West End Subarea is 1,882 residences or a population of 4,916 people. Under the higher growth rate based on actual building permit trends, this population would not be achieved until the year 2033. Using the OFM annual growth rate of 1.25%, this population would not be achieved until the year 2070. Table 3-1 lists the total acreage in each Land Use Designation, the total potential parcels allowed in each designation, the total existing homes in each designation, and the possible new homes in each designation. The acreage of the Land Use Designations is based on the Land Use Designation Map Figure 3-1. It is important to remember the number of total potential parcels has not been reduced for the amount of unbuildable land such as extreme topography, river and stream buffers, wetland buffers, endangered habitat areas, or future roadways.

**Table 3-1
Capacity of Land Use Designations to Accommodate New Residences in
Comparison with projected demand for the year 2025**

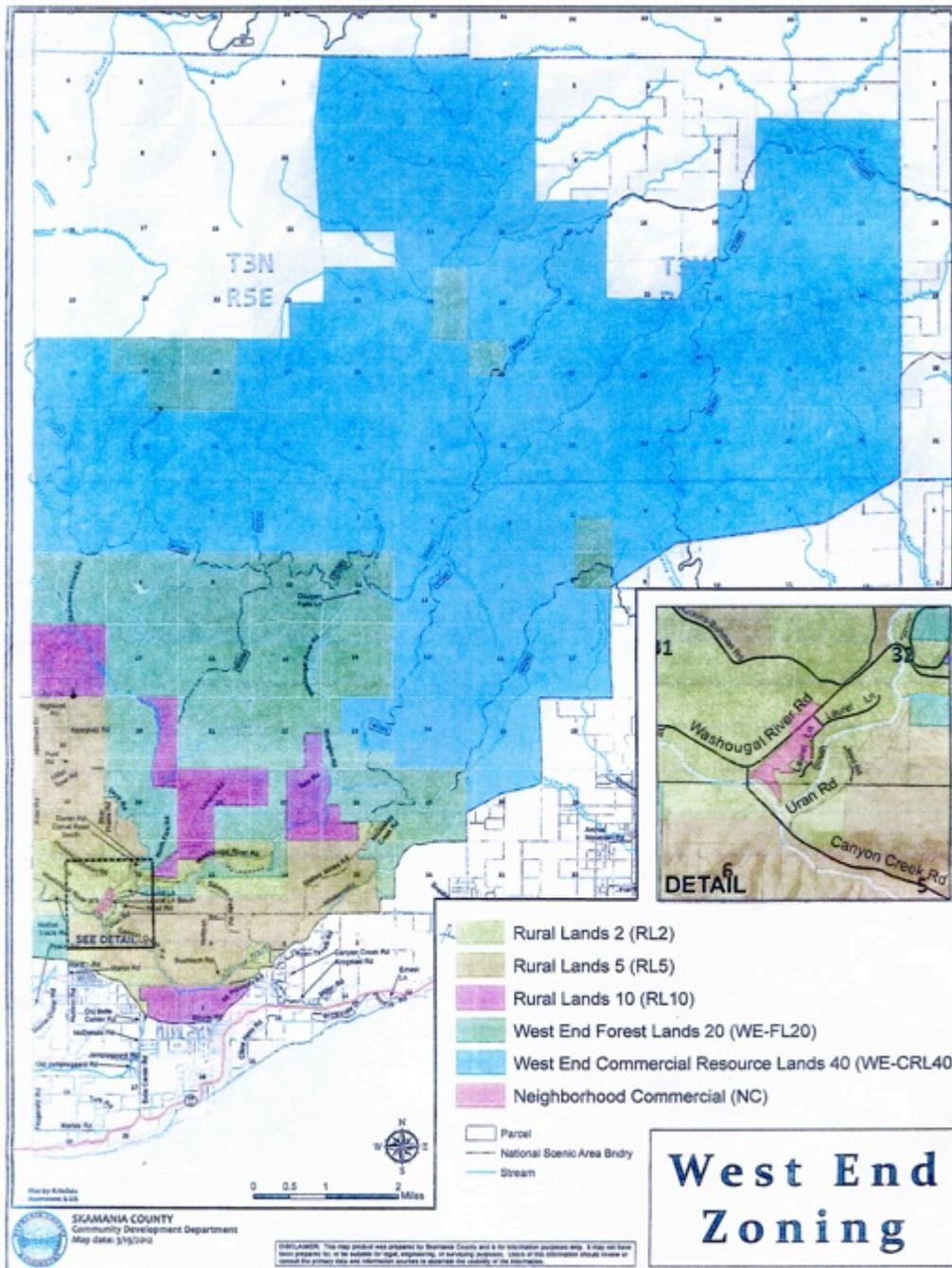
Land Use Designation	Current number of parcels	Total Acres*	Potential number of parcels**	Existing homes in each Designation	Total new residences possible	Projected demand for new residences based OFM growth rate	Projected demand for new residences based on building permit trends
RL2	206	517.80	299	139	160	NA	NA
RL5	358	3,472.99	713	235	478	NA	NA
RL10	411	3,911.16	550	237	313	NA	NA
FL20	168	3,636.25	263	85	178	NA	NA
CRL40	11	2,005.75	53	0	0	NA	NA
Mixed Designations	9	269.58	57	8	49	NA	NA
TOTAL	1,163	13,813.53	1,935	704	1,178	898	1,298

*The acreage shown does not include any land owned by the Washougal School District, California Evangelistic, Washougal Timber Trails, Longview Fibre, Skamania County, Washington State or the Federal Government.

**The total potential parcels include existing lots that are smaller than the minimum lot size plus the number of new lots that could be created under each designation.

Additionally, using the higher growth rate, the projected population of 3,390 people or 1,298 residences can also be accommodated within the Rural Lands Designations provided by this Subarea Plan without using any of the Forest Lands Designation or parcels that have mixed designations. Table 3-2 shows that the Rural Lands Designations alone can accommodate 1,562 residences or 4,080 people at full buildout. Keeping in mind, however, that full buildout using either growth projections would not happen until sometime between the years 2033 (current building permit trends) and 2070 (OFM countywide growth rate). Clearly, the demand at the year 2025 of either 898 residences or 1,298 residences could be accommodated within the Rural Lands Designations (611+951=1,562).

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01



SKAMANIA COUNTY BOARD OF COMMISSIONERS

<i>[Signature]</i>	5/8/12
Commissioner	Date
<i>[Signature]</i>	5/8/12
Commissioner	Date
<i>[Signature]</i>	5/8/12
Commissioner	Date



APPROVED AS TO FORM ONLY:

[Signature] 4/3/12
Prosecuting Attorney Date

ATTEST:

[Signature] 5/8/12
Clerk of the Board Date

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01
APPENDIX 2
Reference Material Required Criteria for Approval

D. Population Data

The Washington State Office of Financial Management (OFM) has the responsibility to project population growth rates for local Growth Management Act (GMA) planning purposes. OFM projections are the basis upon which the cities and counties work to identify the amounts and locations of land that will be needed for conversion to housing as growth occurs.

The OFM estimates that Countywide (including the cities of Stevenson and North Bonneville, the County's population will increase by approximately 3,055 people by the year 2025. Skamania County's growth rate is projected at 1.25% annually until the year 2025.

Based on the 2000 Census Data, the OFM determined that Skamania County has an average household size of 2.612 people per residence. As of July 2004, the West End Subarea includes **715 existing residences**. For the purposes of this Subarea Plan, the current West End Subarea population is calculated to be **1,868 people**. A review of the building permit records shows that in the West End Subarea, the number of residences has increased an average of twenty-six (26) units each year during the last five years. This represents a 3.9% annual increase in the number of residences in the West End Subarea during the last five years.

Using the OFM countywide annual growth rate of 1.25% the West End Subarea population is projected to increase by 546 people by the end of 2025, giving the West End Subarea a total **population of 2,414 or 924 residences**.

Alternatively, using the actual building permit statistic of 3.9% annual increase in the number of residences, the number of residences in the West End Subarea is projected to increase by 868 residences by the end of 2025, giving the West End Subarea a total of **1,583 residences**. In this analysis, the total population of the West End Subarea would be **4,135 people**.

Based on actual building permit statistics, the West End Subarea population is currently increasing at a higher growth rate than the OFM countywide growth rate. However, even using this higher growth rate, the projected population of 4,135 people or 1,583 residences can be accommodated within the Land Use Designations provided by this Subarea Plan. Using the Land Use Designations shown on Figure 3-1, the potential buildout of the West End Subarea is 2,608 residences or a population of 6,812 people. Under the higher growth rate based on actual building permit trends, this population would not be achieved until the year 2039. Using the OFM annual growth rate of 1.25%, this population would not be achieved until the year 2110. Table 3-1 lists the total acreage in each Land Use Designation, the total potential parcels allowed in each designation, the total existing homes in each designation, and the possible new homes in each designation. The acreage of the Land Use Designations is based on the Land Use Designation Map Figure 3-1. It is important to remember the number of total potential parcels has not been reduced for the amount of unbuildable land such as extreme topography, river and stream buffers, wetland buffers, endangered habitat areas, or future roadways.

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

**Table 3-1
Capacity of Land Use Designations to Accommodate New Residences in Comparison with projected demand for the year 2025**

Land Use Designation	Current number of parcels	Total Acres	Potential number of parcels*	Existing homes / structures in each Designation	Total new residences possible	Projected demand for total residences based OFM growth rate	Projected demand for total residences based on building permit trends
RL2	329	1,400	706	204	502	NA	NA
RL5	423	4,190	870	277	593	NA	NA
RL10	192	2,307	280	102	178	NA	NA
FL20	248	10,714	646	107	539	NA	NA
CRL40	101	48,500	1216	0	0	NA	NA
Neighborhood Commercial	13	25	14	11	3	NA	NA
Community Commercial	8	17	8	8	0	NA	NA
Mixed Designations	11	413	84	6	78	NA	NA
TOTAL	1325	67,566	3,824	715	1,893	924	1,583

*The total potential parcels include existing lots that are smaller than the minimum lot size plus the number of new lots that could be created under each designation.

Additionally, using the higher growth rate, the projected population of 4,135 people or 1,583 residences can also be accommodated within the Rural Lands Designations provided by this Subarea Plan without using any of the Forest Lands Designation or parcels that have mixed designations. Table 3-2 shows that the Rural Lands Designations alone can accommodate 1,856 residences or 4,848 people at full buildout. Keeping in mind, however, that full buildout using either growth projections would not happen until sometime between the years 2039 (current building permit trends) and 2110 (OFM countywide growth rate). Clearly, the demand at the year 2025 of either 924 residences or 1,583 residences could be accommodated within the Rural Lands Designations (583+1,273=1,856).

**Table 3-2
Capacity of Rural Lands Designations to Accommodate New Residences in Comparison with projected demand for the year 2025**

Land Use Designation	Current number of parcels	Total Acres	Potential number of parcels*	Existing homes in Rural Lands Designations	Total new residences possible	Projected demand for total residences based OFM growth rate	Projected demand for total residences based on building permit trends
RL2	329	1,400	706	204	502	NA	NA
RL5	423	4,190	870	277	593	NA	NA
RL10	192	2,307	280	102	178	NA	NA
TOTAL	944	7,842	1,856	583	1,273	924	1,583

*The total potential parcels include existing lots that are smaller than the minimum lot size plus the number of new lots that could be created under each designation.

The entire West End Subarea consists of approximately 67,000 acres or 105 square miles. This acreage amount includes all private ownership and public ownership (county, state, and federal ownership). Based on the entire Subarea, there is a current population density of eighteen (18) people for each square mile. In contrast, the entire County has a current population density of six (6) people for each square mile. However, it is important to keep in mind that the 80% of the entire County is comprised of the Gifford Pinchot National Forest. At full buildout sometime

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

between the years 2039 and 2110, for the entire Subarea (6,812 people) the population density would be 64 people for every square mile in the entire Subarea.

In Rural Lands Designations, there are 583 existing residences giving a population of 1,523 people currently living in the Rural Lands Designations. There are approximately twelve (12) square miles within the Rural Lands Designations. Based on just the Rural Lands Designations, there is a current population density of 127 people for every square mile within the Rural Lands Designations.

Using the OFM population projection for the year 2025, the population would be 1,999 people living in the Rural Lands Designations. This would equal a population density of 166 people for every square mile in just the Rural Lands Designations. Using building permit statistics, the population projection for the year 2025 would be 3,416 people living in the Rural Lands Designations. This would equal a population density of 285 people for every square mile in just the Rural Lands Designations.

The potential buildout of 1,856 residences (4,848 people) in just the Rural Lands Designations would equal a population density of 404 people for every square mile in the Rural Lands Designations, keeping in mind that full buildout would not happen until sometime between the years 2039 and 2110.

In comparison, Table 3-3 lists the population density of some neighboring cities based on Census Data from the year 2000. Even at full buildout potentially between the years 2039 and 2110, a population density of 404 people for every square mile in just the Rural Lands Designations would be slightly denser than currently exists in the City of North Bonneville, Washington. It is important to note that while some parts of North Bonneville are densely developed, due to the existing sewer and water systems, there are many large tracts and common areas that remain undeveloped.

**Table 3-3
Population Density of selected cities from the 2000 Census Data**

City Name and State	Population	Total Land Area in Square Miles	Population Density per Square Mile of Land Area
Camas, WA	12,534	10.91	1,149.3
Washougal, WA	8,595	4.96	1,734.5
Vancouver, WA	143,560	42.79	3,354.7
North Bonneville, WA	593	2.41	246.1
Stevenson, WA	1,200	1.48	813.4
Portland, OR	529,121	134.32	3,939.2
Troutdale, OR	13,777	4.99	2,761.1
Hood River, OR	5,831	2.05	2,839.4

The Land Use Designations of Rural Lands, Forest Lands, Commercial Resource Lands, Community Commercial and Neighborhood Commercial, as defined in this Subarea Plan (Figure 3-1) provide for land use patterns that meet the vision statement for the West End Subarea. By utilizing the Land Use Designations and patterns in the Subarea Plan, the West End of Skamania County will continue to be predominately a rural environment with large tracts of field and forest lands with only residential and limited commercial development. The West End Subarea Plan will provide for the projected population growth of the West End of Skamania County, and the

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

ACREAGE BREAKDOWN R2 POTENTIAL LOTS FROM APPLICANT'S FILLING
WITH ADDED NOTATIONS OF EXISTING RECORDED LOTS WHICH HAVE YET
TO BE SUBDIVIDED FROM 5 SUBDIVISIONS ZONED R2.

Acreage Breakdown R2 Potential Lots						
PARCEL_ID	Developed	GIS Total/2	< 2 acres	Potential	Reduce	Exclude Reason
2053130030000	0	41	0	41		
2053140010000	0	21	0	21		21 School
2050000870000	1	19	0	18		7/25 acres in RLS
2052600180000	0	17	0	17		
2053300250000	1	16	0	15		
1050610030000	0	14	0	14		
2053140020000	0	14	0	14		14 School
2053130010000	0	11	0	11		11 School
1050522070000	0	11	0	11		
1050300040200	1	10	0	9		
2053400070000	0	10	0	10	7	Severe Slopes
2053400070100	0	9	0	9		
2053400070200	1	9	0	8		
2053400070300	1	9	0	8		
1050300040300	0	9	0	9		
2053420070000	1	9	0	8		5/11 acres in FA20
2053130040000	1	7	0	6		
2053110030000	1	7	0	6		
2053100250400	1	7	0	6		
2053100250100	0	6	0	6		
2053120080000	1	6	0	5		
2053100250100	1	6	0	5		
2053240010000	0	6	0	6		
2053220030100	1	6	0	5		
2053140040000	1	6	0	5		
2053140030000	1	6	0	5		
2053100160000	0	6	0	6		
2053120070200	0	5	0	5		
2052600210000	0	5	0	5		
2053300040000	0	4	0	4		
2053140150000	0	4	0	4		4 Cemetery
2053332010000	0	4	0	4		4 Church
2053420030000	1	4	0	3		
2053332010200	0	4	0	4		4 Church
2053300180600	1	4	0	3		1/3 acres in FA20
1050330040000	0	4	0	4		
2053120110000	1	4	0	3	1	Structure placement
2053210040000	1	4	0	3		
1050400130000	1	3	0	2		
2053220030000	1	3	0	2		
2053420041300	1	3	0	2		
1050500080000	0	3	0	3		
1050500070000	0	3	0	3		
2053300170100	1	3	0	2		
2053300251200	0	3	0	3		
1050500070200	0	3	0	3		
1050500070100	0	3	0	3	1	BP-19-0182
2053140070000	1	3	0	3		8,9,10,11 Washington Summer Homes + 1
1050500110400	1	3	0	2		
1050640020000	1	3	0	2		
2053332080100	0	3	0	3		3 Church
2053420040000	1	3	0	2		
2053300250500	0	3	0	3		
2053300250800	1	2	0	1		
2053220050200	1	2	0	1		
2053300180000	1	2	0	1		
2053230370000	1	2	0	1		
2053420060000	1	2	0	1		
2053220030400	1	2	0	1		
2053300010200	1	2	0	1		
1050640011500	0	2	0	2		
1050800020600	1	2	0	1		
2053230050100	1	2	0	1		
2053230040100	1	2	0	1		
2053300230000	1	2	0	1		
2053230030200	0	2	0	2		
1050500060100	1	2	0	1		
1050500060300	1	2	0	1		

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

Acreage Breakdown RL2 Potential Lots

2053120050000	1	2	0	1		
2053300010100	1	2	0	1		
2053120040000	1	2	0	1		
1050500060600	1	2	0	1		
2053120030000	1	2	0	1		
2053120020000	1	2	0	1	1	Structure placement
2053300080000	1	2	0	1		
2053120060000	1	2	0	1		
2053220030000	1	2	0	1		
1050640010600	1	2	0	1		
2053300020100	1	2	0	1		
2053420041200	1	2	0	1		
2053220040000	1	2	0	1		
1050640011400	1	2	0	1		
1050500110500	0	2	0	2		
1050500070100	0	2	0	2		
2052600200000	1	2	0	1		
2053230330100	1	2	0	1		
2053220031400	1	2	0	1		
1050800090000	1	2	0	1		
2053300250600	1	2	0	1		
1050640010900	1	2	0	1		
2053120090300	1	2	0	1		
2053120090100	0	2	0	2		
2053300011100	1	2	0	1		
2053420041100	1	2	0	1		
1050500090000	0	2	0	2		
2052600200100	0	2	0	2		
1050640010200	0	2	0	2		
1050640010800	1	2	0	1		
1050800020000	0	2	0	2		
1050500090700	0	2	0	2		
2053220030600	0	2	0	2		
2053300250900	1	1	0	0		
1050610140000	1	1	0	0		
2053120050300	1	1	0	0		
2053300250700	1	1	0	0		
1050640010700	1	1	0	0		
2053300181000	0	1	0	1		
2053300120000	1	1	0	0		
2053300180100	1	1	0	0		
2053300070000	1	1	0	0		
2053230110000	1	1	0	1		
2053100030000	1	1	0	0		
2053300010700	1	1	0	0		
2053242020000	1	1	0	0		
2053320101000	1	1	0	0		
1050800010100	0	1	0	1		
2053300170200	1	1	0	0		
1050330090000	1	1	0	0		
1050640011000	1	1	0	0		
2053130010400	1	1	0	0		
2053220050100	1	1	0	0		
1050500060500	1	1	0	0		
2053240070000	0	1	0	3/		
2053420040100	1	1	0	0		
1050640010100	0	1	0	1		
2053130020300	1	1	0	0		
2053120020600	0	1	0	1		
1050500110000	1	1	0	0		
2053230010200	1	1	0	0		
2053300170400	1	1	0	0		
2053140020300	1	1	0	0		
1050500090100	1	1	0	0		
1050500110300	1	1	0	0		
2053220030700	1	1	0	0		
2053220050000	0	1	0	1	1	Mobile Home on Property
2053300251000	0	1	0	1		1 County
2053320103000	0	1	0	1		

Lots 28, 29, 29A Washburn Parkside Tracts + 1

Lots 9, 10, 11 Parkside Tracts + 2

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

Acreage Breakdown RL2 Potential Lots				
1050800090100	1	1	0	0
1050330050000	1	1	0	0
2053120090600	1	1	0	0
2053220030500	1	1	0	0
2053120120300	1	1	0	0
2053130010100	1	1	0	0
2053230010300	1	1	0	0
1050500090500	0	1	0	1
2053300181100	0	1	0	1
2053230080000	1	1	0	0
2053220050400	1	1	0	0
2053230110400	1	1	0	0
2053300250200	1	1	0	0
1050500061100	1	1	0	0
2053120020500	0	1	0	1
2053230090100	1	1	0	0
2053220030300	0	1	0	1
1050130050300	1	1	0	0
1050610140100	0	1	0	1
1050500050000	1	1	0	0
2052600190000	1	1	0	0
1050800020500	1	1	0	0
1050500080100	1	1	0	0
2053130010300	1	1	0	0
1050640070900	0	1	0	1
2053220031000	0	1	0	1
2053130050300	0	1	0	1
2053300020000	1	1	0	0
2053300150000	0	1	0	1
1050500090600	0	1	0	1
2053230150000	1	1	0	1
2053230260000	1	1	0	0
2053300180500	0	1	0	1
1050130020100	1	1	0	0
2053140030300	0	1	0	1
2053300010000	1	1	0	0
2052600220300	1	1	0	0
2053140030500	0	1	0	1
2052600190100	1	1	0	0
2053240020000	1	1	0	0
2053240080000	1	1	0	0
2053220050600	0	1	0	1
2053220031100	0	1	0	1
2052600220200	1	1	0	0
2053230111300	1	1	0	0
2053230010100	1	1	0	0
2053140030400	1	1	0	0
1050500110100	1	1	0	0
2053140020500	1	1	0	0
2053120090500	1	1	0	0
2053420050000	1	1	0	0
2053230160000	1	1	0	0
2053220031200	0	1	0	1
2053230110100	1	1	0	0
2053300010300	1	1	0	0
2053300170300	0	1	0	1
2053130010200	1	1	0	0
1050640070100	1	1	0	0
2053140020600	1	1	0	0
1050800020200	1	1	0	0
2053300110000	1	1	0	0
1050130050200	1	1	0	0
2053300090000	1	1	0	0
2053420040800	0	1	0	1
2052600220000	1	1	0	0
2052600220100	1	1	0	0
2053140070200	0	1	0	1
2053230090000	1	1	0	0
2053220030800	1	1	0	0

1 County

24, 25 & W 1/2 26 Washougal Riverside Tracts + 1

1 & 2 Parker Tract + 1
12 & 13 Parker Tract + 1

1 FA20 Zone

21, 22, 23 Washougal Riverside Tracts + 2

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

Acreage Breakdown RL2 Potential Lots				
2053120070100	1	1	0	0
2053300181200	0	1	0	1
2053140020100	1	1	0	0
2053130020000	1	1	0	0
2053140020200	1	1	0	0
2053300010600	1	1	0	0
2053130020200	0	1	0	1
2053300010900	1	1	0	0
2053120071500	0	1	0	1
1050330050100	1	1	0	0
2053120072000	0	1	0	1
2053140030200	1	1	0	0
2053230080200	1	1	0	0
2053120090200	0	1	0	1
2053332010400	1	1	0	0
2053230070000	1	1	0	1
2053300010400	1	1	0	0
2052600190300	1	1	0	0
2053332080000	0	1	0	1
2053140020400	1	1	0	0
2053230010400	1	1	0	0
2053120090400	1	1	0	0
2053120071000	0	1	0	1
2053120070300	1	1	0	0
2053140080000	1	1	0	0
2053120070000	1	1	0	0
2052600190200	0	1	0	1
2053130010300	1	1	0	0
2053420040700	1	1	0	0
2053220050700	0	1	0	1
2053120020200	1	1	0	0
2053300251100	1	1	0	0
1050500110200	0	1	0	1
1050300030000	1	1	0	0
2053120090000	1	1	0	0
1050330020000	0	1	0	1
2053300180200	1	1	0	0
2053220050500	1	1	0	0
1050500060700	1	1	0	0
2053140030100	1	1	0	0
2053300010500	0	1	0	1
1050330020200	0	0	1	1
2053300010800	0	0	1	1
1050800020400	1	0	1	0
2053420180000	1	0	1	0
2053120010300	1	0	1	0
2053120020100	1	0	1	0
1050400140000	1	0	1	0
1050330090300	1	0	1	0
2053220031300	1	0	1	0
2053300011000	1	0	1	0
2053230111200	1	0	1	0
1050330010100	0	0	1	1
1050400120000	1	0	1	0
2053120120100	1	0	1	0
2053120120100	1	0	1	0
2053300190000	1	0	1	0
2053230110800	1	0	1	0
2053120120000	1	0	1	0
1050330090100	1	0	1	0
1050330090200	1	0	1	0
1050610120000	1	0	1	0
2053130050300	1	0	1	0
1050522010200	1	0	1	0
2053240010200	1	0	1	0
2053332020000	1	0	1	0
2053300140000	1	0	1	0
2053240130000	1	0	1	0
1050640070800	0	0	1	1

2 30 & 31 WASHINGTON REVERSIBLE TRACTS +1

1 Church

2 20 & 21 PARKER TRACT +1

2 22 & 23 PARKER TRACT +1

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

Acreage Breakdown RL2 Potential Lots

1050130020300	0	0	1	1		
1050522010000	1	0	1	0		
2053420040400	1	0	1	0		
2051300130000	0	0	1	1		
2053230040000	1	0	1	0		
1050522010300	1	0	1	0		
2053230120000	1	0	1	0		
2053140070100	1	0	1	0		
2053420080000	1	0	1	0		
2053130050100	1	0	1	0		
2053420040300	1	0	1	0		
1050130030000	1	0	1	0		
2053420040200	1	0	1	0		
2053230080100	1	0	1	0		
2053420130000	1	0	1	0		
2053240060000	1	0	1	0		
2053240060100	1	0	1	0		
2053230130000	1	0	1	0		
2053332060000	0	0	1	1		1 Church
1050800030000	0	0	1	1		1 Cemetery
2051140120000	1	0	1	0		
2051420140000	1	0	1	0		
2051140090000	1	0	1	0		
1050610070000	0	0	1	1		1 State
2051140060000	1	0	1	0		
2053240090000	1	0	1	0		
2053300100000	1	0	1	0		
2053240090100	0	0	1	1		
2053143100000	1	0	1	1		
1050522050000	1	0	1	0		
1050522030000	1	0	1	0		
2053230180000	1	0	1	1		
2053240100000	1	0	1	0		
2053420170000	1	0	1	0		
2053143020000	1	0	1	0		
2053230260100	1	0	1	0		
2053242010200	1	0	1	0		
2053000170000	0	0	1	1	1	Mobile Home on Property
2053140050000	1	0	1	0		
2053420100100	1	0	1	0		
2053242010800	1	0	1	0		
2053240110000	0	0	1	1		
2053420100000	1	0	1	0		
2053300330000	1	0	1	0		
2053420110000	1	0	1	0		
2053230330000	1	0	1	0		
2053420160000	1	0	1	0		
2053140110000	1	0	1	0		
1050130070000	1	0	1	0		
2051130060000	0	0	1	1		1 School
1050130060000	1	0	1	0		
2053140060100	1	0	1	0		
2053240120000	0	0	1	1		
2053230290100	1	0	1	0		
2053143050000	1	0	1	0		
2053230310100	1	0	1	0		
1050610090100	1	0	1	0		
2053240140000	1	0	1	0		
2053240030000	1	0	1	0		
2053230350000	1	0	1	1		
2053230090200	1	0	1	0		
2053240010100	1	0	1	0		
2053240150000	1	0	1	0		
2053300230100	0	0	1	1		
2053240040000	1	0	1	0		
2053240050000	1	0	1	0		
1050640010500	1	0	1	0		
2053230270000	1	0	1	0		
1050610090300	1	0	1	0		

344 Washougal Riverside Tracts + 1
18, 19 Washougal Riverside Tracts + 1

9610 MALFAIT River Front Tracts + 1

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

Acreage Breakdown RL2 Potential Lots					
Parcel ID	1	0	1	0	
1050640010300	1	0	1	0	
2053230240000	1	0	1	0	
2053332030000	1	0	1	0	
2053332029000	1	0	1	0	
2053420040600	1	0	1	0	
2053420150000	1	0	1	0	
2053143040000	1	0	1	0	
2053242010900	1	0	1	0	
2053143010000	1	0	1	0	
2053143020200	1	0	1	0	
2053230030200	0	0	1	1	
2053230130100	1	0	1	0	
2053230070200	1	0	1	0	
2052700150000	0	0	1	1	
2053230170000	1	0	1	0	
1050330010000	1	0	1	0	
1050640070700	1	0	1	0	
2053230310000	1	0	1	0	
2053140050100	1	0	1	0	
2053242010900	1	0	1	0	
2053230290000	1	0	1	0	
1050522040000	1	0	1	0	
2053230350100	1	0	1	0	
2053230210000	1	0	1	0	
2053143120000	0	0	1	1	1 Environmental Constraints Stream
2053230070100	1	0	1	0	
2053242010300	1	0	1	0	
2053143110000	1	0	1	0	
1050610100000	1	0	1	0	
2053230100000	1	0	1	0	
2053242011000	0	0	1	1	
2053420040500	0	0	1	1	
2053242010100	1	0	1	0	
1050500060900	0	0	1	1	
2053143080000	1	0	1	0	
2053143070000	1	0	1	0	
2053230220000	1	0	1	0	
2053143090000	1	0	1	0	
2053300320100	1	0	1	0	
2053242011100	1	0	1	0	
2053143020100	1	0	1	0	
2053242010600	0	0	1	1	
1050610080000	1	0	1	0	
2053242010400	1	0	1	0	
2053230030000	1	0	1	0	
2053143060000	0	0	1	1	
1050610060000	1	0	1	0	
2053300200000	0	0	1	1	1 State
2053140130000	0	0	1	1	1 Residence on Property
2053230030100	0	0	1	1	
1050610090200	1	0	1	0	
2053300320000	1	0	1	0	
2053140100000	0	0	1	1	1 9' wide lot
2053230050200	1	0	1	0	
2053230050000	1	0	1	0	
2053230200300	1	0	1	0	
1050610110000	1	0	1	0	
2053140140000	0	0	1	1	
2053230230000	1	0	1	0	
2053143020300	0	0	1	1	1 40' wide lot
2053300220000	1	0	1	0	
2053332050000	1	0	1	0	
2053300210000	0	0	1	1	
1050610090000	0	0	1	1	
1050610050000	1	0	1	0	
2053230260200	1	0	1	0	
	Developed	2 acre div.	< 2acre	Potential	Reduce/Excluded lots
	302	631	163	492	13 86

+15
507

6 of 6

**15 ADDITIONAL LOTS BRINGS POTENTIAL
NUMBER OF LOTS TO 507**

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

ORDINANCE 2012-08

(AN ORDINANCE TO MODIFY AND EXTEND ON ANY PARCEL LOCATED WITHIN TOWNSHIP 10 NORTH, RANGE 5 EAST AND/OR TOWNSHIP 10 NORTH, RANGE 6 EAST IN UNINCORPORATED SKAMANIA COUNTY: A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF ANY BUILDING, MECHANICAL AND/OR PLUMBING PERMITS AND/OR SITE ANALYSIS LEVEL II (SALI) APPLICATIONS ON ANY PARCEL OF LAND THAT IS 20 ACRES OR LARGER; THE ACCEPTANCE AND PROCESSING OF LAND DIVISIONS (SUBDIVISION AND SHORT SUBDIVISION); AND THE ACCEPTANCE AND PROCESSING OF STATE ENVIRONMENTAL POLICY ACT (SEPA) CHECKLISTS RELATED TO FOREST PRACTICE CONVERSIONS)

WHEREAS, the Board of County Commissioner adopted the 2007 Comprehensive Plan on July 10, 2007; and,

WHEREAS, the Board of County Commissioner, on December 30, 2008, extended for the third time, the moratorium on the acceptance and processing of building, mechanical and/or plumbing permits on any parcel of land 20 acres or larger that was created by deed since January 1, 2006, the acceptance and processing of land divisions (subdivisions and short subdivisions), and the acceptance and processing of State Environmental Policy Act (SEPA) checklists related to forest practice conversions for any parcel located within unincorporated Skamania County that is not currently located within a zoning classification or the area generally known as the Swift Subarea of Skamania County.

WHEREAS, on July 28, 2009, the Board of County Commissioners re-established the moratorium on the acceptance and processing of building, mechanical and/or plumbing permits on any parcel of land 20 acres or larger that was created by deed since January 1, 2006, the acceptance and processing of land divisions (subdivisions and short subdivisions), and the acceptance and processing of State Environmental Policy Act (SEPA) checklists related to forest practice conversions for any parcel located within unincorporated Skamania County that is not currently located within a zoning classification or the area generally known as the Swift Subarea of Skamania County.

WHEREAS, Skamania County is in the process of updating zoning classification for all land within unincorporated Skamania County to be consistent with the adopted Comprehensive Plan; and,

WHEREAS, most of the area within unincorporated Skamania County that is not currently covered by a zoning classification is currently used as commercial forest land or within the Gifford Pinchot National Forest; and,

WHEREAS, the Growth Management Act requires all counties in the State of Washington to provide protections for commercial forest land from the encroachment of residential uses; and,

WHEREAS, between January 1, 2006 and July 10, 2007, over 230 new parcels (20 acres or larger) have been created through the deed process, which is exempt from the subdivision and short subdivision (short plat) regulations and other environmental review processes; and,

WHEREAS, several comments submitted during the public comment periods related to the draft Comprehensive Plan expressed concern on the number of exempt parcels that have been created since the planning process began and that the exempt parcels do not have any level of review related to critical resource protection, design standards, road maintenance, stormwater or other checks and balances required for residential lots created through the subdivision or short subdivision (short

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

plat) process; and,

WHEREAS, these new exempt parcels are located in existing forest land areas that during the review process of the Comprehensive Plan and pending zoning classification process, the County Commissioners are determining which areas will be designated as commercial forest land and protected from the encroachment of residential uses as required by the Growth Management Act; and,

WHEREAS, allowing new construction on these parcel created through an unregulated exempt process prior to the County Commissioners completing the zoning classification process essentially is circumventing the legislative process and could endanger the public's safety, health and general welfare; and,

WHEREAS, the development within many locations of unincorporated Skamania County, outside of the areas with zoning classifications is located on rugged mountainous terrain, is only accessed through United States Forest Service Roads and private roads, and does not currently have access to electrical power service and land-line telephone service; and,

WHEREAS, continued unplanned and uncontrolled residential growth in the areas of commercial forest lands and the Gifford Pinchot National Forest could potentially increase the risk of forest fires and other emergency events; and,

WHEREAS, during the visioning process of the Comprehensive Plan information was gathered to help determine where the best locations are for future residential development, taking into considerations the terrain, access roads, location of critical area resources, location of commercial forest lands, future service needs of residents, and future water usage for residential development; and,

WHEREAS, the Board of County Commissioners has the authority pursuant to RCW 36.70.795 to adopt a moratorium without holding a public hearing (as long as a public hearing is held on the adopted moratorium within at least 60 days of its adoption) and whether or not there is a recommendation on the matter from the Planning Commission or the Community Development Department, that may be effective for not longer than six months, but may be effective for up to one year if a work plan is developed for related studies providing for such longer period. A moratorium may be renewed for one or more six-month period(s) if a subsequent public hearing is held and finding of fact are made prior to each renewal; and,

WHEREAS, a work plan for the zoning classification process has been developed; and,

WHEREAS, the Board of County Commissioners finds a sufficient basis to extend the moratorium, believe that the above mentioned circumstances constitute an emergency, and that it is in the public's best interest (to protect the public's safety, health and general welfare) to maintain the status quo of the area pending the County's consideration of developing zoning classifications for the areas covered by the adopted 2007 Comprehensive Plan; and,

WHEREAS, the Board of County Commissioners intends for these recitals to constitute its "findings of fact" as required by RCW 36.70.795; and,

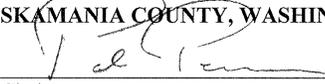
Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

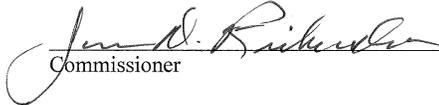
NOW, THEREFORE BE IT HEREBY ORDAINED AND ESTABLISHED BY THIS BOARD OF COUNTY COMMISSIONERS AS FOLLOWS: the Board of County Commissioners hereby adopts Ordinance 2012-08 to modify and extend for six months on any parcel located within Township 10 North, Range 5 East and/or Township 10 North, Range 6 East in unincorporated Skamania County: the moratorium on the acceptance and processing of building, mechanical and/or plumbing permits and/or Site Analysis Level II (SALII) applications on any parcel of land 20 acres or larger; the acceptance and processing of land divisions (subdivisions and short subdivisions); and the acceptance and processing of State Environmental Policy Act (SEPA) checklists related to forest practice conversions.

ORDINANCE NO. 2012-08 IS HEREBY PASSED INTO LAW THIS 21st DAY OF AUGUST 2012.



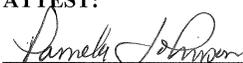
~~BOARD OF COUNTY COMMISSIONERS~~
~~SKAMANIA COUNTY, WASHINGTON~~


Chairman


Commissioner

Commissioner

ATTEST:


Clerk of the Board

APPROVED AS TO FORM ONLY:


Skamania County Prosecuting Attorney

AYE 3
NAY _____
ABSTAIN _____
ABSENT 1

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

APPENDIX 3

Reference Material

General Goal: Water

General Goal: Fish

WECCSP

Water quantity is a primary concern to West End Residents. Sufficient supplies of clean water are essential to support all life. As a result there are many demands placed on water resources. All of the West End residents get their water from individual exempt wells, springs or small private water systems since there are not any municipal water systems in the West End. Most West End residents obtain their drinking water from exempt wells serving a single household. Well depths and yield vary based on local aquifer properties, the extent of aquifer use in a specific area, and the hydraulic continuity between aquifers and surface waters. Maintaining groundwater quality and quantity is, therefore, a priority.”

The Pacific Groundwater Group (PGG 1997) made eleven specific recommendations to Skamania County to ensure and sustain enhanced water quality (see pages 4 & 5). Had the County followed the recommendations to establish a network of observational wells for long-term monitoring of regional water-level trends and taken even some of the other actions recommended, a baseline would have been established to determine the impact of additional wells on the aquifer that serves this area. The County did not take any of these monitoring actions. Therefore, before even considering a rezone of the Applicants’ property to RL2 acre, long-term monitoring and studies need to be undertaken to determine the extent to which this level of increased parcel density will impact existing residences, and especially area wells, springs and creeks.

Water temperature increases with lower instream flows. There now is a well-understood and accepted connection between water drawn from wells and diminished instream flows. It is fact, that groundwater during low-flow summer months is cooler than the surface water in the Washougal River. Thus, increasing the number of wells will ultimately lead to increased river water temperatures and shallower stream levels (which heat up more quickly).

The threatened salmon, and steelhead cannot tolerate ever-increasing water temperatures brought on by decreased instream flow – which will happen if the County continues to approve WECCSP amendments that result in additional parcels beyond those agreed to under WRIA 28.

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

“Watershed Planning under RCW 90.82/ESHB 2514. These efforts address water quantity, water quality, fish habitat, and instream flows. The Lower Columbia Fish Recovery Board (LCFRB) acts as the lead agency for the 36-seat Planning Unit in Water Resource Inventory Areas (WRIA) 27 and 28. The West End of Skamania County is included in WRIA 28. To date, a survey of existing information (Level 1 Assessment, GeoEngineers 2001) and more detailed assessments focused on filling important data gaps (Level 2 Assessment, PGG 2003) have been completed. This information has been used to develop a draft watershed plan, which addresses water quantity, quality, and instream flow (EES 2004 DRAFT).”

“During the community meetings held to develop this subarea plan, the majority of those attending have indicated it would be prudent as well as economically and ecologically responsible to take a conservative approach toward increasing land development **until adequate data about the nature of the aquifers can be supplied. In certain areas of the West End, within isolated aquifers, it is possible that continued density increases and development could adversely affect existing water supplies and resources as well as degrade the Washougal River and its tributaries.**”

By 2015, there were wells close to and along the Washougal River that were short of, or completely out of water. By mid-spring well drillers' schedules were too busy to accept any more work until February of the following year. Many of these jobs involved drilling deeper for water in existing well shafts that were not producing adequately. This situation has not improved.

No additional studies of the aquifer in this area have been pursued by the County, even though recommended by the PGG study. Granting this proposed WECCSP amendment and rezone is not in compliance with the stated goal.

The WECCSP, as adopted, planned for an additional number of potential new residences of 1,893...beyond the 715 residences existing in 2007. Revised water demand projections were determined during the 2005/2006 watershed plan remand process based on projected build-out in relation to current minimum lot sizes and anticipated growth needs, as documented in the Implementation Plan for WRIA 28 (see page B-14, footnote 10 & 11). In July 2004, the draft WECCSP initially allowed for 1,178 (see Appendix 1, WECCSP Planning Commission Draft Version, page 41, Table 3.1) new residences. Skamania County then advocated for a water reservation to accommodate 3,109 new potential residences and an accompanying reservation of 1.15 cfs for new permit-exempt wells. Participating agencies determined that the minimum instream flow of the Washougal River could not support this

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

level of water withdrawal. The County eventually accepted the reservation of .64 cfs, which actually only allows for a maximum of 1,725 new residences, as opposed to the 1,893 new residences explicated in the final WECCSP. The County has a legal obligation to honor that commitment (.64 cfs) as bound by State Law.

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

Hirst Ruling

We offer these quotes and comments for Hearing Examiner’s consideration from the *Washington Supreme Court ruling* (Respondent, Eric Hirst et al., Petitioners, vs. The Western Washington Growth Management Hearings Board, Defendant No. 91475-3 – October 6, 2016) ***curtailing rights to put in a well in Growth Management Act (GMA) counties, the impact of the proposed WECCSP amendment and Zoning Map amendment needs to be thoroughly examined by the Department of Ecology for compliance. While not a GMA county, Skamania County is subject to instream flow regulations and the reservation of surface and groundwater for future use.***

The following quotes from the Washington Supreme Court majority’s opinion must necessarily be taken into consideration in this WECCSP Amendment decision:

“...we now recognize that groundwater withdrawals can have significant impacts on surface water flows, and Ecology must consider this effect when issuing permits for groundwater appropriation.”(22)

“We have been protective of minimum instream flow rules and have rejected appropriations that interfere with senior instream flows.” (23)

“Recognizing that any withdrawal of water impacts the total availability of water, we have held that an appropriator's right to use water from a permit-exempt withdrawal is subject to senior water rights, including the minimum flows established by Ecology.”(29)

In addition, these quotes from the Judge Stevens’ dissent, which apply to all counties including Skamania County which is not a GMA county, enumerate Skamania County’s obligation to ensure that the WECCSP full build-out is consistent with the WRIA 28 agreed-upon water reservation for permit-exempt wells.

“The legislature also recognized that water does not respect human-made boundaries. It found that “[c]omprehensive water resource planning is best accomplished through a regional planning process sensitive to the unique characteristics and issues of each region.” RCW 90.54.010(1)(c). The legislature entrusted the Department of Ecology with the task of developing and implementing the “comprehensive state water resources program.” RCW 90.54.040(1). It also instructed local governments, including counties, to “whenever possible, carry out powers vested in them in manners which are consistent with the provisions of this chapter.” RCW 90.54.090.” (106)

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

“See WAC 365-196-825(3) (“If the department of ecology has adopted rules on this subject [adequate potable water], or any part of it, local regulations should be consistent with those rules. Such rules may include instream flow rules...”);”(121)

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

The Effects of Temperature on Steelhead Trout, Coho Salmon, and Chinook Salmon Biology and Function by Life Stage

Katharine Carter, Environmental Scientist

California Regional Water Quality Control Board, North Coast Region

August 2005

“The USEPA document *EPA Region 10 Guidance for Pacific Northwest State and Tribal Water Quality Standards* (2003) recommends that the seven-day average of the daily maximum temperatures (7-DADM) should not exceed 18_C in waters where both adult salmonid migration and “non-core” juvenile rearing occur during the period of summer maximum temperatures. The document does not define what constitutes the “summer” period. Non-core juvenile rearing is defined as moderate to low density salmon and trout rearing usually occurring in the mid or lower part of the basin, as opposed to areas of high density rearing which are termed “core” rearing areas. This criterion is derived from analysis and synthesis of past laboratory and field research. The USEPA believes that this temperature recommendation will protect against lethal conditions, prevent migration blockage, provide optimal or near optimal juvenile growth conditions, and prevent high disease risk by minimizing the exposure time to temperatures which can lead to elevated disease rates.” (page 2)

‘Steelhead Trout Migration

In a review of numerous studies, WDOE (2002) concluded that daily average temperatures of 21-24_C are associated with avoidance behavior and migration blockage in steelhead trout. WDOE suggests that the MWMT should not exceed 17-18_C, and daily maximum temperatures should not exceed 21-22_C to be fully protective of adult steelhead migration.” (page 3)

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

Table 3

Average Washougal River Water Temperature

(<https://fortress.wa.gov/ecy/eap/flows/station.asp?=28B080>)

Year	Washougal River Average Water Temperature for August - Celsius
2019	20.3
2018	20.6
2017	20.5
2016	20.2
2015	20.6
2014	20.4
2013	19.9
2012	19.6
2011	18.9
2010	18.4
2009	19.5
2008	18.6
2007	19
2006	19.1
2005	19.5

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

TABLE 4
WAC 173-528-60
Established Instream Flows Washougal River
Compared to Actual Average Measured Flow

	June	July	August	September	October
Established Instream Flows (cfs) cubic feet per second	525	240	168	294/425	425
Actual measured flow -Mean (cfs) for water year <small>https://fortress.wa.gov/ecy/eap/flows/station.asp?sta=28B080</small>					
2019	158	99	69.6	282	162
2018	150	80.9	58.2	68.7	614
2017	614	169	94.7	117	2080
2016	291	233	153	82.4	411
2015	149	86.1	77.7	73.9	624
2014	454	277	111	96.3	751
2013	493	156	104	731	912
2012	562	229	106	77	418
2011	996	217	No Data	No Data	687
2010	1430	228	101	265	303
2009	252	125	77.6	86.4	228
2008	858	224	164	116	623
2007	169	86.9	63.3	63.3	52.4
2006	408	141	92.4	93.8	369
2005	414	196	116	88.5	No Data

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

Chapter 173-528 WAC

WATER RESOURCES MANAGEMENT PROGRAM FOR THE SALMON-WASHOUGAL BASIN, WRIA 28

"Watershed plan" means the Salmon-Washougal and Lewis watershed management plan, adopted on July 21, 2006, by the Clark, Cowlitz, and Skamania county commissioners.

WAC 173-528-010 Authority and purpose.

(4) The Salmon-Washougal and Lewis watershed management plan (plan) recommendations were approved in 2006 by the Salmon-Washougal and Lewis planning unit (planning unit) in accord with RCW 90.82.130. The planning unit is a group madeup of Clark, Skamania, and Cowlitz county commissioners and a broad range of water use interests. Ecology shall use the plan as the framework for making future water resource decisions in the Salmon-Washougal watershed. Ecology shall rely upon the plan as a primary consideration in determining the public interest related to such decisions, including this rule adoption.

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

Attachment B

**WRIA 27/28 Salmon/Washougal and Lewis Watershed Management Plan
Reserved Water Strategy Implementation**

“The reserved water strategy outlined in the WRIA 27/28 Salmon/Washougal and Lewis Watershed Management Plan (hereafter Plan) is based upon the following policies and goals that are designed to balance the objectives of water supply and stream flow protection:

“Public and private water users throughout WRIAs 27 and 28 should have access to water resources to meet new or expanded needs for water supply consistent with adopted land use plans.” (Policy WSP-1, Pg 3-10)

“Water resource development to meet new or expanded needs should avoid or minimize effects on stream flows or aquatic habitat in stream reaches where flow conditions are an important factor for sustaining aquatic life, including fish populations in their various life stages.” (Policy WSP-2, Pg 3-10)

“Manage stream flows effectively to sustain aquatic biota, including fish populations in their various life stages.” (Objective, Section 1.3, Pg 1-4)

Anticipated needs were determined based upon growth projections and estimates associated with the various categories of water users, including large and small public water systems, domestic wells, and other beneficial uses.

In many cases reservation quantities were consistent with WDFW and Ecology recommendations for instream flow protection. In other cases reservations to meet growth needs were established in areas where none were recommended by state agencies. Several reservations were negotiated during the final plan development and adoption phases based on revised supply need considerations.” (Pg. B-1)

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01



As required by the Washington State Administrative Act, RCW 34.05.

IMPLEMENTATION PLAN FOR THE ADOPTION OF

Water Resources Management Programs for the

Lewis Basin, WRIA 27—Chapter 173-527 WAC

and

Salmon-Washougal Basin, WRIA 28—Chapter 173-528 WAC

12/10/08

Publication Number: 08-11-056

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

Table H-2a (cont.) Water Right Reservation Calculations for WRIs 27/28						
	Anticipated Needs ⁽¹⁾			Stream flow Depletion Without Mitigation (cfs) ⁽²⁾	Offset/ Mitigation Requirement (cfs) ⁽⁴⁾	Net Stream flow Depletion After Mitigation (cfs) ⁽⁵⁾
	No. of "Blocks" ⁽³⁾	Qa (afy)	Qi (cfs)			
Burnt Bridge Creek Subbasin						
Vancouver Small Community Water Systems - Clark Co.	0	0	0.00	0.00	0.00	0.02
Domestic Wells - Clark Co.	NA	NA	NA	0.00	0.00	0.00
Subbasin Total						0.02
Lacamas Creek Subbasin						
Camas ⁽⁷⁾	NA	3,240	6.01	1.00	0.50	0.50
Clark Public Utilities (CPU) Small Community Water Systems - Clark Co.	NA	1,973	3.63	0.60	0.30	0.30
Domestic Wells - Clark Co.	1	100	0.37	0.37	0.19	0.19
Subbasin Total	NA	158	0.58	0.17	0.00	0.17
Subbasin Total						1.16
Washougal River Subbasin ⁽⁸⁾						
Washougal Small Community Water Systems - Clark Co.	NA	0	0.00	0.00	0.00	0.00
Small Community Water Systems - Skamania Co. ⁽¹⁰⁾⁽¹¹⁾	1	100	0.37	0.37	0.19	0.19
Domestic Wells - Clark Co.	NA	NA	NA	0.20	0.10	0.10
Domestic Wells - Skamania Co. ⁽¹⁰⁾⁽¹¹⁾	NA	158	0.58	0.17	0.00	0.17
Subbasin Total	NA	NA	NA	0.64	0.00	0.64
Subbasin Total						1.10
Columbia River Tributaries Subbasin						
Small Community Water Systems - Clark Co.	0.55	55	0.21	0.21	0.10	0.10
Small Community Water Systems - Skamania Co.	0.55	55	0.21	0.21	0.10	0.10
Domestic Wells - Clark Co.	NA	105	0.39	0.12	0.00	0.12
Domestic Wells - Skamania Co.	NA	25	0.08	0.12	0.00	0.12
Subbasin Total						0.44

Appendices to Brown et al Comment Letter
for CMP-19-01 and REZ-19-01

Table H-2a (cont.) Water Right Reservation Calculations for WRIs 27/28						
	Anticipated Needs ⁽¹⁾			Stream flow Depletion Without Mitigation (cfs) ⁽²⁾	Offset/ Mitigation Requirement (cfs) ⁽⁴⁾	Net Stream flow Depletion After Mitigation (cfs) ⁽⁵⁾
	No. of "Block s" ⁽²⁾	Qa (afy)	Qi (cfs)			
Burnt Bridge Creek Subbasin						
Vancouver						0.02
Small Community Water Systems - Clark Co.	0	0	0.00	0.00	0.00	0.00
Domestic Wells - Clark Co.	NA	NA	NA	0.00	0.00	0.00
Subbasin Total						0.02
Lacamas Creek Subbasin						
Camas ⁽⁷⁾	NA	3,240	6.01	1.00	0.50	0.50
Clark Public Utilities (CPU)	NA	1,973	3.63	0.60	0.30	0.30
Small Community Water Systems - Clark Co.	1	100	0.37	0.37	0.19	0.19
Domestic Wells - Clark Co.	NA	158	0.58	0.17	0.00	0.17
Subbasin Total						1.16
Washougal River Subbasin⁽⁸⁾						
Washougal	NA	0	0.00	0.00	0.00	0.00
Small Community Water Systems - Clark Co.	1	100	0.37	0.37	0.19	0.19
Small Community Water Systems - Skamania Co. ⁽¹⁰⁾⁽¹¹⁾	NA	NA	NA	0.20	0.10	0.10
Domestic Wells - Clark Co.	NA	158	0.58	0.17	0.00	0.17
Domestic Wells - Skamania Co. ⁽¹⁰⁾⁽¹¹⁾	NA	NA	NA	0.64	0.00	0.64
Subbasin Total						1.10
Columbia River Tributaries Subbasin						
Small Community Water Systems - Clark Co.	0.55	55	0.21	0.21	0.10	0.10
Small Community Water Systems - Skamania Co.	0.55	55	0.21	0.21	0.10	0.10
Domestic Wells - Clark Co.	NA	105	0.39	0.12	0.00	0.12
Domestic Wells - Skamania Co.	NA	25	0.08	0.12	0.00	0.12
Subbasin Total						0.44

Notes:

Qa = Annual Allotment; Qi = Instantaneous Quantity; afy = acre-feet per year; cfs = cubic feet per second; NA = Not Applicable

⁽¹⁾ Anticipated needs are calculated in the following ways for three different types of water users:

Large Public Water Systems - Needs are based upon deficiencies in existing water rights to meet water demand growth projected to 2020 (except Kalama - 50 year need was used).

Small Community Water Systems - Needs are noted in terms of "blocks" of water. The number of blocks assigned to each subbasin is based upon the general likelihood of future water demand growth by these types of consumers in that area (e.g., there will likely be more such growth in the Washougal River Subbasin than in the Burnt Bridge Creek Subbasin, due to the ability of larger purveyors to meet future needs in the latter.)

Domestic Wells - Needs are based upon estimated growth in the number of domestic wells by 2020.

⁽²⁾ *1 "block" = 100 afy water right on a Qa basis (or approx. 90,000 gallons per day on an average day basis) = 0.37 cfs water right, on a Qi basis (assuming a maximum day/average day peaking factor of 2.0, and an instantaneous/maximum day peaking factor of 1.33)*

HR

Lower Columbia Fish Recovery Board
Integrated Strategy for Implementing Water Right Reservations

B-13

Project No. 80479

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

- ⁽³⁾ The Stream flow Depletion without Mitigation refers to the total amount of stream flow reduction that would occur within the subbasin as a result of pumping or diversion, if there were no mitigation offset. In some cases, this quantity is equal to the anticipated need (Q). In other cases, this quantity is lower, recognizing that a portion or all of the need may be met using groundwater supplies. In these cases, the impacts to streams may be lower than the amount of water withdrawn from the aquifer. For domestic wells, the depletion amount is calculated as 30% of the anticipated need, taking into account that an estimated 70% of water pumped from such wells is returned to stream flows via septic system returns.
- ⁽⁴⁾ Refers to the requirement of water users to offset 50 percent of their future water uses that are guaranteed within the context of this reservation. Does not apply to Domestic Wells.
- ⁽⁵⁾ Calculated as the Stream flow Depletion minus the Offset/Mitigation Requirement. This allowance applies only to impacts upon mainstem flows; it is not intended to allow for extensive dewatering of smaller water bodies. Water right applicants must provide further evidence regarding potential impacts to smaller tributary creeks resulting from new or expanded water resource development. Allowances are to be considered available only for the category to which they are assigned. However, every 10 years, Ecology and local parties should review the status and use of the allowances and may shift allowance quantities between categories to better address needs, so long as the subbasin total allowance does not change.
- ⁽⁶⁾ Wells serving CPU, Battle Ground and Ridgefield may draw partly from the East Fork Lewis River Subbasin, and partly from the Salmon Creek Subbasin. Therefore the stream flow depletion is split between these subbasins, based on information provided by CPU.
- ⁽⁷⁾ The majority of the City of Camas is located within the Lacamas Creek Subbasin, though portions are also located within the Burnt Bridge Creek and Washougal River Subbasins. The City's water sources are located within both the Lacamas Creek and Washougal River Subbasins. Therefore, the stream flow depletion for Camas applies to both subbasins (i.e., total stream flows in both subbasins collectively are not to be reduced by more than the amount indicated for the City).
- ⁽⁸⁾ Not applicable, due to location in tidally influenced area.
- ⁽⁹⁾ In the lower reaches of this subbasin, there may be opportunity to increase reservation amounts, pending further study to refine understanding of flow impacts.
- ⁽¹⁰⁾ Revised water demand projections were determined during the 2005/2006 watershed plan remand process based on projected build-out in relation to current minimum lot sizes and anticipated growth needs, and are not reflected in previous assessments and growth projections.
- ⁽¹¹⁾ During future plan review, the size of this reservation will be reconsidered in light of Skamania County's request for 1.15 cfs needed to accommodate approximately 3109 homes.
- ⁽¹²⁾ Withdrawal impacts shall be limited to the mainstem North Fork Lewis River above Swift Reservoir only.

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

WAC 173-528-130

Accounting for use under the reservation.

- (1) A record of all appropriations from the reservation shall be maintained by ecology.
- (2) For an appropriation under a permit, ecology will account for water use under the reservation based on authorized quantities under water right permits or certificates, and according to WAC 173-528-110(5).
- (3) For permit-exempt groundwater appropriations, ecology will deduct a standard amount of two hundred forty gallons per day for each well. For a group domestic water system under the permit-exemption, the standard amount will be applied for each domestic or residential service connection. The standard amount will be adjusted periodically to reflect actual use during low flow conditions. The standard amount assumes a rate of septic recharge from an on-site septic system. In the event that on-site septic recharge is known not to occur, ecology will deduct an additional five hundred sixty gallons per day. Additionally, ecology reserves the right to account for water use based on the best available information contained in well logs, approvals issued by local jurisdictions, or other documents.
- (4) If a water user under the reservation subsequently abandons or relinquishes the withdrawal, ecology will credit back to the reservation the actual amount of water used and/or debited from the reservation, upon demonstration to ecology that the well or surface water diversion has been decommissioned through written certification.
- (5) Ecology shall notify either Clark or Skamania County and the planning unit, when it determines that fifty percent, seventy-five percent, and one hundred percent, respectively, of the reservation is appropriated for a water user in Table IV.

[Statutory Authority: Chapters 90.82, 90.54, 90.22, 90.03, and 90.44 RCW. WSR 09-01-127 (Order 08-03), § 173-528-130, filed 12/19/08, effective 1/19/09.]

Appendices to Brown et al Comment Letter for CMP-19-01 and REZ-19-01

WIRA 27/28 Reservation Accounting for Skamania County Washougal River from January 19, 2009 through December 31, 2016 updated as of 6/20/ 2017 - Washington State Department of Ecology by B. Anderson To Sallie Tucker Jones

Skamania County Washougal River		SRM		Reserve Allocation (\$)		0.00	0.00 Total		
Permit Issue Date		Permit #	Permit Type	Parcel ID #	Primary Contact	SubArea	Other Department Use		
Permit Issue Date		Permit #	Permit Type	Parcel ID #	Primary Contact	SubArea	Other Department Use		
7/11/2010 0:00	BP-11-09	RD-RES-SFR	020100000000	0010	DAVID WELSH	151 Vails Road	WASHOUGAL	Construct a new stry, gpg with guest quarters on second floor/level have kitchen and new SF washougal	240
4/20/2011 0:00	BP-14-11	RD-RES-SFR	020100000000	0010	ANGUS ROBERT & ANNE - C/O TRISTIA AN 422 Colburn Park Road	142 Lumbard Drive	WASHOUGAL	Construct a new single family dwelling with loft and lower	240
4/1/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	COLBERT, MATTHEW & CALLEY	3441 Bay Road	WASHOUGAL	Replace existing SFR with new single family dwelling	240
7/11/2011 0:00	BP-11-11	RD-RES-SFR	020100000000	0010	TULLER, CHANE	81 Colburn Park Lane	WASHOUGAL	Washougal	240
8/14/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	TULL, CHARLES & MICHELLE	7022 Washougal River Road	WASHOUGAL	Construct a new single family dwelling	240
10/19/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	CONRAD, GUY AND LINDA	151 Vailor Drive	WASHOUGAL	Construct a new single family dwelling with garage	240
10/19/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	WALSH, STEVE & TRESSI L	1346 Lumbard Drive	WASHOUGAL	Construct a new single family dwelling with garage	240
10/19/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	MEYER, STEVE M & ANGELA M	61 New Prairie Rd.	WASHOUGAL	Construct a new single family dwelling with garage	240
1/2/2012 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	WEDDING, GUY & LINDA L	51 ANDREW ROAD	WASHOUGAL	New Single family dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WEST COAST BANK	322 Agate Lane	WASHOUGAL	Permit to complete existing SFR that was started in 2007	240
5/2/2012 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	KHONG, STEVEN PATRICK	112 Andover Drive	WASHOUGAL	Construct a new single family dwelling	240
5/18/2012 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	GRIGG, DONALD AND MARGOHE	41 ANDOVER RD	WASHOUGAL	New Single family dwelling	240
5/18/2012 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	KELCE, PATRICIA	112 ANDOVER RD	WASHOUGAL	New two story single family dwelling with deck	240
7/14/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	SINGH, PETER P & BARBARA L	133 Timony Lane	WASHOUGAL	New two story three bedroom single family dwelling	240
7/14/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	KOOL, MICHAEL T & RONNIE A	146 000 WATSON CREEK RD	WASHOUGAL	New two bedroom single family dwelling with attached garage	240
7/14/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	NOLAN, MADONN	232 Helton Way	WASHOUGAL	Construct a new single family dwelling with attached garage	240
7/14/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	FRYBARGER, JAMES & SHERLEY A	182 Lumbard Drive	WASHOUGAL	Construction of a 2 bedroom single family dwelling	240
8/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	Hagner, Kenneth	202 Billie Way	WASHOUGAL	Construct new house & foundation to place a moved single family dwelling into county	240
8/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	COFFREY, CAROL D & SHELIA R	102 MT KASABA RD	WASHOUGAL	Construct a new 2 bedroom single family dwelling with garage	240
12/16/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	GIZI, MARK & SUSAN	321 Upland Road	WASHOUGAL	Construct a new stry with attached garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	NEW TRADITION HOMES	182 Lumbard Drive	WASHOUGAL	Construct a new 2 story single family dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	GRIGG, STEVEN	41 ANDOVER RD	WASHOUGAL	Construct a new 2 bedroom, 2 story single family dwelling	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WATSON, ANTELLA DEAN	956 WASHOUGAL RIVER RD	WASHOUGAL	Construct a new 2 story single family dwelling with guest quarters & garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	NEW SINGLE FAMILY RESIDENCE - dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	132 Thompson Dr	132 Thompson Dr	WASHOUGAL	Construct a new 2 bedroom single family dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new stry, removed existing SFR due to fire	240
12/16/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new stry, 3 bedroom single family dwelling with attached garage	240
12/16/2011 0:00	BP-10-11	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new 2 story, 3 bedroom single family dwelling	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new single family dwelling with attached garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new 2 bedroom single family dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new 2 bedroom single family dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new 2 bedroom single family dwelling with garage	240
4/20/2011 0:00	BP-10-09	RD-RES-SFR	020100000000	0010	WASHOUGAL, WILSON & LARRY	1391 9TH ROAD	WASHOUGAL	Construct a new 2 bedroom single family dwelling with garage	240
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for CMP-19-01 and REZ-19-01

**Assessors Office Map of developed properties in WECCSP –
August 5, 2017**

