

June 7, 2020  
882 Thuja Narrow  
Washougal, WA 98671

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

Re: File Nos: REZ-19-01, CMP-19-01  
Kellett Road parcel # 02052500090000  
West End Rezoning Application  
and West End Sub-Area Comprehensive Plan Amendment

RECEIVED  
SKAMANIA COUNTY  
JUN 15 2020  
COMMUNITY DEVELOPMENT  
DEPARTMENT

**Abstract/Summary Outline:**

- 1. Requesting 2-acre, but promising 6-acre division from an FL20 category has no precedent nor legitimacy in planning strategies or documents**
  - a. The 100 ft, contiguous, 2-acre designated parcel was a “pre-existing condition”**
  - b. If granted, it would be considered a “special privilege”, thus, invalidated**
  - c. The addendum to the zoning map specifically states that “Existing areas of more intense rural residential development (2-acre lots) should be acknowledged and maintained, but should not be expanded.”**
- 2. WRIA limits development in the Washougal River watershed**
- 3. Likely to push limits of existing County and community services (fire)**
- 4. Unstable soils - landslide and erosion hazard area classification**
- 5. Stated to have five streams on parcel**
  - a. One of “streams” is stated to be Canyon Creek, a Washougal River tributary**
  - b. Canyon Creek may not be in Critical Areas listing, therefore may not be subject to adequate protection**
  - c. Washougal River is WRIA-regulated, tributaries are critical contributors to summer flow rates and temperature modulation**
- 6. Growth rates in discussion should be for the West End only**
- 7. 60% infill has not been reached for RL2 (nor RL5 categories**
- 8. No other applicable change in circumstances demonstrated**

Thank you for the opportunity to comment regarding this proposal.

Thank you for the opportunity to comment regarding this proposal.

In June of 2017, in connection with proposal (CMP-16-02/REZ-16-03) you received verbal testimony, written submissions, and documentation that addressed some of the same issues that are again being addressed in this 2020 proposal.

Much of this documentation was/is embedded in the present West End Sub-Area Comprehensive Plan, created from 2001 to 2004. In November of 2001 all landowners and residents of the West End community in Skamania County were invited to engage in an intensive, consensus-based planning effort. Those who chose to participate spent almost three years learning, evaluating and creating a balanced plan that would both accommodate growth and ensure that the values they cared about most in the West End would be protected and not irreparably lost. The County invited local historians, County, state and federal agency scientists and professionals to educate participants in their fields of expertise or regulation, pertaining to the West End Sub-Area.

One basic concept that all (250-plus individuals) who chose to participate were encouraged to acknowledge was that **the West End community, because of its topography, hydrology and basic reliance upon finite resources, has very real limitations for intensive development.** These include low-retention, rainfall recharged aquifers which are limit summertime and early fall water availability, lower elevation-distanced services, especially related to fires, road access constraints in outlying or higher elevation communities, and *mandatory* fisheries-related water allocation limits. The West End Sub Area Comprehensive Plan (WESACP), throughout its formation was developed and finalized in 2004, through strict community consensus. After numerous attempts to alter what the community had forged, culminating in a potential court challenge, the final Plan was adopted with the accompanying zoning map in May of 2012. The frequent citations and documentation cited throughout was purposely included so there would be no doubt in the future about the original intent, either by those who were not present at the time of the Plan's creation, by those who chose not to participate in its creation, or by those who were not familiar with such documents and the accompanying terminology. Recognizing this effort continues to establish legitimacy and firmly demonstrates the well-researched, thoughtful intentions of a community striving to protect existing natural resources that have been irrevocably lost in other nearby rural settings.

Please take a moment to see the attachment titled Chapter 6: Appendices, Appendix Item 1: pages 57-59 lists those participating in the plan's creation. Following this on pages 1-5, the (then named) Skamania County's Planning Department's five-page summary meeting notes, each of which lists the Agenda, Focus, content and specific comments made by attendees. What was accomplished at each meeting is noted, when appropriate, as was the number of attendees.

A rezone from FL 20 to RL 2 is not only unusual but troubling, especially since it appears to have staff support. This kind of permission, if granted, would be flagrantly inconsistent with the Mission and Vision statements forged by the community as well as with most of the Land Use Element Goals and Policy Statements. If approved, it could establish a possibly unassailable precedent for future action, essentially rendering the community's planning efforts not only ineffective, but meaningless.

### **Comments to the Application Narrative**

The revised Kellett Road Rezone Application narrative states that the purpose of the application is to change the subject property zoning designation from FL 20 to RL 2 and to change the appropriate documents to accommodate this application request. Within most modern contemporary planning strategies, regardless of location, this kind of change would, at the very least, raise eyebrows. The applicant appears to assume that there are/will be no procedural impediments blocking approval. Aside from the substantial change criteria and demonstration of infill percentages there is one significant legal restraint that applies to the West End Sub- Area that this proposal, as well as the County continues to ignore. It is the State's water allocation that directly and specifically has determined the number of new homes allowed in the West End. See Table 2, pg. 12.

The proposal narrative states that there will be no impact upon any existing buildings on the property (there being none); it is not clear why impact upon existing buildings is of key importance., nor why it is mentioned here. No mention is made here of other possible impacts that construction of such a project would decidedly produce. A brief sketch of the applicants' plans for the 104 acres is mentioned, but there are no promised requirements alluded to, nor any

assurances that there would be enforcement provisions for them, if they were to be created, nor where enforcement authority would originate.

The Rezone Narrative continues, quoting three criteria which must be demonstrated for approval:

From SCC 21.18.040, part B: “The Hearing Examiner may approve the proposed petition for zoning map amendment if the zoning map amendment

**1. “(It) bears a substantial relationship to the public health, safety, and/or welfare (is the amendment consistent with the comprehensive plan);”**

- The reader is directed to a listing of Land Use (LU) element goals and policies from the Comprehensive Land Use Plan described in the Comprehensive Plan Change Application Narrative, pages one through 9. By virtue of creating and selecting the zoning map (alternative 2) **by consensus**, the community distinctly made it clear that **2-acre parcels were not** what would **“promote and enhance the rural and natural character of the community”** as stated in WESACP General Goal 1, Land Use.
- In this proposal there is no existing mechanism that would guarantee that all lot owners would choose forestry production on the proposed lots. Restrictive covenants are often ineffective. General Goal 3, Forestry states that **“In areas designated....forest lands,”** the existing Plan should **“encourage and promote the current and continuing use of area land for the production of timber and miscellaneous forest products.....”**
- General Goal 4 Water, is one of the major resource parameters that inextricably links as well as limits population projections, rates of infill, potential buildout quotas, maintenance of wetlands and wildlife populations, including fish. Concerns about domestic water supplies have existed in the foothill communities since the late 1970’s. When unchecked building increased in the West End, and since almost all domestic water is supplied individually, residents asked the County to fund a preliminary water study. Please note that this study conducted by Pacific Groundwater Group in 2004 was a water QUALITY study only, as stated on the report cover. The type and quantity of data collected was not sufficient to address water *quantity*, nor was the money (or will) available at the time, to conduct such a study. The study did recommend

that more data could be collected by residents that would, over time, provide predictive and comparative capabilities against which future conditions could be analyzed. Some residents (I was among them) tried unsuccessfully to interest the county in supporting such a voluntary program. Reports of failing wells and springs have slowly but steadily accumulated as more land parcel divisions increase and water resources in the summer and fall continue to dwindle, forcing residents to deepen or even abandon wells and springs that can no longer sustain reliable water supplies.

- I find it difficult to imagine how 17 new residences on adjacent 6-acre lots could “maintain the peace, solitude and natural beauty of the West End Community into the future....” as stated by the application under Primary Land Use, page 1 of 9 , especially when approval could permit these 6-acre lots to *more easily become 2-acre lots* at any short or longer-term future date. Building out to the promised seventeen 6-acre parcels would quadruple the existing households generating road traffic. Although rural families likely make fewer trips, each urban/suburban household is usually calculated to generate up to ten (automobile) trips per day -- 17 additional residences x 10 = an additional plus or minus 170 road trips per day on two gravel roads maintained by whom? Even half or even one quarter this amount of traffic is not practical for a one-lane gravel road with no formal pull-offs, located in this particular elevation and climate zone. The additional traffic generated would, if anything *detract* from any purported peace and solitude.
- Unfortunately, clarifying text meant to accompany maps is often overlooked or ignored. Nonetheless, the zoning map approved by the community deliberately added specific guidance text designed to clarify and to specifically limit the location of smaller residential lots so that demand would not be created for high levels of public services. This directly benefits both the County as well as its residents. The zoning map’s accompanying text states: **“Existing areas of more intense rural residential development (2 acre lots) should be acknowledged and maintained, but should not be expanded.”** The Narrative implies that “interpretation” is needed for this statement (Narrative pg. 2 of 7 “the planning department has interpreted this .....”) The statement is quite clear and means precisely what it says. It also protects the Sub-Area

Plan's goals and primary mission statement. The County has stated the desire to maintain productive forest lands as a revenue source, and has on many public venues/meetings discouraged conversion of these lands to other uses. The West End Sub-Area Comprehensive Plan purposefully cites a compilation report documenting that residential development, over time, is more costly than keeping larger parcels of productive forest land, or large ranches or farms.

- ❖ The Application fails to comply with several of the Comprehensive Plan's Land Use Element Goals.

**2. "It is contiguous to the requested designation by at least 100 feet, therefore not granting a special privilege, and;"**

- This attempt to ultimately gain a 2-acre designation for the applicant parcel, could certainly be seen as granting a special privilege. The adjacent 2-acre proximity was a pre-existing condition that has no relevance to current day conditions and as such should not be considered legitimate. The compromise attempt for 6-acre parcels is also out of order. The adjacent property was a remnant from a time when there were no regulations, no guidelines, no regional reviews. The adjacent property was, long before planning efforts, designated as RL 2, and was acknowledged as such at the inception of planning. At this time, however, it was also acknowledged as an example of what can happen in a time of unbridled permissions. The adjoining property's isolated presence as RL 2 in 2020, does not justify the applicant's request for the privilege of the same designation by virtue of proximity, inappropriate in a time when views of land use are more responsible regarding cumulative and off-site impacts. One intent of the WESACP was to prevent arbitrary and to move toward environmental and human system sustainability. Again, from the WESACP *"Existing areas of more intense rural residential development (2-acre lots) should be acknowledged and maintained, but should not be expanded."* (WESACP zoning map attachment)
- ❖ The Application again fails to comply by virtue of granting a "special privilege" and by claiming to be adjacent/contiguous to an area not sanctioned by any contemporary, reasoned planning process.

**3. “Circumstances have substantially changed in the area since the adoption of the existing zoning designation. A substantial change in circumstances means.....”**

- I cannot see that there has been any recent or past (since 2012) substantial change in the usual parameters used to assess and evaluate this requirement. The Land Divisions, Population Increase and homebuilding data provided by the applicant are in line with projections provided by Washington State when the plan was being developed or result in the expected small, hardly significant changes. The definitions and calculation procedure for determining in-fill have been clarified jointly by working with the Planning Commission and Community Development staff, and finally presented and approved by the Board of County Commissioners, as a clarifying amendment to the West End Sub-Area Comprehensive Plan in 2018. The key concept was articulated in testimony and upheld by the Hearings Examiner on July 13, 2017. Thank you for encouraging the clarifications resulting in Chapter 21.08 of the Skamania County Code that now unmistakably defines a “substantial change in circumstances.” Recently calculated in-fill percentages shown on Table 1 Comparison of in-fill percentages, and the accompanying explanatory notes, submitted on page 6 of the group letter do not show much change has occurred in the last several years. Therefore, no substantial change has yet occurred nor needs to be addressed. Decreased listings and a paucity of 2-acre lots are not factors in determining substantial change. The data presented on population increase are well within the state projections presented at the time the plan was written. At that time, the total number of parcels that would be permitted within the rural land categories was predicted to accommodate the population projections until the year 2025, or later.
- ❖ The Application fails to demonstrate substantially changed circumstances.

## Comments to The Comprehensive Land Use Plan Compliance Narrative

### WESACP General Goal 1 Primary Land Use

**“Land Development in the West End Community shall be of a nature that promotes and enhances the rural and natural character of the community.**

- There are no compelling arguments demonstrating consistency with either the Comprehensive Plan’s Land Use elements, or the general goals upon which they are based. The applicant’s comment under Comprehensive Plan Policy LU.GP6 (pg. 4 of 9) is a misunderstanding of the buildout criteria definitions; LU.GP17 should imply that (staff or applicant) initiate input regarding any potential impacts to increasing the (sometimes volunteer) services to an area accessed by a less than optimal roadway (the last portion of Mabee Mines Road is unpaved), all of Kellett Road is unpaved; LU.GP 19 - after 17 wells are drilled, might there possibly be an impact upon the Washougal River tributary waters of Canyon Creek? It would be presumptuous to make statements about water supply in this area, especially in view of currently changing weather patterns ; LU.GP22 does not mention how much “residential development” currently exists beyond the project site on Kellett Road; LU.GP4 neglects to mention emergency services; because of the proposal’s location, this would represent additional challenges for our all-volunteer fire department; LU.GP27 (pg. 7 of 9) addressing stormwater runoff, states that natural vegetation will be preserved (in a large area supposedly containing only rows of Douglas Firs), “to the greatest extent feasible” which is not a very firm commitment and implies that in reality there would be no oversight or enforcement, even if there was any significant existing “natural vegetation” left on the parcel or enforcement capability in the county. The applicant claims, in response to LU.GP27, item d. (pg. 7 of 9) that “all on-site stormwater runoff will be **treated and infiltrated** on site” but only “to the best ability, based on site conditions!” There are stated to be five streams (originating?) on the property; how will septic tank drain fields be prevented from contaminating the headwaters of Canyon Creek,

associated wetlands and the other unnamed creeks and springs draining into it?

- ❖ **This proposal fails to be consistent with the overall intent of the goals, maps and land use element of the Comprehensive Plan, nor its policies. It also would be a threat to the headwaters of Canyon Creek, a tributary of the WRIA-regulated Washougal River.**

#### **WESACP General Goal 2 Forestry**

**“In the areas designated Commercial Resource Lands and Forest Lands, encourage and promote the current and continuing use of area land for the production of timber and miscellaneous forest products consistent with the utilization of Best Management Practices as provided in the Revised Code of Washington (RCW) and Washington Administrative Code (WAC).**

- ❖ This proposal would fail to encourage or promote the current and continuing use of the subject property for timber production, especially if (likely) future action permitted 2-acre parcels. Covenants or other documents designed to **require** landowners to produce timber or perform or refrain from performing specific actions on their rural property, do not always withstand court challenges. Aside from this, the additional problem of who would enforce covenants is not addressed, nor how or if, noncompliance would be remedied.

#### **WESACP General Goal 5 Wildlife**

- ❖ Certain species avoid continuous human activity and/or presence. At the very least, WDFW should be consulted regarding wildlife corridors, especially regarding determination of existing wildlife access trails, pathways and migration routes to Canyon Creek or other local water sources.

#### **WESACP General Goal 4, Water,**

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

#### **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.”**

are tied together by federal and state regulation and inescapably affect the County’s development plans. Since I have presented comments regarding this issue previously, the following comments attempt to briefly reflect this connectivity without repeating past testimony (July, 2017).

- The negative impact of increasing summer water temperatures upon threatened Washougal River salmon and steelhead have been a concern for the past six years. There has been enough time to demonstrate a trend that has been addressed by constraining previous ongoing indiscriminate water withdrawals in the watershed. Certain rules apply to the Washougal streambed, ensuring that during June through October instream flows can and will ensure the parameters that ESA-listed fish species require for survival. Maintaining the integrity and clean waters of Canyon Creek, as a tributary contributor toward these minimum summer flows is essential. It is not entirely clear, but the application parcel appears to be located directly uphill of the headwaters of Canyon Creek, and may have its origins on the parcel.
  - ❖ You have been provided with relevant documentation in a group letter with appendices, on the local fisheries and water concerns in connection with another application (June, 2017, File No. CMP-16-02 and REZ-16-03), but may I direct you to Appendix 3, pg. 39-54 attached to the 19-page group letter submitted last week.
  - ❖ The WRIA 27/28 reserved water strategy for the Washougal River established policies that balance growth projection data, water user supply estimates and stream flow protection for aquatic biota, regardless of survival status. The constraints recognize that all groundwater withdrawals impact the hydrological system in which they occur and that “the effects of groundwater withdrawal may require years to become evident.” (WA Department of Ecology [DOE] instream flows website) Increasing demand, such as in small, isolated foothill aquifers that rely on rainfall recharge, manifests as a decline in aquifer storage capacity and lowered or cessation of usable discharge during no rainfall periods, typically summers and in the early fall or until significant rains begin. The constraints that the

Water Resources Inventory Areas (WRIA 28) watershed plan have imposed – the water right reservation of .64 cfs for the Washougal River have been negotiated by the Washington State DOE and agreed upon by Skamania County Commissioners. The date that the water reservation for Skamania County began was on January, 19, 2009 (personal communication, B. Anderson, Washington State Department of Ecology, SW Regional Office.)

- ❖ As mentioned in the introductory paragraphs on page 1, the WRIA 28 water reservation is one of the main limitations to development in the West End of Skamania County. It, unfortunately has not been adequately addressed by County officials and continues to be ignored by planners and developers alike. The difficulty lies in the reportage procedure. According to the agreement with Skamania County, Washington State **DOE tracks only the number of parcels with drilled wells**. When this number has reached what the water reservation will accommodate, the County will be notified and no additional wells will be permitted, halting the development of residential properties until renewed negotiations with the State resume. A basic assumption is that in order to develop a rural residential property in the West End of Skamania County, a drilled well will be the likely water source.

From the Washington State DOE's perspective, Skamania County's Washougal River Sub-basin is not close to its withdrawal cut-off point.

From the standpoint of existing small lots or other parcel owners planning future subdivision of parcels capable of supporting a residence and a well, the threshold has already been exceeded.

**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... 8 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

\*240 gallons per day equals 0.00037133487 cfs. The resulting instream flow is calculated by multiplying number of residences/wells by 0.0003713487 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 WESCCP admendment there are already 15 more homes/wells than allowed under the WIRA 28 allocation.**

\*\* 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 8/1/2004 and 7/5/2017. 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.

- If County policy continues to approve lot subdivisions in the West End Sub-Area, County officials will knowingly be taking away the water rights of those who have not yet acted to guarantee their rights by drilling a well or developing a spring. Officials will knowingly be giving that water right, with no notification or recourse to someone else. This is not only a disservice to current landowners, but is a violation of the intent of the State/County WRIA 28 agreement discussions during which, Skamania County was specifically instructed to “Plan accordingly.” (personal communication, Mike Gallagher, Section Manager, Washington State Department of Ecology, SW Regional office, Water Resources Division, Olympia, Washington.) DOE trusted that the County would not create more small parcels for residences than the water allocation would allow, as has already occurred in Whatcom County and elsewhere in the state and here as well. The appendix attached to the group letter referenced above shows several newspaper articles describing this planning oversight in other Washington counties. If the County were to acknowledge that the over-allocation point has been reached, existing water rights could be protected and further West End applications could be processed fairly and appropriately until a remedy has been devised.
- The applicants state that “...there are no environmental impacts associated with the ...” application but that “Future impacts .....will be avoided or mitigated as required.” It is further stated that “The applicant could not find any potential ramifications of the proposed map amendment to other Comprehensive Plan elements or official controls.” Subdividing a 104-acre parcel through which five streams are said to be flowing, gaining a RL 2 designation for an existing FL 20 parcel, permitting seventeen new homesites on land categorized as an erosion and landslide hazard, to disturb and potentially contaminate, or deplete the headwaters and wetlands of Canyon Creek, a Washougal River tributary, seems to hold many possibilities for (negative) impact and affects at least six of the Comprehensive Plan Land Use Elements listed in the application.
- Neglecting to address stormwater runoff from a development in the city of Washougal has resulted in documented contamination of Gibbons Creek which, in the past, has sustained fish species of concern and now jeopardizes their long-term survival. One goal of responsible planning is to

expend thoughtful and concerted effort to avoid mitigation for potential problems that we have the ability to circumvent. Regrettably, mitigation is not an effective remedy when water quality for fish survival is at issue.

- ❖ **This proposal has not disclosed environmental impacts and is inconsistent, in multiple facets of impact, with the intent of General Goal 4. Water and General Goal 6. Fish**
  
- ❖ **The applicant has failed to find, acknowledge, consider or address the potential ramifications of the project, as stipulated.**

### **WESACP General Goal 7 Community Services**

**“Support only that development which can be sustained within the limits of existing county and community services.”**

- The West End of Skamania County is somewhat removed from its own County service centers: 25 miles to the Police Station in Stevenson, WA. Emergency and fire protection services are available thanks to a cadre of community-minded, dedicated volunteers. Quick response is the most challenging aspect of volunteer service in any widespread community but here, additional access issues – only one fire station to serve the entire community, much of which is at altitude, varying terrain and road repair conditions, condition of private driveways, poor communication technology, variations in weather conditions due to elevation differences – all complicate response times. There is now only one volunteer fire station, located on the Washougal River Road, el 365 ft., downhill from Kellett Road, el ft. Despite the procurement of additional fire department vehicles, the tanker and engine trucks take considerable time to reach residential communities located at altitude and must handle winding roads with care. Increasing areas of residential density in vulnerable and distant rural locales will increase the fire suppression challenges the area already has difficulty meeting and, according to a fire department volunteer, has the potential of “outstripping the ability of all local fire department volunteers to meet escalating needs.”
  
- *“With all development (or increases in population) there is an increase in the demands for community services. The County should assist in the*

*reduction of the cost of public services by focusing development in areas where services, utilities and access are provided in adequate capacity, or can be reasonably upgraded by the developer to necessary capacity. Additionally, residential development in rural areas should be provided on lands that can physically support it without requiring urban level services.”* (WESACP draft pg. 18 paragraph 2.)

- ❖ **This proposal, at this time, may unreasonably stretch the capabilities of fire department volunteers, due to its location.**

### **WESACP General Goal 8 Transportation**

- The last portion of Mabee Mines Road, the primary access road to Kellett Road is not paved, nor is any portion of Kellett road which is a one-way, gravel road with no regular turn-off provisions for oncoming vehicles. No mention is made of the additional maintenance arrangements that will be required as a result of the estimated additional traffic generated by this development. Neither is there any acknowledgement of who currently maintains this road, who provides the maintenance expenses, nor how the additional users will contribute (fairly) to maintenance and upkeep. Has the applicant made such inquiries or suggested how the development covenants or individual property owners will meet the responsibilities for upkeep of the common gravel roadway comprising Kellett Road and the gravel portion of Mabee Mines Road that must be traversed in order to reach Kellett Road?
- **There appear to be a number of issues regarding access roads and road maintenance responsibilities that have not been considered.**

**WESACP General Goal 9 Evacuation** No comment.

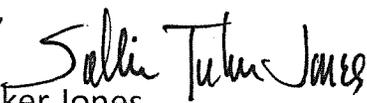
### **WESACP General Goal 10 Geology**

- Although the narrative states “To the best of our knowledge there are no unstable areas within the boundaries of the proposal,” the soils and slopes designation under SCC 19.07.010 on this specific property classifies it as an **erosion and landslide hazard area**. Since these events often occur only **after** road construction or other earth-moving or earth-

disturbing activities have occurred, they would be difficult to predict, nor would the potential be obvious to a casual observer. The fact that this parcel is categorized as such, with a basis in soil studies, should serve to provide precautionary warnings to both planners and developers. Well-drilling is also known to alter or redirect adjacent water flow and drainage patterns, affecting the way surface water is distributed over the landscape (Pacific Groundwater Group Water Quality Study for the West End of Skamania County, 2004.) This can cumulatively become a factor triggering landslides in times of rapid snowmelt, unusual precipitation events, as well as heavy rainfall that follows prolonged drought conditions. The County's Critical Areas Ordinance identifies many, but not all locations of special concern. This would make item E.1.4 from the Comprehensive Plan exempt from compliance, since it is not formally identified as a critical area. The Canyon Creek roadside areas among others, was listed as an "additional unstable area in the West End in the "Information and Summaries 2001 – 2004 document that was submitted for community review during a research phase of Plan formulation. The suggested Policy statement read: "Prohibit development in wetlands and geologically unstable areas." The final (and current) statement reads: "Prohibit development in geologically unstable areas." LU.5.4 (pg. 8 of 9) addresses surface water including stormwater runoff but only in terms of "...should..." and "encouraging" certain results – not especially strong language. The applicant replies in equally weak language: "to the best ability.... based on site conditions...to the greatest extent feasible."

In summary, this application harbors many inconsistencies with the WESACP and a change in circumstances has not been demonstrated, as required. Please see the group letter discussion explaining the origin of the numbers used in recent calculations; it appears that there may still be some misunderstandings concerning methodology. Thank you for your time and consideration.

Sincerely,

  
Sallie Tucker Jones