

FRIENDS OF



CLARK COUNTY

SMART GROWTH

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www.clarkfriends.org

(360) 695-5570

December 2004

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MESSAGE FROM THE BOARD

by Bridget Schwarz
FoCC Board

In this newsletter, Friends shares our concerns about developments and plans that will negatively impact the East Fork of the Lewis River. We think you'll agree the future of the East Fork is in danger.

Please read about the Storedahl mining application, the Cowlitz tribe proposal, and Battle Ground's expansion plans.

As we look back on 2004, the FoCC Board has rightfully earned a feeling of accomplishment and purpose. We could not do it without your support. Thanks for being a member of FoCC.

As we look forward to 2005, there are many challenges ahead. Here are some of our plans:

- Address the major issues affecting the quality of life in southwest Washington;
- Accomplish that goal using a variety of means—this newsletter, our website, public forums, white papers, etc.
- Partner with other organizations working on environmental and quality of life issues.

We'll address our organizational structure too, including:

- Expanding our Board of Directors;
- Utilizing our Advisory Board more fully;
- Growing our membership.

Our goal is to "come alive in 2005". Stay tuned!

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*From Friends of
Clark County*

FRIENDS of
CLARK COUNTY

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BOARD of DIRECTORS

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Lora Caine, Ridgefield

Bridget Schwarz, Ridgefield

MISSION STATEMENT

Friends of Clark County is a nonprofit, membership-based organization creating, educating and empowering advocates for Smart Growth.

Our mission is to conserve & protect southwest Washington's quality of life.

STOREDAHL APPROVED TO MINE THE
EAST FORK OF THE LEWIS RIVER

by David McDonald
FoCC Advisory Board

On November 4, 2004, Clark County Hearings Examiner Dan Kearns issued a decision that approved the JL Storedahl rezone application with conditions. This was despite finding that an application of this kind would never be approved under current conditions if the site had no prior mining activity.

If the decision is upheld, and Storedahl is able to meet the conditions outlined in the Hearings Examiner's decision, then they will be able to mine on the site as outlined in their Habitat Conservation Plan.

The Examiner relied upon a 1996 determination by then Planning Director Craig Greenleaf that Storedahl has a non-conforming use right to mine the site and, therefore, the site would be mined irrespective of his decision.

After finding that Storedahl had a nonconforming use right to mine all of the site, the Examiner treated the claimed nonconforming use as an unconditional right to mine gravel in accord with regulations that he determined would not be as stringent as those outlined in the HCP.

Friends of the East Fork (FOEF) and Fish First (FF) have filed an extensive appeal of the Examiner's decision to the Board of County Commissioners and a hearing has been set for February 3, 2004. Written arguments are due by December 17, 2004.

Among the many errors made by the Examiner in his decision, the Appeal specifically alleges that the Examiner committed error by:

1. Ignoring both the permitting and regulatory requirements that would apply to a nonconforming use, and the County's legal right to limit or phase out a nonconforming use to protect competing values ;

EAST FORK MINING APPROVAL

(continued)

2. Incorrectly applying the perceived scope and effect of the claimed nonconforming use as the baseline against which he judged the impacts of the proposed Expansion;
3. Incorrectly analyzing all of the environmental factors associated with the proposed Expansion, and incorrectly concluded that the project satisfied the criteria for a rezone and the requested permits;
4. Misinterpreting the substantive requirements of the State Environmental Policy Act (SEPA), accepting as adequate a patently inadequate analysis of the adverse environmental impact of the proposed Expansion;
5. Overlooking and/or misinterpreting key evidence regarding the consequences of the proposed Expansion; and
6. Misapplying Clark County's Comprehensive Plan Policy 4.5.8.

Fish First and Friends of the East Fork will be filing written comments and argument by December 17, 2004.

Due to the election of Craig Pridemore to the State Senate, and the retirement of Judie Stanton, the issues raised will be determined by Betty Sue Morris, Mark Boldt and a Commissioner to be named later.

Generally, the Commissioners will decide these matters on the record and the written argument and not consider any evidence not made part of the record before the Examiner.

There is still a great deal of community support for the positions articulated by members of the public, Fish First and Friends of the East Fork in front of the Examiner. Attorneys for the groups hope their written argument will resonate with the Commissioners. Stay tuned for updates.....

STOREDAHL MINING PUBLIC HEARING

The Board of County Commissioners will hear appeals of the Hearings Examiner decision to allow mining on the East Fork of the Lewis River. The hearing is at 10:00 am on Tuesday, February 3 in the 6th floor Hearing Room of the Clark County Public Services Building at 1300 Franklin. There will be no public testimony.

FoCC MEMBERSHIP

Please renew your membership using the order form in this newsletter. We need your support to help cover the costs of our newsletters, public forums, and to continue our vital work protecting our quality of life in Clark County. Thanks!

VISIT OUR WEBSITE

- You'll find the latest updates to our calendar;
-
- You'll find background and action items for issues that impact you;
-
- You'll find out what projects we are working on;
-
- You'll find links to other organizations that share our quality of life goals;
-
- You'll find opportunities to get involved with Friends.

COWLITZ PROPOSAL IMPACTS

Until December 13, the Bureau of Indian Affairs is taking written comments regarding the impacts to be studied in preparing an EIS (Environmental Impact Statement).

Mail comments to:
Stanley Speaks
Regional Director
Northwest Regional Office
Bureau of Indian Affairs
911 NE 11th Avenue
Portland, OR 97232

A draft EIS will be issued followed by additional public comment.

Friends of Clark County does not oppose the establishment of a reservation for the Cowlitz Indian tribe.

However, we do not support the rezoning of these 152 acres from its agricultural designation. As is consistent with the state's Growth Management Act, Friends supports limited development in rural areas.

To learn more about the Cowlitz tribe's partnership with the Mohegan tribe of Connecticut visit their website at:
www.mohegansun.com

COWLITZ INDIAN TRIBE'S PROPOSED CASINO

By Susan Gilbert, Chairman
Enterprise/Paradise Point Neighborhood Association *

The Cowlitz Indian Tribe's plan to develop a casino, hotel, parking garage, RV park, cultural center, offices, restaurants, retail stores and housing is now in the second stage of the approval process.

The Bureau of Indian Affairs' Environmental Impact Statement scoping meeting on December 1 took testimony from the public on their environmental concerns about this project.

It is well known that the location of this proposed development is on a fragile piece of county land.

The parcels that the Cowlitz have purchased are steeply sloped, have the poorest soils in terms of drainage in all of Clark County, and are situated not only above the endangered East Fork of the Lewis River but also between two wildlife refuges, the La Center Bottoms and the Ridgefield National Wildlife Refuge.

The preliminary plans indicate that the total impervious surface will cover approximately 3 million square feet. Most of the 152 acre parcel drains into a broken culvert which traverses under I-5, then through a seasonal stream and finally into the East Fork.

There is the distinct probability that there will be massive flooding during the rainy season. It would pour warm storm water and sewage effluent directly into the river. This bodes poorly for salmon migration and the overall health of the river.

Our neighborhood association and other concerned citizens and groups continue to bring all the environmental detriments surrounding this project to the attention of the Bureau of Indian Affairs and to the Department of the Interior.

Severe restrictions must be put upon this massive development in order to mitigate the disastrous effect it will have on surrounding properties, on the East Fork, on traffic, on the socio-economic health of surrounding towns and cities, and on the way of life we are so privileged to enjoy.

** The property proposed for the Cowlitz reservation is within the borders of the Enterprise/Paradise Point neighborhood association.*

WHAT IS WETLANDS MITIGATION BANKING?

By Steve Stuart
FoCC Board

Wetlands represent only a fraction of the total land area of the United States, but their importance to wildlife and the array of wetland functions and inherent values to society mandates a national policy of NO NET LOSS of wetlands.

During colonial times there were over 211 million acres of wetlands in the lower 48 states. However we have lost over 50% of our wetlands and currently less than 100 million acres remain. We continue to lose nearly 400,000 acres of wetlands per year. Approximately 75% of the remaining wetlands are located on private lands creating problems for conservation and management. Current regulations require compensatory mitigation of wetland impacts.

A few facts about "mitigation":

- Wetland mitigation is defined as the replacement of the form and function of the wetland that will be impacted detrimentally;
- Mitigation is necessary where development will displace wetlands and there are no feasible alternatives for that wetland destruction;
- Mitigated wetlands are generally two to 20 acres in size;
- Smaller wetlands are often surrounded by disturbed areas or other man-made activities and may be marginal wildlife habitat;
- Studies have indicated that between 75 and 85 percent of all wetlands created to fulfill mitigation requirements have failed.

To address the problems seen with traditional mitigation, Federal, State, and Local governments have started looking into encouraging the banking of large tracts of land within various watersheds and wetland habitats for the purpose of anticipating the future need for compensatory mitigation.

These tracts, called Wetland Mitigation Banks, range in size from hundreds to tens of thousands of acres, acting as a repository for regional mitigation activities, maximizing the quality and potential for wildlife habitat, and minimizing costs of mitigation through economies of scale.

The requirements to utilize the services of a wetlands mitigation bank are similar to those for a traditional off-site mitigation. Prior to the displacement of a wetland, the developer is required to demonstrate to the appropriate government agency that no other alternative plan provides a higher quality wetland or environmental gain.

If this premise is accepted, the Corps evaluates the quality and quantity of the wetlands to be displaced. The quality of the wetlands will be translated into a numeric value, and this value will equate to the number of debits (per acre) the developer will be assessed.

The higher the quality of the wetland, the greater the number of debits. Credits are awarded to wetland mitigation banks in the same fashion. But instead of developing an acreage-for-acreage exchange ratio of wetlands-for-wetlands, debits incurred by a developer are reconciled by the credits awarded to the mitigation banker.

The number of credits awarded to a mitigation bank is based on the quality of the wetland environment created, and the basis of mitigation transactions is money exchanged for these credits. The result is a profit motive for establishing viable ecosystems, and a very effective way to ensure the creation of quality environments on a large scale.

COUNTY PARKS PROPOSAL GOES TO VOTERS

On February 8, 2005, Clark County voters will get to decide whether or not to create a Metropolitan Parks District to provide funding to maintain parks in the unincorporated area surrounding Vancouver.

A Metropolitan Parks District is a property tax-based special district that will provide funding to maintain parks within a specified area. It is similar to a Fire District or the Three Creeks Library District. Vancouver-Clark Parks and Recreation is considering a Metropolitan Parks District for the unincorporated urban area (UUA) surrounding Vancouver because it is an urban area and residents are requesting parks.

Why a Metropolitan Park District? Clark County has no funding to maintain new community and neighborhood parks and recent initiatives at the state level further limit the county's ability to fund parks. A Metropolitan Parks District can provide that funding.

UUA residents regularly request parks in their urban-density neighborhoods. Land and development dollars are available; the only thing restricting park development is maintenance funding. Annexation or incorporation into a city is the traditional route to parks because cities have different financing authority. However neither annexation nor incorporation is likely in the foreseeable future in this proposed area, yet residents want the benefits of nearby parks.

Why a Metropolitan Park District Now? Clark County has wisely been banking land while it's available for future parks-before houses are built. The funding for many of these land purchases have come from Park Impact Fees (PIF) on each house built. PIFs must be spent within six years or refunded. Part of the PIF must be used for development and these funds are waiting in the bank to be spent on parks or refunded. The program is just over six years old and so the urgency to avoid returning possible parks dollars is increasing.

Additionally, Real Estate Excise Taxes (REET) have been accumulating in the bank. These are taxes that are paid every time a house is sold. All told, there is about \$12 million waiting to be spent on Parks in the UUA-as soon as maintenance funds are available. A Metropolitan Parks District can provide that funding.

Based on today's population in the UUA, there should be about 455 acres of developed parkland to meet the county's standard. Currently there are 76-about 16% of what there should be.

Neighborhood Associations, Sports Groups, and individuals often request more parks to meet rising demand due to rising populations. Dense development increases the demand for places to play near to home and Clark County recognizes this need. A Metropolitan Parks District can provide the funding to make parks possible and satisfy this growing need.

What Will This Cost and What Will Be Provided? \$30-\$45 additional property tax per year (on a \$150,000 house) or about 20-30 cents per thousand will provide neighborhood and community parks, new trail segments, sports fields. These projects will be developed with existing capital sources and maintained with the funding of the proposed Metropolitan Parks District. Specific projects and timelines will be developed in the coming months.

For more information about the Metropolitan Parks District proposal, please visit the Vancouver-Clark Parks & Recreation website, at http://www.ci.vancouver.wa.us/parks-recreation/parks_trails/planning/uua_mpd.htm.

EXPANSION ENDANGERS EAST FORK

By Baz Stevens
FoCC member

Battle Ground is still eyeing the East Fork of the Lewis River.

The mayor and City Council are not at all satisfied with the Clark County Planning Commission's recommendation and the subsequent determination by the Board of Clark County Commissioners.

In October, the Commissioners ruled that Battle Ground's Urban Growth Boundary (UGB) should remain a significant distance from the south bank of the East Fork of the Lewis River.

Now, despite numerous public testimonies during all phases of the public process - by experts and local citizens alike - that the East Fork will be unequivocally harmed by urban encroachment, Battle Ground has not given up.

The city will appeal the County decision and ask that a few large privately held parcels in the vicinity of the river be included within a newly established UGB. This is clearly motivated by private profit above common weal (personal gain vs. a healthy public resource).

Our own state government fisheries experts, hydrologists, recreationists, fishermen, and local landowners all agree! ALL AGREE - regardless of political persuasion! - that we must keep the East Fork away from what urban growth brings with it, namely:

- more impervious surfaces (asphalt, concrete, roof tops) which dramatically increases the pulses and quantity of storm water and road run-off;
- increased road building and tree cutting creating the greater chance of erosion and siltation which damage spawning areas and increase bank and bottom instability;
- added traffic, more litter, less 'wild' places for fish.

The East Fork is the last free flowing (undammed) / no hatchery river in the lower Columbia. Its native fish runs and its vast community resource (swimming, hiking, contemplation, parks) must be preserved for at least seven generations!

DRAW THE LINE AT 239

Friends of Clark County supports the effort to keep the Battle Ground Urban Growth Boundary well south of the East Fork of the Lewis River.

Join us in helping the newly elected/appointed Clark County Commissioners reaffirm Battle Ground's northern growth boundary with the rallying cry "*Draw the Line at 239*".

239th Street is a compromise position as is. We cannot agree with the very few property owners who want their parcels included in a new urban area established north of 239th.

Send your comments to:
Board of County Commissioners
PO Box 5000
Vancouver, WA 98666
or -
boardcom@clark.wa.gov

F O C C S U R V E Y

How are we doing? Do we address the issues that concern you? Do you find our newsletter valuable? Do you have any ideas about fund raisers? Do you want to get more involved?

There is a quick one page survey in this newsletter. Please return it to us along with your current contact information. Thanks!

APPEALS FILED AGAINST COUNTY GROWTH PLAN

The Western Washington Growth Management Hearings Board received 10 appeals to the 20 year growth plan recently adopted by Clark County.

Hearings in Clark County will begin in about 4 months. By law, the Growth Management Board's decision on these appeals must be made within 6 months.

After 5 years of preparation, the county's urban growth boundary was expanded by 11 square miles.

Rich Carson, head of Clark County's Department of Community Development noted that: "The fact that the environmentalists, the business groups and property owners are all appealing the plan tells you something. They didn't get everything they wanted. What's interesting is who is not appealing the plan—average citizens and neighborhood associations."

Commissioner Craig Pridemore commended our efforts: "Friends of Clark County was the decisive factor in changing the direction of growth in our community for the next 20 years. Thanks to them, the interests of real citizens were protected."

RAIN GARDENS

BY Gary Bock
Clark County Watershed Steward

In many areas of the country, the focus is on conserving water. But here in the Pacific Northwest, we are more concerned with water management.

During our long, wet winters it isn't uncommon for water to leak into basements and crawl spaces or create muddy spots in the garden.

Building a rain garden will take care of all these problems while creating a beautiful enhancement in your landscape.

It's pretty simple really. Most perennial beds consist of a pile of soil in the corner of the yard or an "island" in the center of the lawn.

To build a rain garden, you simply turn this idea upside down and create a depression in the landscape. Runoff from your home's downspouts is then directed into the depression and a wide variety of colorful flowers and shrubs planted.

It's a simple and elegant solution to an old and annoying problem.

First, test your soil to be certain it will infiltrate water adequately. Dig a small hole about 12 inches deep and fill with water, deeply soaking the ground nearby. The water should infiltrate into the ground at a rate of at least a half inch per hour.

Your rain garden should also be located at least 10 feet from the foundation or basement of your home to avoid seepage.

Finally, be sure at least one of your downspouts is located relatively close to, and slightly uphill from the site.

Design your rain garden to complement the rest of your landscape. Use gentle flowing shapes for an informal garden and straight lines in a formal setting.

Dig the garden about 12 inches deep with gently sloping sides and till in about four inches of compost. Compost will help infiltrate water, provide nutrients for the plants, and bring in microbes to keep your soil healthy.

Plant the rain garden with a variety of vigorous perennials and shrubs adapted to the climate of the Pacific Northwest. Look for northwest native plants and ornamental hybrids of natives. Avoid plants that require well drained soil to thrive.

For more information about rain gardens and suitable plants or to arrange a workshop on rain gardens, contact the WSU Extension Watershed Stewards program at (360) 397-6060 ext. 7703. More information can also be found at www.raingardens.org.

RAIN GARDEN PLANTS

These summer blooming perennials are recommended for rain garden planting.

Common Name	Sun	Part Sun	Shade	Size	Soil
Bellflower (<i>Campanula sp.</i>)		X	X		loam
Black-eyed Susan (<i>Rudbeckia hirta</i>)	X	X		3-5 ft	loam
Bleeding Heart (<i>dicentra sp.</i>)			X	1-4 ft	loam
Blue Flag Iris (<i>iris versicolor</i>)	X	X		2-3 ft	any
Butterfly Weed (<i>asclepias tuberosa</i>)	X			3 ft	loam
Camas Lily (<i>Camassia sp.</i>)	X			1-3 ft	any
Cardinal Flower (<i>Lobelia cardinalis</i>)	X	X		2-4 ft	loam
Coneflower (<i>Echinacea purpurea</i>)	X	X		1-5 ft	loam
Daylily (<i>Hemerocallis sp.</i>)	X	X		1-4 ft	any
Gayfeather (<i>Liatris sp.</i>)	X			2-3 ft	loam
Goldenrod (<i>Solidago sp.</i>)	X	X		1-3 ft	loam
Joe-Pye Weed (<i>Eupatorium sp.</i>)	X	X		4-6 ft	loam
Marsh Marigold (<i>Caltha Palustris</i>)	X		X	1-2 ft	any
Rush (<i>Scirpus sp.</i>)	X		X	1-3 ft	clay
Sedge (<i>Carex sp.</i>)	X		X	1-4 ft	clay
Sunflower (<i>Helianthus sp.</i>)	X	X		3-6 ft	any
Sweet Flag	X	X	X	1 ft	any

ORGANIC GARDENING PERMACULTURE LIVING

Sustainability involves both organic gardening and permaculture living concepts. Bev's Place is a suburban Vancouver 90' X 100' lot treated like a farm.

Year round, Bev produces fresh vegetables from raised beds, tree fruit, berries, and kiwis.

There is a native plant corner and a bamboo grove, habitat for mason bees and other pollinating creatures.

There is a carpet of recycled milk jugs, and tile of recycled auto glass. Real linoleum and solar tubes are used on the property.

We must live interdependently with nature. Seize this opportunity to learn how.

Saturday February 26
1:30 — 3:00
Reservations required
360.574.1343 or
bevesalt@pacifier.com

MAKE AN ENVIRONMENTALLY FRIENDLY FASHION STATEMENT

We have custom embroidered FoCC baseball caps, 1/4 zip sweatshirts, denim shirts, polo shirts and fleece vests. Save 10% if you order when you join / renew your FoCC membership.

FRIENDS OF



CLARK COUNTY

SMART GROWTH

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IN THIS NEWSLETTER

The health of the East Fork of the Lewis River is threatened by development:

- Storedahl mining;
- Cowlitz casino;
- Battle Ground border expansion.

Read our newsletter articles written by FoCC members with relevant expertise.

Please renew your membership with FRIENDS of CLARK COUNTY using the order form inside this newsletter.

We need your support to help cover expenses as we continue the vital work of protecting our quality of life in Clark County.

If you join at the Donor level (\$100) we'll give you a Friends of Clark County baseball cap FREE.

Thank you!

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