



**CITY COUNCIL REGULAR MEETING AGENDA**  
**Monday, February 6, 2017, 6:30 PM**  
**City Municipal Center, 616 NE 4th Avenue**

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**SPECIAL MEETING**

NOTE: There are two public comment periods included on the agenda. Anyone wishing to address the City Council may come forward when invited; please state your name and address. Public comments are typically limited to three minutes, and written comments may be submitted to the City Clerk. Special instructions for public comments will be provided at the meeting if a public hearing or quasi-judicial matter is scheduled on the agenda.

**I. CALL TO ORDER**

**II. EXECUTIVE SESSION**

- A. Property Acquisition

**III. PLEDGE OF ALLEGIANCE (7:00 p.m.)**

**IV. ROLL CALL**

**V. PUBLIC COMMENTS**

**VI. CONSENT AGENDA**

- A. Approve the minutes of the January 3, 2017 Camas City Council Meeting and Workshop minutes, and the minutes of the January 27 and 28, 2017 City of Camas Annual Planning Conference.

 [January 3, 2017 Camas City Council Regular Meeting Minutes - Draft](#)

[January 3, 2017 Camas City Council Workshop Meeting Minutes - Draft](#)

[January 27, 2017 Camas City Council Annual Planning Conference Meeting Mir](#)

[January 28, 2017 Camas City Council Annual Planning Conference Meeting Mir](#)

- B. Approve the automated clearing house and claim checks as approved by the Finance Committee.
- C. Authorize the write-off of the December 2016 Emergency Medical Services (EMS) billings in the amount of \$68,518.92. This is the monthly uncollectable balance of Medicare and Medicaid accounts that are not collectable after receiving payments from Medicare, Medicaid and secondary insurance. (Submitted by Pam O'Brien)
- D. Authorize the 2016 write-off of uncollectable Emergency Medical Services (EMS) billings held by a collection agency in the amount of \$155,173.03. These accounts represent billings from 2012 - 2014 that have not received payment through collection. (Submitted by Pam O'Brien)
- E. Authorize the yearly write-off of parking tickets in the amount of \$3,609.55. This represents parking tickets prior to 2016 deemed as uncollectible. (Submitted by Pam O'Brien)

- F. Authorize the Fire Department to list as surplus a 1992 Spartan fire engine that no longer meets safety requirements or certification tests. This item was discussed during the January 3, 2017 Council Workshop. (Submitted by Nick Swinhart)
- G. Authorize the Fire Department to list as surplus a 2001 Ford E450 ambulance with mileage of 173,889, which is beyond its useful lifespan as a front line transport ambulance. This item was discussed during the February 6, 2017 Council Workshop. (Submitted by Nick Swinhart)
- H. Authorize the Mayor to sign a professional services proposal with Greenworks, P.C. in the amount of \$66,701 for Crown Park Master Plan and Pool Audit. (Submitted by Jerry Acheson)

 [Crown Park Master Plan and Pool Audit Proposal](#)

[Crown Park Proposal - Tasks Breakdown](#)

- I. Authorize the Mayor to sign professional service agreement with Otak, Inc. for construction management services for the North Shore Sewer Transmission System (STS) in the amount of \$1,784,982. (Submitted by Sam Adams)

 [North Shore STS Professional Services Agreement](#)

[North Shore STS Construction Management Scope of Work](#)

[North Shore STS Construction Management Fee Estimate](#)

- J. Authorize the Mayor to sign a contract with High Cascade, Inc. for the Jones 2017 Timber Sale in the amount of \$371,908.60 to be paid to the City. (Submitted by Sam Adams)

 [Jones 2017 Timber Sale Contract](#)

[Jones 2017 Timber Sale Bid Tab](#)

- K. Authorize Pay Estimate No. 4, Final, to McDonald Excavating, Inc. for the Water Transmission Main Phase 2 Project, a portion of the 544' Zone Water Main and Treatment Projects, in the amount of \$41,091.61 for work through December 17, 2016, and accept project as complete. This project is part of the original Washington State Department of Health (WSDOH) Drinking Water State Revolving Fund (DWSRF) Loan scope and was completed within the budget. The final pay estimate total was 1.5% under the awarded construction bid. The final expenditures detail spreadsheet is attached. (Submitted by James Carothers)

 [Water Transmission Main Phase 2 Pay Estimate 4 Final](#)

[Water Transmission Main Phase 2 Expenditure Summary](#)

- L. Award the Pacific Rim Boulevard Roadway Illumination project to Northeast Electric, LLC in the amount of \$682,000 and authorize administrative execution of change orders up to 10 % of the total bid. This project is funded by the General Obligation (GO) Bond as part of the Street Light LED Projects and was included in the 2016 Budget. Funds will be allocated in the 2017 Budget in the next omnibus. (Submitted by James Carothers)





 [Pacific Rim Blvd Illumination Bids](#)

NOTE: Any item on the Consent Agenda may be removed from the Consent Agenda for general discussion or action.



## VII. NON-AGENDA ITEMS

- A. Staff
- B. Council

## VIII. MAYOR

- A. Announcements
- B. Mayor's Volunteer Spirit Award
  -  [January 2017 Kris Cavin](#)
- C. Recognition of 20-Year Anniversary for Council Member Greg Anderson
  - Details: Greg Anderson celebrates 20 years of service with the City of Camas on February 10, 2017.
  - Presenter: Scott Higgins, Mayor
  - Recommended Action: This is for Council's information only.
- D. Yacine Guermali Appreciation Day Proclamation
  -  [Yacine Guermali Appreciation Day Proclamation](#)
- E. Camas High School Girls Soccer Team Appreciation Proclamation
  -  [CHS Girls Soccer Team Appreciation Proclamation 2016](#)
- F. Camas High School Football Team Appreciation Proclamation
  -  [CHS Football Team Appreciation Proclamation 2016](#)

## IX. MEETING ITEMS

- A. 2017 Camas City Council and Citizen Committee Appointments
  -  [2017 Camas City Council Committee Appointments](#)
  - [2017 Camas Citizen Appointments](#)
- B. Public Hearing for Minor Amendments to Camas Municipal Code (CMC) Title 16 - Environment
  - Details: As part of a periodic code improvement project, the proposed minor amendments to Title 16 - Environment of the Camas Municipal Code (CMC) include updates to state law, corrections to typos, or to clarify sections that may have been challenging to administer since the past review cycle. Staff provided a report to summarize the proposed CMC amendments. The Planning Commission held a public hearing on December 20, 2016, and recommended that the amendments be forwarded to City Council for approval.
  - Presenter: Sarah Fox, Senior Planner
  - Recommended Action: Staff recommends that Council conduct a public hearing, deliberate and move to approve the amendments to Title 16 - Environment as proposed. Further, staff recommends that Council direct the City Attorney to prepare an ordinance for adoption.
  -  [Staff Report to Council](#)
  - [Exhibit 1 - Draft CMC Title 16](#)
  - [Exhibit 2 - Current CMC Title 16](#)
  - [Exhibit 3 - Joe Turner Response to SEPA](#)

## **X. PUBLIC COMMENTS**

## **XI. ADJOURNMENT**

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.





## **CITY COUNCIL REGULAR MEETING MINUTES - DRAFT**

**Tuesday, January 3, 2017, 7:00 PM**

**City Municipal Center, 616 NE 4th Avenue**

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### **I. CALL TO ORDER**

Mayor Scott Higgins called the meeting to order at 7:00 p.m.

### **II. PLEDGE OF ALLEGIANCE**

### **III. ROLL CALL**

Present: Greg Anderson, Bonnie Carter, Don Chaney, Tim Hazen, Steve Hogan and Shannon Turk

Excused: Melissa Smith

Staff: Sam Adams, Bernie Bacon, Phil Bourquin, Pete Capell, Jennifer Gorsuch, Mitch Lackey, Shawn MacPherson, Steve Wall and Alicia Pacheco (intern)

Press: No one from the press was present.

### **IV. PUBLIC COMMENTS**

Scott Purkeypyle, for Norman Purkeypyle, 3811 NW 15th Avenue, commented about traffic at the intersection of NW Ogden Street and NW 16th Avenue.

### **V. CONSENT AGENDA**

- A. Approved the December 19, 2016 Camas City Council Meeting minutes.

 [December 19, 2016 Camas City Council Regular Minutes - Draft](#)

- B. Approved automated clearing house and claims checks numbered 131880 to 131981 in the amount of \$504,368.61. Approved automated clearing house, direct deposit and payroll checks numbered 7186 to 7203 and payroll accounts payable checks numbered 131866 through 131879 in the amount of \$1,848,314.92. Approved electronic payments for the month of December in the amount of \$2,385,201.34.

- C. Authorized Final Pay Estimate (No. 3) to Stellar J Corporation for the Septage Receiving Station Improvements project in the amount of \$75,766.25 and accept the project as completed. This project, which was located at the City's wastewater treatment plant, did not have any change orders and was therefore completed for the original Bid amount. (Submitted by Sam Adams)

 [Pay Estimate 3 Final - Stellar J Corporation](#)

**It was moved by Council Member Turk, seconded by Council Member Hogan, to approve the Consent Agenda. The motion carried unanimously.**

## **VI. NON-AGENDA ITEMS**

### **A. Staff**

There were no comments from staff.

### **B. Council**

There were no comments from Council.

## **VII. MAYOR**

### **A. Announcements**

There were no announcements from Mayor.

## **VIII. MEETING ITEMS**

### **A. Interlocal Agreement for Police Report Writing System**

Details: In November, the Police Department made the transition to a new report writing software hosted by the Clark County Sheriff's Department. This transition moves the department away from the Regional Justice Information Network that is hosted by the Portland Police Bureau. The Clark County Sheriff's Department has offered the Camas Police Department a 5-year, fixed rate, agreement to supply the service. The rate offered to the City through the Executive Information Services (EIS) system is significantly less expensive than what was previously being paid to the Portland Police Bureau for RegJIN. In addition, the new report writing software is significantly more efficient for the officers and clerical staff to operate.

Presenter: Mitch Lackey, Chief of Police


 [Camas Interlocal Agreement with Clark County Sheriff's Office](#)

**It was moved by Council Member Chaney, seconded by Council Member Turk, to authorize the Mayor to sign the Interlocal Agreement with the Sheriff's office. The motion carried unanimously.**

### **B. Ordinance No. 17-001 Condemnation of Real Property for Sewer Line Purposes for the North Shore Sewer Transmission System**

Details: City of Camas staff with support of the consultant team is nearing completion of the final design package for the North Shore Sewer Transmission System Project in preparation for obtaining construction bids in early 2017. As part of the final design process, the team has been acquiring property and easements necessary to construct the project. The team has been unsuccessful through the typical acquisition process in attempts to negotiate and acquire approximately 17,823 square feet of permanent easement and 21,831 square feet of temporary easement on a parcel owned by Lacamas Creek Communities. Staff has prepared the attached ordinance for Council's consideration to use the condemnation process as a means to obtain the necessary easements to construct this regionally significant project.

Presenter: Sam Adams, Utilities Manager and Shawn MacPherson, City Attorney

 [Ordinance 17-001 Condemnation of Real Property  
for Sewer Line](#)  
[Exhibit A Permanent Easement](#)  
[Exhibit B Temporary Easement](#)

**It was moved by Council Member Turk, seconded by Council Member Chaney, that Ordinance No. 17-001 be read by title only. The motion carried unanimously.**

**It was moved by Council Member Turk, seconded by Council Member Chaney, that Ordinance No. 17-001 be adopted and published according to law. The motion carried unanimously.**

#### **IX. PUBLIC COMMENTS**

No one from the public wished to speak.

#### **X. ADJOURNMENT**

The meeting adjourned at 7:09 p.m.

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.



## **CITY COUNCIL WORKSHOP MEETING MINUTES - DRAFT**

**Tuesday, January 3, 2017, 4:30 PM**

**City Municipal Center, 616 NE 4th Avenue**

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**Because of technical difficulties, this meeting was audio-recorded, no video.**

### **I. CALL TO ORDER**

Mayor Scott Higgins called the meeting to order at 4:30 p.m.

### **II. ROLL CALL**

Present: Greg Anderson, Bonnie Carter, Don Chaney and Steve Hogan

Excused: Melissa Smith

Late arrival: Shannon Turk, 4:48 p.m. and Tim Hazen, 5:17 p.m.

Staff: Jerry Acheson, Sam Adams, Bernie Bacon, Phil Bourquin, Pete Capell, Sarah Fox, Jennifer Gorsuch, Cathy Huber Nickerson, Mitch Lackey, Leona Langlois, Robert Maul, Nick Swinhart, Connie Urquhart, Steve Wall and Alicia Pacheco (intern).

Press: Heather Acheson, Camas-Washougal Post-Record

### **III. PUBLIC COMMENTS**

No one from the public wished to speak.

### **IV. WORKSHOP TOPICS**

#### **A. Fire Department Request to Surplus Fire Engine**

Details: The Fire Department has a 1992 Sutphen fire engine with 30,769 miles. At a future regular meeting, staff will request permission to list it as surplus. Being older, it does not contain many of the standard safety features of newer engines and it cannot pass full certification testing. This will make room for the new Pierce fire engine that has just arrived.

Presenter: Nick Swinhart, Fire Chief

This item will be placed on a future Council meeting agenda.

#### **B. Executive Information Services (EIS) Update - Police Writing System**

Details: In November, the Police Department made the transition to a new report writing software hosted by the Clark County Sheriff's Department. This transitions the department from the Regional Justice Information Network, hosted by the Portland Police Bureau. The Clark County Sheriff's Department has offered the Camas Police Department a 5-year, fixed rate, agreement to supply the service. The rate offered to the City through the EIS system is significantly less expensive than what was being paid


to the Portland Police Bureau for RegJIN. In addition, the new report writing software is significantly more efficient for the officers and clerical staff to operate. Staff updated Council about the status of the move and the new Inter-local Agreement with the Clark County Sheriff's Department.

Presenter: Mitch Lackey, Chief of Police

 [Camas Interlocal Agreement with Clark County Sheriff's Office](#)

This item will was also included on the January 3, 2017 Regular Meeting Agenda for Council's consideration.

- C. Minor Amendments to Camas Municipal Code at Title 16 Environment  
Details: As part of a periodic code improvement project, the proposed minor amendments to Title 16 - Environment of the Camas Municipal Code (CMC) include updates to state law, corrections to typos, or to clarify sections that may have been challenging to administer since the past review cycle. Staff provided a report to summarize the proposed CMC amendments along with two attachments of the same proposal, only illustrated differently. Attachment 1 shows the draft changes as strike-through text or underlined. Attachment 2 provides the amendments without any mark-ups. The Planning Commission recommended that the amendments be forwarded to City Council for approval at a public hearing that was held on December 20, 2016.  
Presenter: Sarah Fox, Senior Planner

 [Staff Report](#)  
[Attachment 1 - Draft Title 16 with red-lines](#)  
[Attachment 2 - Draft Title 16](#)  
[Attachment 3 - Current Title 16](#)  
[Title 16 Presentation](#)


This item will be placed on the January 17, 2017 Regular Meeting Agenda for Council's consideration, following a public hearing.

- D. Community Development Miscellaneous and Updates  
Details: This is a placeholder for miscellaneous or emergent items.  
Presenter: Phil Bourquin, Community Development Director

There were no miscellaneous items or updates.

- E. Consultant Services for Swimming Pool Audit and Crown Park Master Plan  
Details: Greenworks, P.C. was selected through a Request for Qualifications process to conduct a Swimming Pool Audit and update the Crown Park Master Plan. The first phase of the project is the Swimming Pool Audit, which involves two separate but related tasks. The first task is to conduct a facility audit to analyze the condition of the existing facility and develop a repair and renovation plan designed to maintain and improve the facility in its existing configuration and location. Based on information gathered in task one, task two involves a public process to perform a replacement or relocation assessment for an aquatic facility 15 to 20 years in the future. This includes a process by which community need/interest in a replacement facility is established and also includes, but is not limited to, answering questions about pool location, pool

features/configuration, and how to maximize the community's investment. The second phase is to complete a new Master Plan for Crown Park that will guide potential redevelopment for the next 20 years. The consultant will guide the City through a public participation process to engage citizens and to receive comments and suggestions on improvements and additional amenities to develop an updated master plan for Crown Park. The updated Master Plan will help the City prioritize future developments and improvement projects as well as funding strategies. The project was included in the 2015-2016 Budget and will be carried forward into the 2017-2018 Budget, with the Spring Omnibus budget amendment. The total contract amount is \$66,701.  
Presenter: Jerry Acheson, Parks & Recreation Manager

 [Crown Park Proposal](#)  
[Crown Park Tasks Breakdown](#)

Acheson summarized the proposal and discussion ensued. This item will be placed on the January 17, 2017 Consent Agenda for Council's consideration.

- F. North Shore Sewer Transmission System Project Update  
Details: Staff provided an update about the latest changes regarding the North Shore Sewer Transmission System project. The attached presentation included an update about the engineering design effort to date, the transmission system highlights, schedule and next steps in the project.  
Presenter: Sam Adams, Utilities Manager

 [North Shore Sewer Presentation](#)

Adams and Wall summarized the project update and discussion ensued.

- G. Public Works Miscellaneous and Updates  
Details: This is a placeholder for miscellaneous or emergent items.  
Presenter: Steve Wall, Public Works Director

Wall updated Council about the Lacamas Lane and Forest Home Road slide repair projects, the bid and award status for the Light Emitting Diode (LED) project on Pacific Rim Boulevard, and the Camas Meadows Drive (Larkspur Road) Extension. Wall also provided information regarding a road license provided by the City to the Department of Natural Resources (DNR) to cross some of the City's Jones and Boulder Creek watershed property. Wall stated that the Public Works Department is developing a master schedule of capital projects.

- H. City Administrator Miscellaneous Updates and Scheduling  
Details: This is a placeholder for miscellaneous or scheduling items.  
Presenter: Peter Capell, City Administrator

Capell informed Council that due to the minimum wage increase to \$11.00 per hour as of January 1, 2017, there will be an increase the cost of some of temporary employments.

Staff intends to improve communication to Council in 2017. Last year, the City implemented Camas Connect, Facebook and Twitter to improve communication to citizens and staff will work to continue to improve the City's outreach to the

community. For City Council Members, staff plans to increase the number of workshops to brief them about current efforts and priorities. Staff also commits to keep Council informed of major issues or incidents as they occur, so that Council Members have the necessary information when interacting with constituents.

The City's Annual Planning Conference is scheduled for Friday, January 27th from 1:00 pm to 6:30 pm and on Saturday, January 21st from 9:00 am to 1:00 pm at Lacamas Lake Lodge. The agenda will be posted by Monday, January 23, 2017.

Capell informed Council about the Request for Proposals (RFP) for consultants for the Emergency Medical Services (EMS) service delivery model options.

## **V. COUNCIL COMMENTS AND REPORTS**

Hazen expressed appreciation for the City Administrator update.

Chaney commended staff for their performance during the inclement weather incidents; and Mayor commented about the updated snow-plowing routes to include the recently added annexed areas.

Hogan commended the Library staff for their "Countdown to Noon Year's Eve" event.

Anderson commented about the snow events.

Carter attended the Planning Commission public hearing for the Camas Municipal Code (CMC) amendments presented earlier in the meeting.

Turk attended the Wreaths Across America event. Turk also attended the Lodging Tax Advisory Board meeting, which approved a Chamber of Commerce request for the Business in Focus magazine to feature the City of Camas in its February edition.

Mayor informed everyone about the Camas State Champions Celebration taking place at Camas High School. Mayor also commented about the City's 2017 Legislative Agenda.

## **VI. PUBLIC COMMENTS**

Chris Kralik, 631 NW 18th Loop, Camas, commented about the Everett Road impacts by the North Shore Sewer Transmission construction.

## **VII. ADJOURNMENT**

The meeting adjourned at 5:56 p.m.

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.



## **CITY COUNCIL WORKSHOP MEETING MINUTES - DRAFT**

**Friday, January 27, 2017, 1:00 PM**

**Lacamas Lake Lodge, 227 NE Lake Road**

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### **ANNUAL PLANNING CONFERENCE - Day 1 of 2**

#### **I. OPENING STATEMENT (1:00 p.m.)**

Mayor Scott Higgins introduced Jeff Snell, Camas School District Superintendent, who was present to facilitate the conference. Mr. Snell greeted everyone and conducted a team-building exercise.

In attendance were Mayor Scott Higgins and Council Members Bonnie Carter, Greg Anderson, Tim Hazen, Steve Hogan, Melissa Smith and Shannon Turk. Council Member Don Chaney was excused

Staff members present were Jerry Acheson, Sam Adams, Bernie Bacon, Phil Bourquin, Pete Capell, Sherry Coulter, Bob Cunningham, Sarah Fox, Jennifer Gorsuch, Cathy Huber Nickerson, Mitch Lackey, Robert Maul, Pam O'Brien, Heather Rowley, Nick Swinhart, Connie Urquhart and Steve Wall.

Holly Valkama and Rob Fenty from 1961 Consulting LLC were present for the Strategic Plan Kickoff topic presentation. Heather Acheson from the Camas-Washougal Post-Record was also in attendance.

#### **II. PLANNING CONFERENCE TOPICS**

##### **A. Strategic Plan Kickoff (1:15 p.m.)**

Details: This presentation is the kickoff for the Strategic Planning process that will take place over the next six months. The purpose of this session is to explain the process and begin to get direction from Council. In the future, there will be one-on-one meetings with Council Members and meetings with staff and community focus groups. The team will report back to Council periodically at Workshops during the next six months. Presenter: Holly Valkama, Principal, and Rob Fenty, Principal, both with 1961 Consulting LLC

 [Strategic Plan Kickoff](#)

Valkama and Fenty provided an overview of the Strategic Planning process. They conducted an exercise to identify the aspirations for the City, which were compiled on a list provide by the Council Members and Mayor Higgins.




### III. BREAK (2:30 p.m.)

The conference went into a recess at 2:30 p.m. for a short break. The conference reconvened at 2:45 p.m.

#### A. Fallen Leaf Lake Master Plan

Details: The Fallen Leaf Lake Master Plan will help guide the City to improve public access while preserving its natural environment.

Presenter: Jerry Acheson, Parks & Recreation Manager


 [Fallen Leaf Lake Master Plan](#)  
[Fallen Leaf Lake Master Plan Presentation](#)

Acheson provided an opening remark and introduced Juanita Rogers, Berger ABAM, who provided an overview of the Fallen Leaf Lake Master Plan and discussion ensued.

#### B. North Shore Lacamas Lake Visioning Plan (3:07 p.m.)

Details: The North Shore Lacamas Lake Visioning Plan is intended to serve as a conceptual framework to guide future conservation and recreation planning efforts for the North Shore area of Lacamas Lake.

Presenter: Jerry Acheson, Parks & Recreation Manager

 [North Shore Lacamas Lake Visioning Plan](#)  
[North Shore Lacamas Lake Visioning Presentation](#)

Acheson provided an opening remark and introduced Dan Roix, Columbia Land Trust, and Jeff Kruger, JK Environmentals, who provided an overview of the North Shore Lacamas Lake Visioning Plan. Discussion ensued.

#### C. Community Development Work Plan (3:30 p.m.)

Details: Community Development Department presentation on work plan, growth update, and priorities for 2017-18.

Presenter: Phil Bourquin, Community Development Director

 [2017 Community Development Update](#)

Bourquin provided an overview of the Community Development Work Plan. Discussion ensued.

#### D. Camas Public Library Update (4:00 p.m.)

Details: Staff will provide an update to include the Library Director's first six months as the Department Head. The presentation will include an overview of initial observations, what the Library has been working on, what's next for 2017, and possibilities for the future. The Library Board of Trustees will also be on hand for a question and answers segment following the presentation.

Presenter: Connie Urquhart, Library Director

 [Library Planning Conference 2017](#)

Urquhart introduced the Library Board of Trustees attendees; Shawn High, Laura

Felter, Jennifer Colbert, Carolee Dewars and Julie Hill. Urquhart provided an update to Council about the Camas Public Library. Discussion ensued.

#### **IV. PUBLIC COMMENTS (4:55 p.m.)**

No one from the public wished to speak.

#### **V. SCHOOL BOARD JOINT MEETING AND DINNER (5:00 p.m.)**

Additional attendees for the School Board Joint Meeting were Lisa Greseth, Julie Rotz, Connie Hennessey, Doug Quinn, Casey O'Dell, Heidi Rosenberg and Mary Weishaar.

- B. North Shore Sewer and Water Transmission System Project Update (5:45 p.m.)  
Details: City staff, with support from the OTAK and CH2M consultant teams, are nearing design completion on the North Shore Sewer Transmission System Project and anticipate advertising for bids in February 2017. The project includes three sewer pump stations, approximately 4.5 miles of sewer transmission piping and will include a new pedestrian bridge over the Lacamas Lake/Round Lake Channel. In partnership with the Camas School District, the project will also include approximately 2.3 miles of water transmission main to serve the new Lacamas Heights Elementary School. Staff will provide a brief update on the project, primarily focusing on the construction sequencing and impacts to traffic throughout the duration of the year-long project.  
Presenter: Steve Wall, Public Works Director

 [North Shore Project Update - Council Retreat Final](#)

Wall provided an overview of the North Shore Sewer and Transmission System project and discussion ensued.

- B. Camas School District Projects Update  
Details: School District staff will update the Council and Board of the current School District projects.  
Presenter: Heidi Rosenberg, Camas School District's Capital Programs Director  
Rosenberg provided an overview of the Camas School District Projects and discussion ensued.
- C. Merging Recreation Programs (6:00 p.m.)  
Details: Staff will provide a brief report regarding the status of merging City of Camas Recreation Programs into Community Education.  
Presenter: Pete Capell, City Administrator; Jerry Acheson, Parks & Recreation Manager; and Mary Weishaar, Camas Community Education Director  
Capell provided an overview of the merging of the City of Camas Recreation programs into Community Education.

#### **VI. ADJOURNMENT OF PLANNING CONFERENCE (6:30 p.m.)**

The meeting was adjourned at 6:18 p.m.

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.



## **CITY COUNCIL WORKSHOP MEETING MINUTES - DRAFT**

**Saturday, January 28, 2017, 9:00 AM**

**Lacamas Lake Lodge, 227 NE Lake Road**

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### **ANNUAL PLANNING CONFERENCE - Day 2 of 2**

#### **I. OPENING COMMENTS AND AGENDA REVIEW (9:00 a.m.)**

Jeff Snell, Camas School District Superintendent, greeted everyone and showed a Camas High School's Girl Soccer Team award presentation video and then a leadership video. Mr. Snell presented a Milltown Pride Leadership award to each of the City Council Members and the Mayor.

In attendance were Mayor Scott Higgins and Council Members Greg Anderson, Bonnie Carter, Don Chaney, Tim Hazen, Steve Hogan, Melissa Smith and Shannon Turk.

Staff members present were Jerry Acheson, Bernie Bacon, Phil Bourquin, Pete Capell, Sherry Coulter, Cliff Free, Jennifer Gorsuch, Cathy Huber Nickerson, Mitch Lackey, Shyla Nelson, Heather Rowley, Connie Urquhart and Steve Wall.

Heather Acheson from the Camas-Washougal Post-Record was also in attendance.

##### **A. City of Camas Financial Discussion (9:15 a.m.)**

Details: Council will discuss with staff the financial status of the City. Staff will present the property tax historical perspective and provide context to the current fund balance situation the City has. City Departments will discuss with Council how the gap between revenues and expenditures have been bridged in prior budgets as well as discuss current level of service provided to the Camas community. Unmet needs, sustainability and North Shore funding forecasts will also be presented. Staff is seeking direction from Council on funding options to further explore for City services.

Presenter: Cathy Huber Nickerson, Finance Director; Pete Capell, City Administrator and Department Heads

 [City of Camas Financial Discussion](#)

Nickerson and Capell provided an in-depth review of the City's finances. Each of the Department Head staff spoke about their department's budget.

#### **II. BREAK (10:30 a.m.)**

The conference went into recess at 10:30 a.m. for a short break. The conference reconvened at 10:45 a.m.

A. City of Camas Financial Discussion - Continued (10:45 a.m.)

The City of Camas Future Financial Needs discussion continued.

**III. PUBLIC COMMENTS (11:55 a.m.)**

There were no public present.

**IV. WORKING LUNCH - Continue Financial Discussion (12:00 p.m.)**

Mayor Higgins made opening remarks and Council Members and staff summarized their thoughts for the day.

**V. ADJOURNMENT OF PLANNING CONFERENCE (1:00 p.m.)**

The conference adjourned at 12:45 p.m.

NOTE: The City welcomes participation of its citizens in the public meeting process. Effort will be made to ensure anyone with special needs can participate. For more information call 360.834.6864.

December 20, 2016

Jerry Acheson  
Parks & Recreation Manager  
**City of Camas**  
616 NE 4th Avenue

RE: **Crown Park Master Plan and Pool Audit**  
Landscape Architectural Services Proposal

Dear Jerry:

We are honored to have the opportunity to provide you with this proposal for professional services for the Crown Park Master Plan and Pool Audit. Our proposal and fee below is based on our understanding of the project and experience on similar projects to help you accomplish your goals.

#### **SCOPE OF WORK**



##### **Task 1: Project Start-up**

- 1.1 Kickoff Meeting  
Attend a site visit with City Staff and discuss project goals and process.
- 1.2 Assemble and Review Base Information  
Review the previous studies and design provided by the Client.
- 1.3 Prepare Base Plan  
Using the Site Survey, GIS, and Aerial Photographs, compile base information provided in ACAD for subsequent tasks.
- 1.4 Project Coordination  
This task includes general project coordination time for phone calls, emails, and project management throughout the duration of task #1.

##### ***TASK 1 DELIVERABLES***

- *Work Plan and Project Schedule*
- *Base Map in ACAD*

##### **Task 2: Facilities Assessment and Site Analysis Concept Design**

- 2.1 Site Inventory / Site Visit  
Visit the site to ground truth existing conditions including topography, vegetation, trees, access, and age and condition of facilities and park

elements. This site visit will be used to confirm the condition of the existing site and pool facility systems.

## 2.2 Aquatic Evaluation

WTI will consult with the Client to document the physical condition of the current aquatic facility and provide recommendations regarding inadequacies. WTI will conduct a non-destructive observation of the aquatic elements to form a professional opinion on necessary repairs, renovations, and replacements. WTI perform the following Tasks:

- Conduct Site visit and document existing conditions
- Identify deficiencies of aquatic components regarding current local health codes and industry standards. WTI will address the following components:
  - Pool Vessels
  - Pool Finishes
  - Pool Circulation Pumps, Fittings, Valves, Flow Meters, Gauges, and Controls
  - Pool Heating System
  - Pool Filtration System and Overflow Recovery System
  - Pool Water Chemistry Treatment System
  - Pool Deck Areas and Equipment
- Develop recommendations for repairs, renovations, and replacements
- Develop Rough Order of Magnitude (ROM) Aquatic Construction Budget regarding recommendations

## 2.3 Site Analysis Diagram

Prepare a detailed inventory and analysis diagram addressing the opportunities and constraints of developing the site.

## 2.4 Aquatic Program Development

WTI will assist the Client with development an aquatic program consisting of prioritized aquatic goals and objectives, and intended activities and uses of the aquatic spaces and features. The discussions regarding the aquatic program will inform a park masterplan prepared by the Design Team. WTI will perform the following tasks:

- Participate in Park Programming Discussion
- Discuss and Confirm Aquatic Goals and Objectives
- Discuss and Confirm Aquatic Activities and Uses
- Draft and Finalized Aquatic Program Narrative

## 2.5 Client Meeting #1: Review Analysis

## 2.6 Project Committee Meeting #1

Meet with Project Committee to discuss goals and opportunities for the project and preferred direction for the pool facilities.

2.7 Prepare for Public Meeting #1

Based on feedback from the City and the Project Committee, graphic illustrations will be updated for Public Meeting #1.

2.8 Public Meeting #1

Present the Site Analysis and Pool Audit at a public meeting. The format for the public meeting will be tailored based on the City's expectations. The City will identify desired attendees for the meeting and GreenWorks will post and send out meeting notices. GreenWorks will collect and format written responses by the public.

2.9 Project Coordination

This task includes general project coordination time for phone calls, emails, and project management throughout the duration of task #2.

**TASK 2 DELIVERABLES**

- *Aquatic Evaluation Report*
- *Aquatic Program Narrative*
- *Preferred Facilities Concept*
- *Site Analysis Diagram*

**Task 3: Conceptual Design**

3.1 Preliminary Conceptual Design Alternatives

We will prepare 2 Conceptual Design Alternatives studying layout, scale, materials for the park and aquatic facilities that would incorporate the preferred facilities program developed in task 2.4 above. These studies will include materials and precedent image boards to help describe the Concepts.

3.2 Client Meeting #2: Review Alternatives

Meet with City Staff to review Conceptual Design Alternatives. This meeting will be held in coordination with the Project Committee Meeting.

3.3 Project Committee Meeting #2

Meet with Project Committee to present the Preferred Conceptual Design.

3.4 Prepare Preferred Concept Design

Based on feedback from the City, we will prepare one preferred Concept Plan for the park.

3.5 Preliminary Cost Estimate

We will prepare a Rough Order Magnitude Cost Estimate based on the Preferred Concept Design.

3.6 Client Meeting #3: Review Preferred Conceptual Design

Meet with City Staff to review Preferred Conceptual Design. This meeting will be held in coordination with the Project Committee Meeting.

3.7 Project Committee Meeting #3

Meet with Project Committee to present the Preferred Conceptual Design.

3.8 Prepare for Public Meeting #2

Based on feedback from the City and the Project Committee, graphic illustrations will be updated for Public Meeting #2.

3.9 Public Meeting #2

Present the Preferred Conceptual Design at a public meeting. The format for the public meeting will be tailored based on the City's expectations. The City will identify desired attendees for the meeting and GreenWorks will post and send out meeting notices. GreenWorks will collect and format written responses by the public.

3.10 Prepare Final Concept Design

Based on feedback from the City, we will prepare the Final Concept Plan and graphic illustrations. The graphics will be utilized for a public open house and City Council Presentation.

3.11 Cost Estimate

We will prepare a rough order magnitude Cost Estimate based on the Final Concept Plan.

3.12 Parks Commission Meeting

GreenWorks and WTI will present the Final Concept Design to the Parks Commission.

3.13 Attend City Council Presentation

Present the Final Concept Plan for approval to Camas City Council.

3.14 Project Coordination

This task includes general project coordination time for phone calls, emails, and project management throughout the duration of task #3.

**TASK 3 DELIVERABLES**

- *Precedent Image and Material Boards*
- *(2) Conceptual Plan Alternatives (Illustrative Plans and Sections)*
- *Preferred Alternative (Illustrative Plan and Sections)*
- *Final Concept Plan (Illustrative Plan, Sections, and Perspective)*
- *Cost Estimate*

**Alternate Task**

A1 Site Survey\*

Our surveyor, Ron Bush, will conduct a field survey to document existing conditions. We will utilize City provided ROW files and benchmarks to incorporate into the survey.

*\*Surveying will be negotiated after further investigation has been completed to understand the relevant base information available from the City and what will be*



*required for this phase of work. Fees for surveying are provided as an allowance based on our past experience and understanding of the project*

**TERMS OF AGREEMENT**

**Fee Schedule**

Professional fees for the scope of work can be broken down as follows:

**Base Fees**

<b>Task 1:</b> Project Start up .....	<b>\$3,910.00</b>
<b>Task 1:</b> Facilities Assessment and Site Analysis .....	<b>\$19,290.00</b>
<b>Task 3:</b> Concept Design .....	<b><u>\$34,840.00</u></b>
<b>TOTAL BASE LABOR</b> .....	<b><u>\$58,040.00</u></b>

**Estimated Expenses:**

Estimated Travel and Printing Costs .....	<b>\$1,161.00</b>
<b>Task A1:</b> Site Survey (allowance) .....	<b><u>\$7,500.00</u></b>

**TOTAL COST (INLCUDING EXPENSES)** .....**\$66,701.00**

Billings will be Lump Sum based on percentage complete for each phase of work for **\$66,701** which includes reimbursable expenses and an allowance for site surveying. Receipts for Reimbursable Expenses will be provided upon request.

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We appreciate this opportunity to be of further service to you on your project.  
If you have any questions, please call me at 222-5612. If this is acceptable, please return one signed copy to our office.

Sincerely,



Gill Williams, ASLA  
**Principal**

**Accepted by:**

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*City of Camas*

---

Date

Camas: Crown Park

			\$	170.00	\$	120.00	\$	110.00	\$	90.00	\$	150.00	\$	-	\$	-	
TASK			GreenWorks, PC						WTI		Surveying						
			Role:	PIC	PM / LA	Staff	Staff	PM/Eng.	Eng.	Staff	Cost by Task						
			Hourly Rate:	Rates (\$170/hr)	Rates (\$120/hr)	Rates (\$110/hr)	Rates (\$90/hr)	Rates (\$150/hr)	Rates (\$0/hr)	Rates (\$0/hr)	no expenses						
1.0		Project Start-up		5	14	0	12	2	0	0	\$3,910						
10	1.1	Attend Kickoff Meeting		4	4			2									
9	1.2	Assemble and Review Background Information		1	4		4										
10	1.3	Prepare Base Plan in ACAD			2		8										
4	1.4	Project Coordination			4												
2.0		Facilities Assessment and Site Analysis		21	28	0	34	62	0	0	\$19,290						
26	2.1	Site Inventory / Site Visit		6	6		6	8									
30	2.2	Aquatic Evaluation						30									
24	2.3	Site Analysis Diagram		2	6		16										
10	2.4	Aquatic Program Development						10									
14	2.5	City Review Meeting #1		4	4			6									
12	2.6	Project Committee Meeting #1		4	4			4									
17	2.7	Prepare for Public Meeting #1		1	4		12										
8	2.8	Public Meeting #1		4	4												
4	2.9	Project Coordination						4									
3.0		Conceptual Design		38	94	24	124	22	0	0	\$34,840						
74	3.1a	Preliminary Conceptual Design Options		6	24		40	4									
19	3.1b	Precedent Image Boards		1	6		12										
14	3.2	Client Review Meeting #2		4	4			6									
10	3.3	Project Committee Meeting #2		4	4			2									
68	3.4	Prepare Preferred Conceptual Design		4	16	16	32										
17	3.5	Preliminary Cost Estimate		1	8		8										
6	3.6	Client Review Meeting #3		2	2			2									
4	3.7	Project Committee Meeting #3		2	2												
17	3.8	Prepare for Public Meeting #2		1	4		12										
8	3.9	Public Meeting #2		4	4												
30	3.1	Final Conceptual Design		2	4	8	16										
7	3.11	Final Cost Estimate		1	2		4										
8	3.12	Presentation to Parks Commission		2	2			4									
8	3.13	Presentation to City Council		4	4												
12	3.14	Project Coordination			8			4									
480		Individual Totals (hours)		64	136	24	170	86	0	0							
Firm Totals (cost)							\$45,140		\$12,900	\$0	\$58,040						
2.0% Reimbursable Expenses							\$903		\$258	\$0	\$1,161						
A1		Allowance for Surveying								\$7,500	\$7,500						
Consultant Total Fee							\$46,043		\$13,158	\$7,500							
TOTAL FEE										\$66,701	\$66,701						

doublecheck

Design Team Fee Summary by Phase		Total	
Tasks		Fees w/out Expenses	
1.0	Project Start-up / Site Investigation	\$3,910	\$ 3,610.00 \$ 300.00
2.0	Facilities Assessment and Site Analysis	\$19,290	\$ 9,990.00 \$ 9,300.00
3.0	Conceptual Design	\$34,840	\$ 31,540.00 \$ 3,300.00
A1	ALLOWANCE for Surveying	\$7,500	
	Subtotal without expenses	\$65,540	\$45,140 \$12,900
	Expenses at 2%	\$1,161	\$903 \$258
	TOTAL FEE	\$66,701	\$46,043 \$13,158



**Project**

Camas North Shore STS Final Design

**Project #** 17628.A00

**Client**

City of Camas

**Location and  
Description**

616 NE 4<sup>th</sup> Avenue, Camas, WA 98607

Camas, WA

**Date**

Professional Services

February 1, 2017

808 SW Third Avenue,  
Suite 300  
Portland, OR 97204-2426  
(503) 287-6825  
www.otak.com

### ***Terms and Conditions***

1. This Professional Services Agreement ("Agreement") is entered into between Client and the Otak entity specified on the signature line below ("Otak"). Otak agrees to furnish and perform those professional services specified in the attached Scope of Work dated February 1, 2017.
2. Client agrees to compensate Otak for the professional services provided monthly on a time and materials basis in the amount of \$1,784,982.00 to be invoiced monthly based on work completed. The estimated fee will not be exceeded without prior written authorization. In-house direct expenses are included in the contract amount. Out sourced/subconsultant expenses will be invoiced on a cost plus five (5%) percent basis and are included in the contract amount. Copies of expense vouchers are not provided with the invoices.
3. Upon execution of this Agreement, Client shall pay Otak \$0.00, to be applied against the last invoice(s).
4. Only those items specifically identified in the attached scope of work are included in the estimated fees. If the project is materially changed, or if Client desires other professional services not already included in this Agreement, then additional compensation shall be paid to Otak, which shall be subject to negotiation by both parties. The terms of the Agreement shall apply to such additional services.
5. All invoices are payable within 30 days of receipt of such invoices. Failure to pay an invoice when due shall constitute default, and interest at 18% per annum shall be payable on all such invoices from the date such invoices become due. In the event of a default, Otak may elect to suspend all professional services under this Agreement until such invoice is paid in full, and may elect to terminate this Agreement as of the 30<sup>th</sup> day of default. Otak shall not be liable for any damages or costs, including, but not limited to, direct, indirect, incidental, consequential or exemplary damages, suffered by Client, his subcontractors, agents, employees and assigns as a result of any suspension or termination. In the event of a suspension, Otak may, in its discretion, require an additional deposit in an amount equal to any amount Client has failed to pay as a condition to resuming performance. Any such deposit will be applied as set forth in Paragraph 3 of this Agreement.
6. Client agrees to pay the costs and reasonable attorney's fees and disbursements incurred by Otak in connection with the failure by Client to make any payment in accordance with the provisions of this Agreement, whether or not a legal action is commenced by Otak. The parties agree that in the event action or suit is commenced related to the subject matter of this Agreement, or in the event of any breach of this Agreement, the prevailing party shall have and recover reasonable attorney fees, both at trial and on appeal, together with all other costs and disbursement allowed by law.
7. Either party shall have the right to terminate this Agreement at any time giving ten (10) calendar days written notice. In the event this Agreement is terminated by the Client, payment to Otak will be made based on work performed in accordance with the scope of services up to the date of termination plus termination expenses, such as, but not limited to, reassignment of personnel, subcontract termination costs and related closeout costs. In the event this Agreement is terminated by Otak, payment to Otak will become due upon delivery of all products completed in whole or in part for services performed, through the date of termination.
8. To the fullest extent permitted by law, this Agreement shall be construed according to the laws of the State of Washington. Any litigation between Otak and Client arising under this Agreement or out of work performed under this Agreement shall occur, if in the state court, in Clark County, and if in the federal courts, in the United States District Court for the District of Washington in with jurisdiction over Clark County, Washington. Client hereby irrevocably and unconditionally submits to the jurisdiction of the state and federal courts with jurisdiction over in Clark County, Washington. Unless the Project is in the state of Washington, the terms of this paragraph shall not apply to any lien foreclosure proceedings instituted by Otak in the appropriate court where the Project is located.

As a condition precedent to arbitration or litigation, any claim arising out of or related to this Agreement shall be subject to mediation before a single mediator as agreed by the parties, or in the absence of agreement, in accordance with the current

Construction Industry Mediation Rules of the American Arbitration Association. The mediator's fee and filing fees shall be shared equally by the parties. The parties shall use their best efforts in good faith to resolve disputes in mediation.

9. If the project is idle more than 60 days, the estimated fees and scope of work will be reassessed. A revised estimate of fees and scope of work will be submitted for approval if such need arises.
10. All original documents prepared by Otak in performance of this Agreement, including, but not limited to, original maps, plans, drawings, electronic media and specifications, are the property of Otak, and Otak retains all applicable rights in such documents, including, but not limited to copyrights, unless otherwise agreed in writing. All original and quality reproducible record copies, excluding electronic media unless otherwise agreed to in writing, of such documents shall be provided to Client, at Client's expense, upon request. Any such documents and copies thereof are for use only in connection with this project, and Client shall not use those documents or copies for other projects or for future additions to this project, unless otherwise agreed in writing.
11. The standard of care for all professional services performed or furnished by Otak under this Agreement will be the skill and care used by members of Otak's profession practicing under similar circumstances at the same time and in the same locality. Otak makes no warranties, express or implied, under this Agreement or otherwise, in connection with Otak's services.
12. To the fullest extent permitted by law, the following shall apply to Otak and Client:

Client shall defend, indemnify and hold harmless Otak and its related companies, and their respective representatives, officers, directors, shareholders, principals, agents, employees and subcontractors from and against all claims including damages, losses, expenses and reasonable attorney fees and costs, arising out of or relating to the following: (a) development of this project where such claims, damages, losses, or expenses are based solely on the negligence or willful misconduct of Client and/or its principals, agents, employees, representatives and subcontractors; (b) Client's use of documents prepared by Otak for projects other than the project which is the subject of this Agreement, without Otak's involvement or written consent; (c) existence of hazardous substances at or adjacent to the project; and (d) any certificate in connection with the project executed by Otak at the request of a governmental entity, lender or other third party, except to the extent claims arising from such certificate are the result of the negligence or intentional misconduct of Otak.

Otak shall defend, indemnify and hold harmless Client and its respective representatives, officers, directors, shareholders, principals, agents and employees from and against all claims made by third parties including damages, losses, expenses, and reasonable attorney fees and costs arising out of or relating to the development of this project where such claims, damages, losses, or expenses are based solely on the negligence or willful misconduct of Otak, and/or its principals, agents, employees, representatives, or subcontractors in performing its and/or their services as provided in the scope of services per paragraph 1.

In no event shall Otak be liable for special, indirect or consequential damages, including, but not limited to, loss of use of equipment or facility, lost profits, etc. The limits of liability throughout this Agreement will apply whether the liability of Otak arises under breach of contract or warranty; tort, including negligence; professional negligence; strict liability; statutory liability; or any other cause of action, except for willful misconduct or gross negligence and shall apply to Otak's related companies and its and their officers, directors, shareholders, employees and subcontractors.

Notwithstanding anything to the contrary herein, no shareholder, principal, member, officer, director, partner, employee or other representative of Otak shall have any personal liability to Client, or any other party arising out of or relating to this Agreement.

13. Otak shall be free from any liability for delay or failure of providing the services contemplated by this Agreement which arise from any acts of God or any actions outside of Otak's control and without its fault or negligence. Such causes include without limitation: strikes, lockouts, or labor troubles of any kind, accidents, fire, earthquake, civil commotion, war or consequences of war, government acts, restrictions or requisitions, failure of manufacturers or suppliers, suspension of shipping facilities, any act or default of a carrier. In such a situation, if the services contemplated by this Agreement are not provided during the period contracted for, Client shall accept the services and pay for the same when provided so long as a mutually acceptable revision is made to the scope of services and compensation.
14. Due to the potential for modification of information set forth in electronic data transfer, Otak has retained copies of the transmitted data with file name, size, date and time. If the received data is modified, Otak requires the Client and/or Client's authorized recipient to remove all indication of Otak's ownership and/or involvement from such modified data.

Unless otherwise agreed to in writing, Client and/or Client's authorized recipient shall be responsible for determining the compatibility of Otak's data with Client and/or Client's authorized recipient's software and for the interception and elimination of any computer virus. Otak makes no warranty of data compatibility with Client and/or Client's authorized recipient's software.

Distribution of the electronic data to others by Client and/or Client's authorized recipient, whether or not electronic data is modified, is prohibited without the express written consent of Otak.

To the fullest extent permitted by law, Otak shall not be liable for any damages, including without limitation, direct, indirect, incidental, or consequential damages to any party resulting from the following: (a) the use of electronic data which is modified by any party other than Otak; (b) either the incompatibility of Client and/or Client's authorized recipient's software with Otak data or the existence of any computer virus which is transmitted with Otak's data; or (c) the unauthorized use of Otak's electronic data.

To the fullest extent permitted by law, Client and Client's authorized recipient agree to defend, indemnify and hold harmless Otak, its related companies and its and their principals, officers, directors, shareholders, agents, employees and subcontractors from and against any claims arising out of the unauthorized use or modification of Otak's electronic data.

All electronically transferred data from Otak will contain Paragraph 14. It is expressly understood and agreed that any use of the electronic data is conditioned upon the acceptance of the terms stated in Paragraph 14. Client and/or Client's authorized recipient agrees to be bound by these terms.

15. Otak shall have no responsibility for, or control over, the safety precautions employed by others in the development or construction of this project, nor shall Otak have responsibility for, or control over, the manner, methods and techniques employed by others in any development or construction relating to this project unless otherwise agreed in writing.
16. To the extent Otak's duties under this Agreement include project site observation and/or visitation, Otak shall visit the site at intervals appropriate to become generally familiar with the quality and progress of the project. Otak shall not be required to make continuous or exhaustive inspections to check the quality or quantity of the work being done on the project, unless otherwise agreed in writing.
17. Any causes of action between the parties to this Agreement arising out of any damages or losses caused by the negligent performance of, or failure to perform under, this Agreement, shall be deemed to have accrued and the applicable statutes of limitations shall commence to run not later than the date of substantial completion of the project.
18. Otak shall have no fiduciary responsibility to Client. Nothing in this Agreement shall be construed as creating contractual obligations between Otak and any third parties, including, but not limited to, Client's consultants, contractors and clients.
19. The parties hereto each bind themselves, their partners, successors, assigns, and legal representatives of such other party in respect to all terms of this Agreement. Neither party shall assign the contract as a whole without written consent of the other.
20. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements, written and oral, courses of dealing, or other understandings between the parties. No modification of this Agreement shall be binding unless in writing and signed by both parties. The term "Agreement" as used herein includes this document (entitled "Professional Services Agreement"), and Scope of Work dated February 1, 2017 attached hereto.
21. Except to the extent of its gross negligence or willful misconduct, Otak has no liability or responsibility for any hazardous material handling, dispensation, mitigation or otherwise.

**This Agreement** entered into this \_\_\_\_\_ day of February, 2017.

**Otak, Inc.**

**City of Camas, Washington**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Federal Tax ID No. or SS #: \_\_\_\_\_

This scope of work is to provide construction management and inspection, archeological monitoring, construction staking, geotechnical engineering support, and design services for construction of the North Shore Sewer Transmission System project.

The following roles are anticipated, and terms used in this scope are consistent with responsibilities shown below.

<b>Role</b>	<b>Firm Responsibility</b>
Construction Manager	Otak
Inspector – Pipeline	Otak
Inspector – Pump Stations	CH2M
Pipeline engineer	Otak
Discipline Engineers – Mechanical, Electrical, I&C, Odor Control	CH2M
Contractor	TBD – The selected prime construction contractor
City	City of Camas
Geotechnical Engineer	GRI
Archaeology Consultant	AINW

Specific tasks in this scope of work are described below.

This task will be conducted by the consultant team and will include:

- Project Management and Coordination (Otak). This activity is continuous throughout the duration of the Bid/Award and Construction Phases. Otak will provide leadership, direction and control of the services described in this Scope of Work. Otak will direct the consultant team with regard to overall construction management, inspection, and engineering activities and team meetings. Otak will

Continued

- maintain liaison, communication, and coordination between consultant staff, City, Construction Contractor, and other project stakeholders.
- Status Reports and Invoices (Otak). For each month the Otak team is working, a status report will be submitted along with an invoice detailing out the previous month's work accomplished and a forecast of work for the coming month.
- This task is on-going for the full duration of the construction contract.
- Monthly status reports and invoices.

This task will be conducted by the consultant team and will include:

- Preparation of documents used during bid period (Otak). Otak will prepare documents and logs for use during bid and award phase such as a Bidder Tracking Log, Bidder Question Log, and Pre-Bid agenda.
- Bid Period Information Requests (Otak and CH2M). Otak will develop and implement procedures for receiving and answering bidders' questions and requests for additional information. The procedures shall include a log of all significant bidder questions and requests and the response thereto. Otak and CH2M will provide technical interpretation of the contract bid documents and will prepare proposed responses to all bidder questions and requests, which may be in the form of addenda.
- Pre-Bid Conference (Otak and CH2M). Otak will assist the City in arranging and take the lead in conducting the pre-bid conference. Otak will work with the City in developing the agenda and content of the pre-bid conference. Otak will take minutes or make other provision for documenting the results of the pre-bid conference. Otak will also record all questions and requests for additional information, and shall coordinate with the City for issuing responses and additional information.
- Addenda (Otak). Otak will assist the City in issuing all Addenda to the Bid Documents and shall distribute Addenda to the bidders. All Addenda shall be approved by the City.
- Bid Opening (Otak). Otak will assist the City in opening of bids. Otak will create and maintain the bid tabs. Otak will review all bids and evaluate them for responsiveness and bid amount. Otak will verify through reasonable investigation the supplemental bidder responsibility criteria submitted by the low bidder and second low bidder. Otak will prepare a report of its review and evaluation and include recommendations for award of the contract for construction, or other action as may be appropriate. The City shall make the final decision on the award of the contract for construction and the acceptance or rejection of all bids. Otak will provide technical (but not legal) advice in bid pretest situations.
- Recommendation of Project Award (Otak). Otak will assist the City in preparing the notice of award; assembly, delivery and execution of the contract for construction;

and preparation of the notice to proceed. The City shall sign the notice of award and the notice to proceed.

- This task assumes a four (4) hour pre-bid conference onsite with two (2) Otak CM staff and 1 CH2M CM staff in attendance, and no more than three (3) addenda.
- Pre-bid agenda and minutes, addenda, and recommendation of project award.

This task will be conducted by the consultant team and will include:

- Schedule and lead Pre-Construction Meeting with consultant team, City, Construction Contractor, and other project stakeholders.
- Prepare and distribute Pre-Construction Meeting agenda and minutes.
- Attend, facilitate, and participate in the Pre-Construction Meeting.
- This task assumes a four (4) hour pre-construction meeting to be held at the City, with three (3) Otak CM staff and 1 CH2M CM staff in attendance.
- Meeting agenda and minutes.

Otak will provide day-to-day administration of the construction contract. This task will be conducted by the consultant team and will include:

- Monitor overall budget and costs included in the project authorization.
- Monitor and evaluate the construction schedule and determine whether the construction contractor is proceeding in a manner that will result in timely project completion.
- Maintain liaison contact between the Contractor, City and stakeholders.
- Respond to daily construction issues and research with appropriate parties to resolve issues at lowest possible level with Contractor.
- Review construction contractor's subcontracts for conformance to the contract.
- Perform labor compliance monitoring as required, tracking subcontracts, certified payroll, subcontractor payments, and performing intermittent on-site employee interviews for wage verifications.
- Authorize minor variations in the work which do not involve an adjustment in the contractor's contract price nor time for construction and are not inconsistent with the intent of the contract documents.
- Assist the City with the issuance of changes to the contract for construction. Otak will receive and review the contractor's response to the request for change and will



Continued

obtain such further information as is necessary to evaluate the basis for the contractor's proposal. Otak will assist the City with negotiations of the proposal and, upon approval by the City, prepare final change order documents for execution by the City and Contractor.

- This task is on-going throughout the duration of the construction contract (estimated at 60 weeks).
- No level of effort or budget is assumed for claim/dispute review. In the event it becomes necessary for Otak to assist the City in defending Construction Contractor disputes or claims, this work will be tracked on an actual time and materials (T&M) basis and a contract amendment will be required.
- Status updates and recommendations regarding budget and schedule.
- Reviewed labor compliance documentation (to be kept at Otak's office and turned in at project completion)
- Documentation of changes ordered

Otak will facilitate and attend weekly on-site construction progress meetings with consultant team, City, Construction Contractor, and other project stakeholders. Meetings will review project schedule, status of submittals and RFIs, review of pending change orders, and construction issues for resolution. Otak will distribute meeting minutes.

- This task assumes weekly site meetings for the full duration of the construction contract (60 meetings), with two (2) CM staff in attendance
- Meeting agenda and minutes

Otak will work closely with the Construction Contractor to establish monthly estimated quantities for payment. Otak will document materials as they are installed and track quantities throughout each month to verify and confirm Construction Contractor invoices.

Otak will receive and review the Contractor's requests for payment. Otak will determine whether the amount requested reflects the progress of the Contractor's work and is in accordance with the contract for construction. Otak will provide recommendations to the City as to the acceptability of the requests. Otak will advise the City as to the status of the total amounts requested, paid, and remaining to be paid under the terms of the contract for construction.

Otak will create and keep updated a quantity tracking spreadsheet that identifies original

contract quantities and corrected estimated quantities to complete the work to identify real-time budget status. This spreadsheet will be available for the City to review, and will be submitted along with Contractor estimates each month.

- This task assumes monthly estimates for the full duration of the construction contract (14 estimates)
- Reviewed contractor invoice to City with recommendation to pay
- Quantity tracking spreadsheet

Otak will review construction shop drawings, Requests for Information (RFIs) and submittals electronically or in paper form as submitted by the Construction Contractor. Otak will log in each submittal/RFI when it arrives, distribute accordingly to appropriate review staff, track the submittal/RFI to ensure a timely response, and log out the reviewed submittal/RFI when it is returned to the construction contractor.

- This task is on-going throughout the duration of the construction contract (estimated at 60 weeks) and assumes 200 submittals and 50 RFIs.
- Submittal and RFI log will be available to view by City

Otak will mobilize a team on site for the duration of the construction to provide site coordination and monitoring the performance of the Construction Contractor. The on-site team will mobilize in a field office to be provided by the Contractor in accordance with the terms of the contract for construction.

Otak will provide on-site monitoring and inspection of construction for conformance with construction contract documents. Otak will coordinate and conduct on-site monitoring and inspections so they do not cause unnecessary adverse impacts to the construction schedule. On-site monitoring and inspections will occur at critical times during the construction process based on Otak's evaluation of the Contractor's schedule and construction contract documents.

Otak will have inspection staff onsite during all active construction. Otak will monitor the Construction Contractor's quality control process for compliance with the construction contract requirements. Otak will prepare daily progress reports of construction for each day consultant team staff are onsite. Photos will be taken daily and kept for review at Otak's office. Otak will determine and document pay quantities for work and materials incorporated into the project to confirm Construction Contractor monthly invoices.

Continued

Should Otak discover or believe that any work by the Contractor is not in accordance with the contract for construction, or is otherwise defective, or not conforming to requirements of the contract or applicable rules and regulations, Otak will bring this to the attention of the Contractor and the City. Otak will there upon monitor the Contractor's corrective actions and shall advise the City as to the acceptability of the corrective actions.

- This task is on-going throughout the duration of the construction contract (estimated at 60 weeks). Two inspectors (Otak pipe inspector and CH2M pump station inspector) will be assigned to the project, both full time (50 hours/week) for the full duration of the project.
- Daily progress reports from each inspector for days inspectors are onsite
- Photographs for each day inspectors are onsite

Otak will coordinate with the independent testing firm for the material testing related to verifying the quality of the Contractor's work. Otak will review the reports and other information prepared by the independent firm. Otak will assist in coordinating their schedules and transmit reports, findings or other information to the contractor, City, and Design Team.

- City will procure and pay for independent testing firm

Otak will facilitate project close-out activities with the Construction Contractor, including:

- Create a punch list of corrective action as the Construction Contractor nears substantial completion.
- Monitor punch list work for completion and compliance
- Facilitate system testing and start-up operations with Construction Contractor and City, as needed
- Deliver project documentation to City
- This task includes four (4) punch list site meetings to review draft and final punch lists with contractor and City, for three (3) CM staff in attendance.
- The Construction Management services described and required herein shall be completed in a timely manner based on the following:
  - a four week bid period
  - a five week period from the Bid Opening to Notice to Proceed
  - 14 months of active construction (approximately 60 weeks)
-

- Draft and final punch lists for both pump station and pipe work.

This task will be conducted by Otak and will include:

- Perform office calculations for all staking requests;
- Begin staking with 2 working days of contractor/city request;
- Recover existing survey control, set and maintain survey control for the duration of the construction;
- Provide one set of stakes for construction fencing (101 stakes)
- Provide one set of stakes for erosion control fencing (231 stakes)
- Mark trees for removal (65 total);
- Provide one set of stakes for gravity and force main sanitary sewer construction including lines, transition structures, manholes, laterals and tees. Stakes will be placed at horizontal angle points, PC's, PT's and vertical grade changes, every 50'. Stakes will be stationed, labeled and marked for cut to invert elevations. In areas of parallel dual force main, staking will be a single offset to the construction center line. The Contractor will be provided with one set of cut sheet notes (766 stakes);
- Provide one set of stakes for water line, including lines, hydrants, meters and tees. Stakes will be placed at horizontal angle points, PC's, PT's and every 50'. Stakes will be stationed and labeled. No cuts will be marked (267 stakes);
- Provide one set of stakes for the HDD, including alignment stakes and stakes every 25 feet over the line (56 stakes);
- Provide one set of stakes for fiber optic junction boxes (66 stakes);
- Provide one set of stakes for the road at the pedestrian bridge (11 stakes);
- Provide two sets of stakes for the pedestrian bridge footings (48 stakes);
- Provide one set of stakes for gravel road restoration (52 stakes);
- Provide staking for the construction at three pump station locations and the remote odor control facility:
  - Goodwin Road PS:
    - Provide three sets of stakes for pads/structures/wet well (90 stakes);
    - Provide one set of stakes for the fence/gate (17 stakes);
    - Provide one set of stakes for internal piping (40 stakes);
    - Provide one set of stakes for waterline (8 stakes);
    - Provide one set of stakes for pavement (30 stakes);
    - Provide miscellaneous staking within each pump station (up to 50 stakes)
  - NE 232<sup>nd</sup> Avenue PS:
    - Provide three sets of stakes for pads/structures/wet well (90 stakes);
    - Provide one set of stakes for the fence/gate (17 stakes);
    - Provide one set of stakes for internal piping (43 stakes);

Continued

- Provide one set of stakes for waterline (13 stakes);
  - Provide one set of stakes for pavement (38 stakes);
  - Provide miscellaneous staking within each pump station (up to 50 stakes).
  - Leadbetter Road PS:
    - Provide three sets of stakes for pads/structures/wet well (100 stakes);
    - Provide one set of stakes for the fence/gate (17 stakes);
    - Provide one set of stakes for internal piping (40 stakes);
    - Provide one set of stakes for waterline (10 stakes);
    - Provide one set of stakes for pavement (16 stakes);
    - Provide miscellaneous staking within each pump station (up to 50 stakes).
  - Remote Odor Control Facility:
    - Provide 3 sets of stakes for pads/structures (21 stakes);
    - Provide one set of stakes for foul airline/drain (28 stakes);
    - Provide miscellaneous staking within each pump station (up to 150 stakes).
- Field tie all above-ground evidence of sewer lines and water lines. Tie sewer line locations during construction in areas where line varies from design locations. Provide as-built data for preparation of as-built plans.

#### **Construction Monumentation Survey**

- Replace all survey monuments destroyed by construction
- Prepare record of survey with monuments replaced and their locations with the Clark County Surveyors Office.

This task will be conducted by Archeological Investigations Northwest (AINW) and will include monitoring of the following areas:

<b>SITE</b>	<b>LENGTH</b>	<b>WORK DESCRIPTION</b>
45CL1207 (in Camp Currie)	1,300 FT, including the 300 FT through BPA ROW where we aren't actually in the site but BPA wants monitoring	Dual 6" FM, 2" conduit Assumes 4 weeks

SITE	LENGTH	WORK DESCRIPTION
45CL1211 (near 232 <sup>nd</sup> Ave Pump Station)	420 FT BPA access road 400 FT 232nd Ave	BPA Access Road: Dual 6" FM, 2" conduit, transition structure  232nd Ave: 12" gravity sewer, 12" waterline, 4" fiber conduit, 2" fiber conduit, 2 pull boxes, 4" power conduit  Assumes 2 weeks
45CL1219 (in Lacamas Park)	90 FT	8" FM, bridge abutments, and trail restoration  Assumes 4 weeks

- Monitoring requests will be communicated directly to AINW by the project manager, or by the construction firm contracted by the City of Camas.
- AINW will verify that the area staked on the ground accurately reflects the areas to be monitored, protected, or avoided.
- Monitoring is assumed to be 20 10-hour days, including travel.
  - Overtime would be billed at 1.5 times regular rate, if incurred during the work week.
- Costs to coordinate the field monitoring schedule, and for downloading photographs and filing notes and maps are included.
- Artifacts collected during monitoring will be under the DAHP permits issued previously. The budget covers costs to analyze and curate up to approximately 40 artifacts recovered during construction monitoring.
- A report summarizing the monitoring will be needed upon conclusion of the field monitoring. It will consist of a memo, maps showing the location and details, and photographs showing the extent of the monitoring. Updated archaeological site forms will need to be included.
- AINW will submit the report to DAHP to satisfy the monitoring requirement.
- AINW will distribute the report to parties required under the permit (agencies and Tribes).

This task is a contingency and is only authorized by written or email correspondence from the city. It will be conducted by Archeological Investigations Northwest (AINW) and will

Continued

include monitoring of the following areas:

SITE	LENGTH	WORK DESCRIPTION
45CL1208	40 FT	Dual 6" FM, 2" conduit Assume 1 day
45CL1209	350 FT	Dual 6" FM, 2" conduit Assume 1 week
45CL1210	500 FT	Dual 6" FM, 2" conduit Assume 3 weeks

- Assumptions and Deliverables for Subtask 3.1 are valid for this task also.

This task will be conducted by Archeological Investigations Northwest (AINW) and will include:

- Meetings with City staff to discuss archeological issues.
- Assume 3 meetings
- Costs for three round-trips to Otak or City of Camas offices are included.

This task will be conducted by the consultant team and will include:

- **Construction Meetings (Otak).** Otak Engineers will attend project construction meetings as requested by the construction management team. This task assumes attendance at a pre-construction meeting, plus attendance at 25 construction meetings, for a total of 26 meetings.
- **Attend Client meetings and miscellaneous meetings (Otak).** This task will cover additional client meetings, meetings with construction management, or meetings with City staff. (Assume 15 meetings.)
- **Meeting Attendance (CH2M).** This task will cover any weekly construction meetings CH2M is asked to attend, additional client meetings, meetings with construction management team, or meetings with other City staff. (Assume 10 meetings, 4 hours each including travel time.)
- **Meeting Attendance (AINW).** This task will cover meetings with construction management or meetings with City staff to discuss archeological issues if needed. (Assume 3 meetings.)

- **Meeting Attendance (GRI).** This task will cover site meetings with construction management or meetings with City staff to discuss geotechnical issues. (Assume 5 meetings.)
- Meeting agendas will be prepared by others.
- Meeting minutes will be written by others.
- Number of meetings has been estimated for budgeting purposes.
- None

This task will be conducted by the design team and will include:

Review Requests for Approval (RAMs) and other material submittals as requested by Construction Manager (CM) and provide written responses. Efforts will include the review and response to submittals.

This task will be conducted by the design team and will include:

- Review Requests for Approval of Materials (RAMs) and other material submittal documents as requested by the CM Team. (Otak - Assume review of **20** submittals)
- Review RAMs and other material submittal documents as requested by the CM Team. (CH2M - assume review of **40** submittals)
- Construction Management team will provide submittals and RAMs for review.
- Memo of response to submittal or RAM approval request

The design team will provide interpretations and clarifications of contract documents. Effort includes services to research, respond, and document each RFI.

This task will be conducted by the design team and will include:

- Review and respond to RFIs (Otak – Assumes 15 RFI's)
- Review and respond to RFIs (CH2M – Assumes 30 RFI's)
- Review and respond to RFIs (GRI – Assumes 5 RFI's)
- Memorandum of response to RFIs



Continued

Assist CM with reviewing technical merit associated with change order requests. This task will be conducted by the design team and will include:

- Review and respond to Change Orders (Otak – Assumes 5 change orders)
- Review and respond to RFIs (CH2M – Assumes 5 change orders)
- This scope does not include the preparation of new designs or drawings
- Written responses to change order requests.

This task includes on-site design support services to assist the CM with coordination between construction activities and members of the design team. The design support services will be provided by either the project manager, or one of the project discipline engineers, depending on the type of construction activities.

Pipeline/Pump Station Field services provided by Otak include:

- Civil/Architectural On-Site Observation: Civil and architectural on-site observation will be provided when requested by the CM. Civil and architectural on-site observation and consultation services will be provided on an as-needed basis to assist in the review of pipeline and building construction.

Pump Station Field Services provided by CH2M include:

- Mechanical On-Site Observation: Mechanical on-site observation will be provided when requested by the CM. Mechanical on-site observation and consultation services will be provided by a mechanical engineer on an as-needed basis to assist in the review of installation of mechanical components and equipment.
- Structural On-Site Observation: Structural on-site observation will be provided when requested by the CM. Structural on-site observation and consultation services will be provided by a structural engineer on an as-needed basis to assist in the review of construction of the concrete structures.
- EI&C On-Site Observation: EI&C on-site observation and consultation services will be provided by an electrical engineer on an as-needed basis to assist in the review of installation of EI&C components and equipment.
- Civil/Architectural On-Site Observations: 25 site visits
- Mechanical On-Site Observations: 4 site visits
- Structural On-Site Observations: 2 site visits
- EI&C On-Site Observations: 4 site visits

- Field Observation Reports to document conditions, site observations, and recommendations

This task includes provisions for providing requested design revisions throughout the Project. The design team will revise and/or provide new plans and designs as needed and as requested.

This task will be conducted by Otak and CH2M and will include:

- Revise or provide new plans and designs as needed and as requested (Otak – 60 hours engineering and 120 hours of drafting allotted towards this task )
- Revise or provide new plans and designs as needed and as requested (CH2M – 60 hours engineering and 120 hours of drafting allotted towards this task)
- City or Construction Manager will request any design revisions.
- Signed, stamped design drawings, estimates, and specifications as needed

This task will be conducted by CH2M and includes on-site startup and testing support services to provide technical assistance to the Contractor in starting up the new equipment and/or facilities associated with the Project. Services include:

- Witness and assist in Programmer's system commissioning of all pump stations operating together as a system (in their intended configuration) in cooperation with the CM.
- System commissioning will be completed by the Programmer as assisted by the Contractor.
- System Commissioning will include comprehensive testing of the integrated control systems, and associated programming and SCADA software configuration. CH2M will assist the Programmer in the development of a test plan.
- Programmer will lead all system commissioning, in accordance with the contract documents.
- Assumes a 3 man-day allowance.
- System Commissioning Plan Development Workshop (1)
- Field Reports to document conditions, site observations, and recommendations where requested by CM

Continued

Upon completion of construction, Record Drawings will be prepared, based upon the information compiled and furnished by CM and Contractor along with any related as-built data compiled throughout the course of the construction effort. This task will be conducted by Otak and CH2M and will include:

- Attendance at one coordination meeting to assist in resolving any clarifications to the data.
- Provide pre-pave survey data in accordance to project contract provisions.
- Revise NS-STS drawings based upon survey data collected under Task 1, revisions recorded by Construction Management and Contractor notes and diagrams. Provide revised set to the City for review. Revise and submit final record drawings.
- CM Team will provide record drawing information from Contractors.
- Record Drawings will be comprised of CAD drafted field markups.
- As-built drawings in hard copy and electronic format

Public Outreach efforts will be led by JLA Public Involvement. JLA will work collaboratively with Otak and the City of Camas staff to develop, coordinate and deliver a community outreach program.

The outreach program will include the following tools:

JLA will provide up to three content updates for the project website to be created and maintained by the City. All project information materials, such as project mailings will direct stakeholders to the project website for continued updates. The website will provide a mechanism for subscribing to project e-mail updates. The Project website will include, but will not be limited to the following information:

- Project overview
- Interactive map of the project area with current construction activity updates
- Construction activity schedule (current activities and a look-ahead)
- Frequently asked questions and answers
- Project e-mail update subscription
- Contact information
- Up to three (3) Project website content updates

JLA will develop and maintain a list of stakeholder and interested parties including area

residents and businesses, neighborhood associations, local authorities, public service, education and community organizations. Contact information will be collected via the project website sign-up form and interaction with the public. JLA will maintain a project contact database that documents all communication received and responses provided.

- One (1) stakeholder database
- Up to 6 project e-mail updates to provide construction notices
- One (1) contact database of stakeholder communications

JLA will produce one-page project fact. It is assumed that the fact sheet will be full color, two-sided on 8 1/2 x 11 paper. The fact sheet will provide a general project overview, area map, construction schedule and project contact information.

- One (1) project fact sheet

JLA will coordinate and distribute one project mailing prior to construction to create awareness of the project and notify people of the various information resources, such as the website, e-mail notification list, and project contacts.

- One (1) project mailing to all businesses and residents within at least a half mile radius of the project corridor, some broader areas around Everett Street may be added.

JLA will prepare information materials for up to three door-to-door canvassing events during construction. Information materials may be unique for targeted areas of construction (i.e. Park and Trail entrance and parking lot closure and other major detours). Reader boards will also be used to provide construction updates to the traveling public along the roadway.

- Participation in up to three (3) canvassing events
- Up to 3 flyers
- Signage for park closures and detours

JLA will create and distribute one press release in conjunction with bid notification for distribution by the City. The press release will provide a project overview, construction schedule, potential impacts for businesses, residents and traffic and will direct people to the

Continued

project website for ongoing information updates.

- One (1) press release

Invoices and progress reports will be submitted on a monthly basis. JLA will supervise and coordinate the PI workload and internal staff to monitor project scope, schedule and budget and implement change management procedures as required.

JLA will communicate with the project team in-person, over the phone and via e-mail as needed to stay up to date on project activities and to develop accurate public information materials.

- Monthly project progress reports and invoices .
- Participate in up to twelve (12) teleconference calls with the project team to identify and discuss project issues and provide general project coordination.
- Attend up to six (6) face-to-face meetings with members of the project team.

In order to meet Ecology requirements and the needs of the City of Camas O&M staff, a Process Operations and Maintenance manual will be prepared describing the operation of the Project facilities and systems. This manual will explain the various modes of operation that may be used, including both normal operation and initial emergency operation procedures. The manual will explain the purpose and basic concept of the pump station, odor control, and appurtenant systems (pig launchers, surge tank). Where appropriate, reference will be made to the manufacturer's detailed O&M submittals. It will include instructions for process operations and test or that may be required to monitor the performance of the facilities.

The manual will be suitable for use as an operational tool and to facilitate operator training. The manual will be produced in a computerized format using commercially available software (MS WORD or Adobe PDF's), suitable for inclusion in an online, electronic O&M manual.

A draft and final submittal will be prepared and submitted to the City for review prior to the 50% point of construction completion. CH2M will then incorporate the City's review comments into a final updated O&M Manual before the project is 90% complete. It is anticipated that additional fix-up and addenda to the O&M manual will be performed following substantial completion to address items that arise during startup and commissioning. A 40 hour allowance has been included for this fix-up activity.

This task will provide completion of control narratives that were developed during design, using information obtained from contractor submittals and O&M manuals to select final

equipment and instrument settings, and modify design-phase narratives with changes that occur during construction. These control narratives will serve as the basis of control system software programming, and therefore construction phase updates are required.

Six copies (including one unbound copy) of the final updated O&M Manual will be prepared for City's use.

De-pressurization testing will be conducted over an 8 hour period to confirm operation of the remote odor control facility. A single CH2M field technician will work with City personnel to conduct the testing. Up to two test runs will be conducted, each with a duration of approximately 4 hours. Portable confined space fans will be provided by the City and connected to a temporary manhole lid (provided by City) for extracting air from the sewer headspace. A temporary stack (provided by CH2M) will be attached to each fan for measuring air flow velocity (air flow velocity instrumentation provided by CH2M). Portable pressure sensors will be deployed at specific manholes to measure sewer headspace pressure under specific air flow conditions. Manhole covers within anticipated zone of influence should be sealed by the City prior to testing.

Assumptions:

- Contractor to provide temporary traffic control services related to CH2M staff work in the public right of way.
- City to provide two staff members to support one 8-hour day of field testing. Staff will be required to open manholes, and operate and monitor air flow monitoring equipment.

The results of the depressurization study will be summarized in an Odor Control De-Pressurization Report. The draft report will incorporate the information derived from the site field testing and outline the recommendations and the basis for design decisions. CH2M project manager and odor control engineer (via phone) will conduct a review meeting with City staff at City offices. A final report will be issued after review comments from the City have been received and incorporated.

CH2M will provide control system programming and commissioning services for the Project. The content of the displays and control functions are based on the Contract Documents for the Project and CH2M's experience with similar projects prepared for the City and others. The scope of work and fee estimate is also based on the following:

- The City will witness performance acceptance tests and will provide notice of substantial completion when tests meet their requirements.
- No other formal tests are contemplated.

Continued

The scope of this subtask is to generate functional PLC and HMI code to operate the pump stations as described in the project process control narratives. The pump station equipment to be configured will be Allen-Bradley programmable logic controllers (PLCs) and Automation Direct Operator Interface Panels. CH2M will use their computers and software licenses to configure and program the pump station control panels.

Code will be written to monitor and control new equipment. The pump station code will be written and tested with the associated HMI screens and provide a functional link to the City's SCADA system.

Within the Allen Bradley PLCs, common control system functions will be standardized and encapsulated through the use of Add-On-Instructions (AOIs). An AOI is a block of code created by the programmer designed to perform a specific task. Using AOIs provides consistency, efficiency and makes troubleshooting much simpler.

System screens for each of the pump stations will be developed during the development phase. Simple graphics, based on the final Piping & Instrumentation Diagrams (P&IDs) will be created and the objects linked to the PLC database. The screens will encapsulate the features and properties required for programming and allow operators to intuitively command and control the systems represented.

### **Testing and Simulation**

A fully simulated and tested version of the PLC code and HMI screens will be reviewed with the City. An "over the shoulder" review for these systems will be scheduled and carried out before the code is loaded on the live system.

The scope of this subtask is to provide operator interface graphics and displays that are functional and efficient for monitoring and control of the NS STS pump stations. At the WWTP, the City's SCADA computers use Wonderware InTouch software as the interface for the process instrumentation and control system. CH2M will use the City's computer hardware, operating system software, and application software packages to program the SCADA system.

A new router has been specified to be furnished by Contractor to City for City installation, for communication with the Goodwin Road pump station (PS). Fiber optic cables will connect Goodwin Road PS to 232<sup>nd</sup> Ave PS and Leadbetter Road PS and provide SCADA monitoring and control for all three pump stations. This router will be installed by the City in an appropriate enclosure. CH2M will configure the router and use it to commission the interface to the pump stations.

The operator interface graphics and displays will mimic the layout and organization as shown on the project P&IDs. The HMI screens developed for the local HMI will be replicated for the plant WWTP SCADA system. These screens will be integrated into the existing WWTP SCADA with the associated alarming, trending and navigation.

The scope of work includes the following:

- Develop custom graphics and displays for the City's review, and link process graphics to the database parameters
- Develop alarm messages and trend displays for the monitored systems.

The scope of this subtask is to test the configuration of the control system software in a formal simulation of the system configuration witnessed by the City. The scope of work includes the following:

- Simulate various modes of operation and modes of control strategies prior to startup
- Test interaction of control strategies with graphic displays
- Simulate calculated points and all input/output points to verify that database is properly configured
- Test alarm points to verify proper message
- Conduct performance test to verify software, displays, and other functions to satisfy scope of work requirements with the City's staff

The purpose of this subtask is to start the control system software in the field and integrate the software with the field equipment. The scope of work includes the following:

- Completion of Functional Test Part 2. In this task as specified, Engineer will load application software and test all loops and software functions.
- Complete Performance Test as specified.

Completed HMI files, Final HMI files, and Updated copy of loop descriptions.

The purpose of this subtask is to train City personnel in maintaining and troubleshooting the control system programs. It is assumed that the staff will already be knowledgeable in the basic use and programming of the various software used. The training will provide a detailed review of the code installed and how to troubleshoot operational issues. Training will also explain how the code may be modified for changes and additions in the future. Provide classroom operator training.

PDF copy of operation manual on how to use the software (showing screens and function of each software button).



- Goodwin Road Preliminary Operation – The Goodwin Road pump station will initially be operated by the developer supplying the pump station. CH2M system integration will not provide programming or startup services for that phase of the project. However, the control panel provided by the developer will be used in the subsequent phases. The panel and devices provided for the Goodwin Road Pump Station (by developer) will be furnished by developer to meet functional requirements and configuration provided to developer's designer by CH2M in October 2016.
- GSM Modem – initial communication with the pump stations will be through a GSM modem installed at Goodwin Road. This link will also be functional for the 232nd Avenue and Leadbetter Road pump stations. Eventually, the link will be augmented by a direct fiber link between the WWTP and Leadbetter Road but such future fiber link is not part of this programming scope of work. When the final link is installed, the GSM modem may be de-commissioned or kept in service as a backup communication link.
- Communication between Pump Stations – The system design requires direct communication between PLCs at the three pump stations as necessary for coordinated operation. This link will be provided by a fiber optic link to be installed by others. The coordinated function will be verified and tested after the fiber optic link is installed and commissioned.
- Communication with WWTP SCADA – the link between the Goodwin Road pump station and the WWTP will be functional as soon as the GSM modem at the pump station and the associated router is installed at the WWTP itself.
- Functional Acceptance Testing - FAT testing involves multiple disciplines and contractors. CH2M systems integration staff will exercise the controls but the effort is led by the contractor that provides the system.
- Installation – CH2M will observe installations before proceeding with commissioning but installation of devices and modification of PLC and VFD panels is by others.
- VFD configuration – As the configuration for VFDs include mechanical (e.g. speed setpoints) and electrical parameters (e.g. full load amperage) necessary for those disciplines to identify, VFD configuration will be the responsibility of the Contractor. CH2M will identify parameters necessary for control and transmit such settings to Contractor for configuration.

North Shore STS  
Fee Estimate  
Summary of Otak, Inc. and all subconsultants  
Otak Project # 17628A

Task	Description	Otak	CH2M	GRI	AINW	JLA	Total Hours	Total Budget by Task	Budget Summaries
1	Construction Management and Inspection								
1.1	Project Management of Construction Phase Services	121	360				481	\$67,842	\$994,811
1.2	Services During Bid and Award Phase	84	8				92	\$12,476	
1.3	Pre-Construction Meeting	24	12				36	\$5,684	
1.4	Construction Management and Contract Administration	1333	40				1373	\$184,105	
1.5	Weekly Construction Progress Meetings	334					334	\$43,795	
1.6	Monthly Construction Progress Estimates/Payments	196					196	\$23,604	
1.7	Submittal Review and RFIs	423					423	\$39,136	
1.8	Construction Monitoring and Inspection	3031	1040				4071	\$588,622	
1.9	Material Testing	61					61	\$8,113	
1.10	Construction Phase Close-Out	144	12				156	\$21,433	
2	Survey and Mapping								
2.1	Survey Staking	908					908	\$135,031	\$159,563
2.2	As-Builts	96					96	\$13,132	
2.3	Post-Construction Monumentation Survey	88					88	\$11,400	
3	Archeological Site Monitoring								
3.1	Site Monitoring				836		836	\$66,752	\$86,828
3.2	Site Monitoring Contingency				241		241	\$17,544	
3.3	Archeological Site Meetings				18		18	\$2,532	
4	Design Services During Construction								
4.1	Project Meetings	100	40				140	\$19,814	\$247,251
4.2	Project Submittals and RFIs								
4.2.1	Project Submittals	100	240				340	\$52,120	
4.2.2	Review and Respond to Requests for Information	100	132	100			332	\$50,169	
4.2.3	Review and Respond to Change Orders	80	75				155	\$21,793	
4.3	On-Site Observation Services	100	104				204	\$28,768	
4.4	Design Revisions	320	258				578	\$74,587	
5	Startup, Testing, and Commissioning Services		60				60	\$10,374	\$10,374
6	Record Drawings	300	200				500	\$59,982	\$59,982
7	Public Involvement								
7.1	Website content, including interactive construction activity map	48				56	104	\$10,320	\$37,281
7.2	Stakeholder Database, Project E-mail Updates, Contact Database					60	60	\$6,248	
7.3	Fact sheet					26	26	\$2,758	
7.4	Project mailing					21	21	\$2,149	
7.5	Neighborhood canvassing & signage					79	79	\$8,741	
7.6	Press release					11	11	\$1,120	
7.7	Public Involvement PM					54	54	\$5,944	
8	NS-STs Operations and Maintenance Manual		114				114	\$18,791	\$18,791
9	Remote Odor Control System De-Pressurization Test		44				44	\$8,028	\$8,028
10	Control System Programming and Commissioning								
10.1	Pump Station PLC and Local HMI Programming		195				195	\$39,324	\$95,525
10.2	SCADA Display Configuration		80				80	\$13,732	
10.3	Testing		52				52	\$8,799	
10.4	Startup		150				150	\$21,003	
10.5	Training		76				76	\$12,666	
	Total Hours	7991	3292	100	1095	307	12785		
	Total Labor Cost	\$1,009,292	\$573,521	\$15,800	\$86,828	\$32,993		\$1,718,433	\$1,718,433
	Direct Expenses	\$700	\$17,820		\$8,674	\$2,450		\$29,644	
	Subconsultant Administration	\$36,904						\$36,904	
	Project Total	\$1,046,896	\$591,341	\$15,800	\$95,502	\$35,443		\$1,784,982	

**Exhibit A**  
**City of Camas**  
**North Shore Sewer Transmission System**  
**Construction Services Scope of Work**  
**February 6, 2017**

This scope of work is to provide construction management and inspection, archeological monitoring, construction staking, geotechnical engineering support, and design services for construction of the North Shore Sewer Transmission System project.

The following roles are anticipated, and terms used in this scope are consistent with responsibilities shown below.

<b>Role</b>	<b>Firm Responsibility</b>
Construction Manager	Otak
Inspector – Pipeline	Otak
Inspector – Pump Stations	CH2M
Pipeline engineer	Otak
Discipline Engineers – Mechanical, Electrical, I&C, Odor Control	CH2M
Contractor	TBD – The selected prime construction contractor
City	City of Camas
Geotechnical Engineer	GRI
Archaeology Consultant	AINW

Specific tasks in this scope of work are described below.

**Task I Construction Management and Inspection**

**Subtask I.1 Project Management of Construction Phase Services**

This task will be conducted by the consultant team and will include:

- Project Management and Coordination (Otak). This activity is continuous throughout the duration of the Bid/Award and Construction Phases. Otak will provide leadership, direction and control of the services described in this Scope of Work. Otak will direct the consultant team with regard to overall construction management, inspection, and engineering activities and team meetings. Otak will

## Scope of Work

Continued

maintain liaison, communication, and coordination between consultant staff, City, Construction Contractor, and other project stakeholders.

- Status Reports and Invoices (Otak). For each month the Otak team is working, a status report will be submitted along with an invoice detailing out the previous month's work accomplished and a forecast of work for the coming month.

### Assumptions:

- This task is on-going for the full duration of the construction contract.

### Deliverables

- Monthly status reports and invoices.

### Subtask 1.2 Services During Bid and Award Phase

This task will be conducted by the consultant team and will include:

- Preparation of documents used during bid period (Otak). Otak will prepare documents and logs for use during bid and award phase such as a Bidder Tracking Log, Bidder Question Log, and Pre-Bid agenda.
- Bid Period Information Requests (Otak and CH2M). Otak will develop and implement procedures for receiving and answering bidders' questions and requests for additional information. The procedures shall include a log of all significant bidder questions and requests and the response thereto. Otak and CH2M will provide technical interpretation of the contract bid documents and will prepare proposed responses to all bidder questions and requests, which may be in the form of addenda.
- Pre-Bid Conference (Otak and CH2M). Otak will assist the City in arranging and take the lead in conducting the pre-bid conference. Otak will work with the City in developing the agenda and content of the pre-bid conference. Otak will take minutes or make other provision for documenting the results of the pre-bid conference. Otak will also record all questions and requests for additional information, and shall coordinate with the City for issuing responses and additional information.
- Addenda (Otak). Otak will assist the City in issuing all Addenda to the Bid Documents and shall distribute Addenda to the bidders. All Addenda shall be approved by the City.
- Bid Opening (Otak). Otak will assist the City in opening of bids. Otak will create and maintain the bid tabs. Otak will review all bids and evaluate them for responsiveness and bid amount. Otak will verify through reasonable investigation the supplemental bidder responsibility criteria submitted by the low bidder and second low bidder. Otak will prepare a report of its review and evaluation and include recommendations for award of the contract for construction, or other action as may be appropriate. The City shall make the final decision on the award of the contract for construction and the acceptance or rejection of all bids. Otak will provide technical (but not legal) advice in bid pretest situations.
- Recommendation of Project Award (Otak). Otak will assist the City in preparing the notice of award; assembly, delivery and execution of the contract for construction;

and preparation of the notice to proceed. The City shall sign the notice of award and the notice to proceed.

### Assumptions:

- This task assumes a four (4) hour pre-bid conference onsite with two (2) Otak CM staff and 1 CH2M CM staff in attendance, and no more than three (3) addenda.

### Deliverables

- Pre-bid agenda and minutes, addenda, and recommendation of project award.

### Subtask 1.3 Pre-Construction Meeting

This task will be conducted by the consultant team and will include:

- Schedule and lead Pre-Construction Meeting with consultant team, City, Construction Contractor, and other project stakeholders.
- Prepare and distribute Pre-Construction Meeting agenda and minutes.
- Attend, facilitate, and participate in the Pre-Construction Meeting.

### Assumptions:

- This task assumes a four (4) hour pre-construction meeting to be held at the City, with three (3) Otak CM staff and 1 CH2M CM staff in attendance.

### Deliverables

- Meeting agenda and minutes.

### Subtask 1.4 Construction Management and Contract Administration

Otak will provide day-to-day administration of the construction contract. This task will be conducted by the consultant team and will include:

- Monitor overall budget and costs included in the project authorization.
- Monitor and evaluate the construction schedule and determine whether the construction contractor is proceeding in a manner that will result in timely project completion.
- Maintain liaison contact between the Contractor, City and stakeholders.
- Respond to daily construction issues and research with appropriate parties to resolve issues at lowest possible level with Contractor.
- Review construction contractor's subcontracts for conformance to the contract.
- Perform labor compliance monitoring as required, tracking subcontracts, certified payroll, subcontractor payments, and performing intermittent on-site employee interviews for wage verifications.
- Authorize minor variations in the work which do not involve an adjustment in the contractor's contract price nor time for construction and are not inconsistent with the intent of the contract documents.
- Assist the City with the issuance of changes to the contract for construction. Otak will receive and review the contractor's response to the request for change and will

## Scope of Work

Continued

obtain such further information as is necessary to evaluate the basis for the contractor's proposal. Otak will assist the City with negotiations of the proposal and, upon approval by the City, prepare final change order documents for execution by the City and Contractor.

### Assumptions:

- This task is on-going throughout the duration of the construction contract (estimated at 60 weeks).
- No level of effort or budget is assumed for claim/dispute review. In the event it becomes necessary for Otak to assist the City in defending Construction Contractor disputes or claims, this work will be tracked on an actual time and materials (T&M) basis and a contract amendment will be required.

### Deliverables

- Status updates and recommendations regarding budget and schedule.
- Reviewed labor compliance documentation (to be kept at Otak's office and turned in at project completion)
- Documentation of changes ordered

### Subtask I.5 Weekly Construction Progress Meetings

Otak will facilitate and attend weekly on-site construction progress meetings with consultant team, City, Construction Contractor, and other project stakeholders. Meetings will review project schedule, status of submittals and RFIs, review of pending change orders, and construction issues for resolution. Otak will distribute meeting minutes.

### Assumptions:

- This task assumes weekly site meetings for the full duration of the construction contract (60 meetings), with two (2) CM staff in attendance

### Deliverables

- Meeting agenda and minutes

### Subtask I.6 Monthly Construction Progress Estimates/Payments

Otak will work closely with the Construction Contractor to establish monthly estimated quantities for payment. Otak will document materials as they are installed and track quantities throughout each month to verify and confirm Construction Contractor invoices.

Otak will receive and review the Contractor's requests for payment. Otak will determine whether the amount requested reflects the progress of the Contractor's work and is in accordance with the contract for construction. Otak will provide recommendations to the City as to the acceptability of the requests. Otak will advise the City as to the status of the total amounts requested, paid, and remaining to be paid under the terms of the contract for construction.

Otak will create and keep updated a quantity tracking spreadsheet that identifies original

contract quantities and corrected estimated quantities to complete the work to identify real-time budget status. This spreadsheet will be available for the City to review, and will be submitted along with Contractor estimates each month.

### Assumptions:

- This task assumes monthly estimates for the full duration of the construction contract (14 estimates)

### Deliverables

- Reviewed contractor invoice to City with recommendation to pay
- Quantity tracking spreadsheet

### Subtask 1.7 Submittal Review and RFIs

Otak will review construction shop drawings, Requests for Information (RFIs) and submittals electronically or in paper form as submitted by the Construction Contractor. Otak will log in each submittal/RFI when it arrives, distribute accordingly to appropriate review staff, track the submittal/RFI to ensure a timely response, and log out the reviewed submittal/RFI when it is returned to the construction contractor.

### Assumptions:

- This task is on-going throughout the duration of the construction contract (estimated at 60 weeks) and assumes 200 submittals and 50 RFIs.

### Deliverables

- Submittal and RFI log will be available to view by City

### Subtask 1.8 Construction Monitoring and Inspection

Otak will mobilize a team on site for the duration of the construction to provide site coordination and monitoring the performance of the Construction Contractor. The on-site team will mobilize in a field office to be provided by the Contractor in accordance with the terms of the contract for construction.

Otak will provide on-site monitoring and inspection of construction for conformance with construction contract documents. Otak will coordinate and conduct on-site monitoring and inspections so they do not cause unnecessary adverse impacts to the construction schedule. On-site monitoring and inspections will occur at critical times during the construction process based on Otak's evaluation of the Contractor's schedule and construction contract documents.

Otak will have inspection staff onsite during all active construction. Otak will monitor the Construction Contractor's quality control process for compliance with the construction contract requirements. Otak will prepare daily progress reports of construction for each day consultant team staff are onsite. Photos will be taken daily and kept for review at Otak's office. Otak will determine and document pay quantities for work and materials incorporated into the project to confirm Construction Contractor monthly invoices.

## Scope of Work

Continued

Should Otak discover or believe that any work by the Contractor is not in accordance with the contract for construction, or is otherwise defective, or not conforming to requirements of the contract or applicable rules and regulations, Otak will bring this to the attention of the Contractor and the City. Otak will there upon monitor the Contractor's corrective actions and shall advise the City as to the acceptability of the corrective actions.

### Assumptions:

- This task is on-going throughout the duration of the construction contract (estimated at 60 weeks). Two inspectors (Otak pipe inspector and CH2M pump station inspector) will be assigned to the project, both full time (50 hours/week) for the full duration of the project.

### Deliverables

- Daily progress reports from each inspector for days inspectors are onsite
- Photographs for each day inspectors are onsite

### Subtask 1.9 Material Testing

Otak will coordinate with the independent testing firm for the material testing related to verifying the quality of the Contractor's work. Otak will review the reports and other information prepared by the independent firm. Otak will assist in coordinating their schedules and transmit reports, findings or other information to the contractor, City, and Design Team.

### Assumptions:

- City will procure and pay for independent testing firm

### Subtask 1.10 Construction Phase Close-Out

Otak will facilitate project close-out activities with the Construction Contractor, including:

- Create a punch list of corrective action as the Construction Contractor nears substantial completion.
- Monitor punch list work for completion and compliance
- Facilitate system testing and start-up operations with Construction Contractor and City, as needed
- Deliver project documentation to City

### Assumptions:

- This task includes four (4) punch list site meetings to review draft and final punch lists with contractor and City, for three (3) CM staff in attendance.
- The Construction Management services described and required herein shall be completed in a timely manner based on the following:
  - a four week bid period
  - a five week period from the Bid Opening to Notice to Proceed
  - 14 months of active construction (approximately 60 weeks)
-



## Deliverables

- Draft and final punch lists for both pump station and pipe work.

## Task 2 Survey and Mapping

### Subtask 2.1 Survey Staking

This task will be conducted by Otak and will include:

- Perform office calculations for all staking requests;
- Begin staking with 2 working days of contractor/city request;
- Recover existing survey control, set and maintain survey control for the duration of the construction;
- Provide one set of stakes for construction fencing (101 stakes)
- Provide one set of stakes for erosion control fencing (231 stakes)
- Mark trees for removal (65 total);
- Provide one set of stakes for gravity and force main sanitary sewer construction including lines, transition structures, manholes, laterals and tees. Stakes will be placed at horizontal angle points, PC's, PT's and vertical grade changes, every 50'. Stakes will be stationed, labeled and marked for cut to invert elevations. In areas of parallel dual force main, staking will be a single offset to the construction center line. The Contractor will be provided with one set of cut sheet notes (766 stakes);
- Provide one set of stakes for water line, including lines, hydrants, meters and tees. Stakes will be placed at horizontal angle points, PC's, PT's and every 50'. Stakes will be stationed and labeled. No cuts will be marked (267 stakes);
- Provide one set of stakes for the HDD, including alignment stakes and stakes every 25 feet over the line (56 stakes);
- Provide one set of stakes for fiber optic junction boxes (66 stakes);
- Provide one set of stakes for the road at the pedestrian bridge (11 stakes);
- Provide two sets of stakes for the pedestrian bridge footings (48 stakes);
- Provide one set of stakes for gravel road restoration (52 stakes);
- Provide staking for the construction at three pump station locations and the remote odor control facility:
  - Goodwin Road PS:
    - Provide three sets of stakes for pads/structures/wet well (90 stakes);
    - Provide one set of stakes for the fence/gate (17 stakes);
    - Provide one set of stakes for internal piping (40 stakes);
    - Provide one set of stakes for waterline (8 stakes);
    - Provide one set of stakes for pavement (30 stakes);
    - Provide miscellaneous staking within each pump station (up to 50 stakes)
  - NE 232<sup>nd</sup> Avenue PS:
    - Provide three sets of stakes for pads/structures/wet well (90 stakes);
    - Provide one set of stakes for the fence/gate (17 stakes);
    - Provide one set of stakes for internal piping (43 stakes);

## Scope of Work

Continued

- Provide one set of stakes for waterline (13 stakes);
- Provide one set of stakes for pavement (38 stakes);
- Provide miscellaneous staking within each pump station (up to 50 stakes).
- Leadbetter Road PS:
  - Provide three sets of stakes for pads/structures/wet well (100 stakes);
  - Provide one set of stakes for the fence/gate (17 stakes);
  - Provide one set of stakes for internal piping (40 stakes);
  - Provide one set of stakes for waterline (10 stakes);
  - Provide one set of stakes for pavement (16 stakes);
  - Provide miscellaneous staking within each pump station (up to 50 stakes).
- Remote Odor Control Facility:
  - Provide 3 sets of stakes for pads/structures (21 stakes);
  - Provide one set of stakes for foul airline/drain (28 stakes);
  - Provide miscellaneous staking within each pump station (up to 150 stakes).

### Subtask 2.2 As-builts

- Field tie all above-ground evidence of sewer lines and water lines. Tie sewer line locations during construction in areas where line varies from design locations. Provide as-built data for preparation of as-built plans.

### Subtask 2.3 Post Construction Monumentation Survey

- Replace all survey monuments destroyed by construction
- Prepare record of survey with monuments replaced and their locations with the Clark County Surveyors Office.

## Task 3 Archeological Site Monitoring

### Subtask 3.1 Site Monitoring

This task will be conducted by Archeological Investigations Northwest (AINW) and will include monitoring of the following areas:

SITE	LENGTH	WORK DESCRIPTION
45CL1207 (in Camp Currie)	1,300 FT, including the 300 FT through BPA ROW where we aren't actually in the site but BPA wants monitoring	Dual 6" FM, 2" conduit Assumes 4 weeks

## Scope of Work

Continued

SITE	LENGTH	WORK DESCRIPTION
45CL1211 (near 232 <sup>nd</sup> Ave Pump Station)	420 FT BPA access road 400 FT 232nd Ave	BPA Access Road: Dual 6" FM, 2" conduit, transition structure  232nd Ave: 12" gravity sewer, 12" waterline, 4" fiber conduit, 2" fiber conduit, 2 pull boxes, 4" power conduit  Assumes 2 weeks
45CL1219 (in Lacamas Park)	90 FT	8" FM, bridge abutments, and trail restoration  Assumes 4 weeks

### Assumptions:

- Monitoring requests will be communicated directly to AINW by the project manager, or by the construction firm contracted by the City of Camas.
- AINW will verify that the area staked on the ground accurately reflects the areas to be monitored, protected, or avoided.
- Monitoring is assumed to be 20 10-hour days, including travel.
  - Overtime would be billed at 1.5 times regular rate, if incurred during the work week.
- Costs to coordinate the field monitoring schedule, and for downloading photographs and filing notes and maps are included.
- Artifacts collected during monitoring will be under the DAHP permits issued previously. The budget covers costs to analyze and curate up to approximately 40 artifacts recovered during construction monitoring.

### Deliverables:

- A report summarizing the monitoring will be needed upon conclusion of the field monitoring. It will consist of a memo, maps showing the location and details, and photographs showing the extent of the monitoring. Updated archaeological site forms will need to be included.
- AINW will submit the report to DAHP to satisfy the monitoring requirement.
- AINW will distribute the report to parties required under the permit (agencies and Tribes).

### Subtask 3.2 Site Monitoring Contingency

This task is a contingency and is only authorized by written or email correspondence from the city. It will be conducted by Archeological Investigations Northwest (AINW) and will

## Scope of Work

Continued

include monitoring of the following areas:

SITE	LENGTH	WORK DESCRIPTION
45CL1208	40 FT	Dual 6" FM, 2" conduit Assume 1 day
45CL1209	350 FT	Dual 6" FM, 2" conduit Assume 1 week
45CL1210	500 FT	Dual 6" FM, 2" conduit Assume 3 weeks

### Assumptions:

- Assumptions and Deliverables for Subtask 3.1 are valid for this task also.

### Subtask 3.3 Archeological Site Meetings

This task will be conducted by Archeological Investigations Northwest (AINW) and will include:

- Meetings with City staff to discuss archeological issues.

### Assumptions:

- Assume 3 meetings
- Costs for three round-trips to Otak or City of Camas offices are included.

## Task 4 Design Services During Construction

### Subtask 4.1 Project Meetings

This task will be conducted by the consultant team and will include:

- Construction Meetings (Otak).** Otak Engineers will attend project construction meetings as requested by the construction management team. This task assumes attendance at a pre-construction meeting, plus attendance at 25 construction meetings, for a total of 26 meetings.
- Attend Client meetings and miscellaneous meetings (Otak).** This task will cover additional client meetings, meetings with construction management, or meetings with City staff. (Assume 15 meetings.)
- Meeting Attendance (CH2M).** This task will cover any weekly construction meetings CH2M is asked to attend, additional client meetings, meetings with construction management team, or meetings with other City staff. (Assume 10 meetings, 4 hours each including travel time.)
- Meeting Attendance (AINW).** This task will cover meetings with construction management or meetings with City staff to discuss archeological issues if needed. (Assume 3 meetings.)

- **Meeting Attendance (GRI).** This task will cover site meetings with construction management or meetings with City staff to discuss geotechnical issues. (Assume 5 meetings.)

### Assumptions:

- Meeting agendas will be prepared by others.
- Meeting minutes will be written by others.
- Number of meetings has been estimated for budgeting purposes.

### Deliverables

- None

## Subtask 4.2 Project Submittals and RFIs

This task will be conducted by the design team and will include:

### 4.2.1 Project Submittals

Review Requests for Approval (RAMs) and other material submittals as requested by Construction Manager (CM) and provide written responses. Efforts will include the review and response to submittals.

This task will be conducted by the design team and will include:

- Review Requests for Approval of Materials (RAMs) and other material submittal documents as requested by the CM Team. (Otak - Assume review of **20** submittals)
- Review RAMs and other material submittal documents as requested by the CM Team. (CH2M - assume review of **40** submittals)

### Assumptions:

- Construction Management team will provide submittals and RAMs for review.

### Deliverables

- Memo of response to submittal or RAM approval request

### 4.2.2 Review and Respond to Requests for Information

The design team will provide interpretations and clarifications of contract documents. Effort includes services to research, respond, and document each RFI.

This task will be conducted by the design team and will include:

- Review and respond to RFIs (Otak – Assumes 15 RFI's)
- Review and respond to RFIs (CH2M – Assumes 30 RFI's)
- Review and respond to RFIs (GRI – Assumes 5 RFI's)

### Deliverables

- Memorandum of response to RFIs

## Scope of Work

Continued

### 4.2.3 Review and respond to Change Orders

Assist CM with reviewing technical merit associated with change order requests. This task will be conducted by the design team and will include:

- Review and respond to Change Orders (Otak – Assumes 5 change orders)
- Review and respond to RFIs (CH2M – Assumes 5 change orders)

#### Assumptions:

- This scope does not include the preparation of new designs or drawings

#### Deliverables

- Written responses to change order requests.

### Subtask 4.3 On-Site Observation Services

This task includes on-site design support services to assist the CM with coordination between construction activities and members of the design team. The design support services will be provided by either the project manager, or one of the project discipline engineers, depending on the type of construction activities.

Pipeline/Pump Station Field services provided by Otak include:

- Civil/Architectural On-Site Observation: Civil and architectural on-site observation will be provided when requested by the CM. Civil and architectural on-site observation and consultation services will be provided on an as-needed basis to assist in the review of pipeline and building construction.

Pump Station Field Services provided by CH2M include:

- Mechanical On-Site Observation: Mechanical on-site observation will be provided when requested by the CM. Mechanical on-site observation and consultation services will be provided by a mechanical engineer on an as-needed basis to assist in the review of installation of mechanical components and equipment.
- Structural On-Site Observation: Structural on-site observation will be provided when requested by the CM. Structural on-site observation and consultation services will be provided by a structural engineer on an as-needed basis to assist in the review of construction of the concrete structures.
- EI&C On-Site Observation: EI&C on-site observation and consultation services will be provided by an electrical engineer on an as-needed basis to assist in the review of installation of EI&C components and equipment.

#### Assumptions:

- Civil/Architectural On-Site Observations: 25 site visits
- Mechanical On-Site Observations: 4 site visits
- Structural On-Site Observations: 2 site visits
- EI&C On-Site Observations: 4 site visits

#### Deliverables:

- Field Observation Reports to document conditions, site observations, and recommendations

### Task 4.4 Design Revisions

This task includes provisions for providing requested design revisions throughout the Project. The design team will revise and/or provide new plans and designs as needed and as requested.

This task will be conducted by Otak and CH2M and will include:

- Revise or provide new plans and designs as needed and as requested (Otak – 60 hours engineering and 120 hours of drafting allotted towards this task )
- Revise or provide new plans and designs as needed and as requested (CH2M – 60 hours engineering and 120 hours of drafting allotted towards this task)

#### Assumptions:

- City or Construction Manager will request any design revisions.

#### Deliverables

- Signed, stamped design drawings, estimates, and specifications as needed

### Task 5 Startup, Testing, & Commissioning Services

This task will be conducted by CH2M and includes on-site startup and testing support services to provide technical assistance to the Contractor in starting up the new equipment and/or facilities associated with the Project. Services include:

- Witness and assist in Programmer's system commissioning of all pump stations operating together as a system (in their intended configuration) in cooperation with the CM.
- System commissioning will be completed by the Programmer as assisted by the Contractor.
- System Commissioning will include comprehensive testing of the integrated control systems, and associated programming and SCADA software configuration. CH2M will assist the Programmer in the development of a test plan.

#### Assumptions:

- Programmer will lead all system commissioning, in accordance with the contract documents.
- Assumes a 3 man-day allowance.

#### Meetings:

- System Commissioning Plan Development Workshop (1)

#### Deliverables:

## Scope of Work

Continued

- Field Reports to document conditions, site observations, and recommendations where requested by CM

### Task 6 Record Drawings

Upon completion of construction, Record Drawings will be prepared, based upon the information compiled and furnished by CM and Contractor along with any related as-built data compiled throughout the course of the construction effort. This task will be conducted by Otak and CH2M and will include:

- Attendance at one coordination meeting to assist in resolving any clarifications to the data.
- Provide pre-pave survey data in accordance to project contract provisions.
- Revise NS-STS drawings based upon survey data collected under Task 1, revisions recorded by Construction Management and Contractor notes and diagrams. Provide revised set to the City for review. Revise and submit final record drawings.

#### Assumptions:

- CM Team will provide record drawing information from Contractors.
- Record Drawings will be comprised of CAD drafted field markups.

#### Deliverables

- As-built drawings in hard copy and electronic format

### Task 7 Public Involvement

Public Outreach efforts will be led by JLA Public Involvement. JLA will work collaboratively with Otak and the City of Camas staff to develop, coordinate and deliver a community outreach program.

The outreach program will include the following tools:

#### Subtask 7.1 Project Website:

JLA will provide up to three content updates for the project website to be created and maintained by the City. All project information materials, such as project mailings will direct stakeholders to the project website for continued updates. The website will provide a mechanism for subscribing to project e-mail updates. The Project website will include, but will not be limited to the following information:

- Project overview
- Interactive map of the project area with current construction activity updates
- Construction activity schedule (current activities and a look-ahead)
- Frequently asked questions and answers
- Project e-mail update subscription
- Contact information

#### Deliverables:

- Up to three (3) Project website content updates



### **Subtask 7.2 Stakeholder Database, Project E-mails and Contact Database:**

JLA will develop and maintain a list of stakeholder and interested parties including area residents and businesses, neighborhood associations, local authorities, public service, education and community organizations. Contact information will be collected via the project website sign-up form and interaction with the public. JLA will maintain a project contact database that documents all communication received and responses provided.

#### **Deliverables:**

- One (1) stakeholder database
- Up to 6 project e-mail updates to provide construction notices
- One (1) contact database of stakeholder communications

### **Subtask 7.3 Project Fact Sheet:**

JLA will produce one-page project fact. It is assumed that the fact sheet will be full color, two-sided on 8 1/2 x 11 paper. The fact sheet will provide a general project overview, area map, construction schedule and project contact information.

#### **Deliverables:**

- One (1) project fact sheet

### **Subtask 7.4 Project Mailing:**

JLA will coordinate and distribute one project mailing prior to construction to create awareness of the project and notify people of the various information resources, such as the website, e-mail notification list, and project contacts.

#### **Deliverables:**

- One (1) project mailing to all businesses and residents within at least a half mile radius of the project corridor, some broader areas around Everett Street may be added.

### **Subtask 7.5 Neighborhood Canvassing and Signage:**

JLA will prepare information materials for up to three door-to-door canvassing events during construction. Information materials may be unique for targeted areas of construction (i.e. Park and Trail entrance and parking lot closure and other major detours). Reader boards will also be used to provide construction updates to the traveling public along the roadway.

#### **Deliverables:**

- Participation in up to three (3) canvassing events
- Up to 3 flyers
- Signage for park closures and detours

### **Subtask 7.6 Press Release:**

## Scope of Work

Continued

JLA will create and distribute one press release in conjunction with bid notification for distribution by the City. The press release will provide a project overview, construction schedule, potential impacts for businesses, residents and traffic and will direct people to the project website for ongoing information updates.

### **Deliverables:**

- One (1) press release

### **Task 7.7 Public Involvement Project Management:**

Invoices and progress reports will be submitted on a monthly basis. JLA will supervise and coordinate the PI workload and internal staff to monitor project scope, schedule and budget and implement change management procedures as required.

JLA will communicate with the project team in-person, over the phone and via e-mail as needed to stay up to date on project activities and to develop accurate public information materials.

### **Deliverables:**

- Monthly project progress reports and invoices .
- Participate in up to twelve (12) teleconference calls with the project team to identify and discuss project issues and provide general project coordination.
- Attend up to six (6) face-to-face meetings with members of the project team.

### **Task 8 NS-STS Operations and Maintenance Manual**

In order to meet Ecology requirements and the needs of the City of Camas O&M staff, a Process Operations and Maintenance manual will be prepared describing the operation of the Project facilities and systems. This manual will explain the various modes of operation that may be used, including both normal operation and initial emergency operation procedures. The manual will explain the purpose and basic concept of the pump station, odor control, and appurtenant systems (pig launchers, surge tank). Where appropriate, reference will be made to the manufacturer's detailed O&M submittals. It will include instructions for process operations and test or that may be required to monitor the performance of the facilities.

The manual will be suitable for use as an operational tool and to facilitate operator training. The manual will be produced in a computerized format using commercially available software (MS WORD or Adobe PDF's), suitable for inclusion in an online, electronic O&M manual.

A draft and final submittal will be prepared and submitted to the City for review prior to the 50% point of construction completion. CH2M will then incorporate the City's review comments into a final updated O&M Manual before the project is 90% complete. It is anticipated that additional fix-up and addenda to the O&M manual will be performed following substantial completion to address items that arise during startup and

commissioning. A 40 hour allowance has been included for this fix-up activity.

This task will provide completion of control narratives that were developed during design, using information obtained from contractor submittals and O&M manuals to select final equipment and instrument settings, and modify design-phase narratives with changes that occur during construction. These control narratives will serve as the basis of control system software programming, and therefore construction phase updates are required.

Six copies (including one unbound copy) of the final updated O&M Manual will be prepared for City's use.

### **Task 9 Remote Odor Control System De-Pressurization Test**

De-pressurization testing will be conducted over an 8 hour period to confirm operation of the remote odor control facility. A single CH2M field technician will work with City personnel to conduct the testing. Up to two test runs will be conducted, each with a duration of approximately 4 hours. Portable confined space fans will be provided by the City and connected to a temporary manhole lid (provided by City) for extracting air from the sewer headspace. A temporary stack (provided by CH2M) will be attached to each fan for measuring air flow velocity (air flow velocity instrumentation provided by CH2M). Portable pressure sensors will be deployed at specific manholes to measure sewer headspace pressure under specific air flow conditions. Manhole covers within anticipated zone of influence should be sealed by the City prior to testing.

#### **Assumptions:**

- Contractor to provide temporary traffic control services related to CH2M staff work in the public right of way.
- City to provide two staff members to support one 8-hour day of field testing. Staff will be required to open manholes, and operate and monitor air flow monitoring equipment.

#### **Deliverable:**

The results of the depressurization study will be summarized in an Odor Control De-Pressurization Report. The draft report will incorporate the information derived from the site field testing and outline the recommendations and the basis for design decisions. CH2M project manager and odor control engineer (via phone) will conduct a review meeting with City staff at City offices. A final report will be issued after review comments from the City have been received and incorporated.

### **Task 10 Control System Programming and Commissioning Services (CH2M)**

CH2M will provide control system programming and commissioning services for the Project. The content of the displays and control functions are based on the Contract Documents for the Project and CH2M's experience with similar projects prepared for the City and others. The scope of work and fee estimate is also based on the following:

NS-STS – CM and Services During Construction

Page 17 of

20

## Scope of Work

Continued

- The City will witness performance acceptance tests and will provide notice of substantial completion when tests meet their requirements.
- No other formal tests are contemplated.

### Subtask 10.1 Pump Station PLC and Local HMI Programming

The scope of this subtask is to generate functional PLC and HMI code to operate the pump stations as described in the project process control narratives. The pump station equipment to be configured will be Allen-Bradley programmable logic controllers (PLCs) and Automation Direct Operator Interface Panels. CH2M will use their computers and software licenses to configure and program the pump station control panels.

Code will be written to monitor and control new equipment. The pump station code will be written and tested with the associated HMI screens and provide a functional link to the City's SCADA system.

Within the Allen Bradley PLCs, common control system functions will be standardized and encapsulated through the use of Add-On-Instructions (AOIs). An AOI is a block of code created by the programmer designed to perform a specific task. Using AOIs provides consistency, efficiency and makes troubleshooting much simpler.

System screens for each of the pump stations will be developed during the development phase. Simple graphics, based on the final Piping & Instrumentation Diagrams (P&IDs) will be created and the objects linked to the PLC database. The screens will encapsulate the features and properties required for programming and allow operators to intuitively command and control the systems represented.

### Testing and Simulation

A fully simulated and tested version of the PLC code and HMI screens will be reviewed with the City. An "over the shoulder" review for these systems will be scheduled and carried out before the code is loaded on the live system.

### Subtask 10.2 SCADA Display Configuration

The scope of this subtask is to provide operator interface graphics and displays that are functional and efficient for monitoring and control of the NS STS pump stations. At the WWTP, the City's SCADA computers use Wonderware InTouch software as the interface for the process instrumentation and control system. CH2M will use the City's computer hardware, operating system software, and application software packages to program the SCADA system.

A new router has been specified to be furnished by Contractor to City for City installation, for communication with the Goodwin Road pump station (PS). Fiber optic cables will connect Goodwin Road PS to 232<sup>nd</sup> Ave PS and Leadbetter Road PS and provide SCADA monitoring and control for all three pump stations. This router will be installed by the City in an appropriate enclosure. CH2M will configure the router and use it to commission the interface to the pump stations.

The operator interface graphics and displays will mimic the layout and organization as shown on the project P&IDs. The HMI screens developed for the local HMI will be replicated for the plant WWTP SCADA system. These screens will be integrated into the existing WWTP SCADA with the associated alarming, trending and navigation.

The scope of work includes the following:

- Develop custom graphics and displays for the City's review, and link process graphics to the database parameters
- Develop alarm messages and trend displays for the monitored systems.

### **Subtask 10.3 Testing**

The scope of this subtask is to test the configuration of the control system software in a formal simulation of the system configuration witnessed by the City. The scope of work includes the following:

- Simulate various modes of operation and modes of control strategies prior to startup
- Test interaction of control strategies with graphic displays
- Simulate calculated points and all input/output points to verify that database is properly configured
- Test alarm points to verify proper message
- Conduct performance test to verify software, displays, and other functions to satisfy scope of work requirements with the City's staff

### **Subtask 10.4 Start-up**

The purpose of this subtask is to start the control system software in the field and integrate the software with the field equipment. The scope of work includes the following:

- Completion of Functional Test Part 2. In this task as specified, Engineer will load application software and test all loops and software functions.
- Complete Performance Test as specified.

### **Deliverables**

Completed HMI files, Final HMI files, and Updated copy of loop descriptions.

### **Subtask 10.5 Training**

The purpose of this subtask is to train City personnel in maintaining and troubleshooting the control system programs. It is assumed that the staff will already be knowledgeable in the basic use and programming of the various software used. The training will provide a detailed review of the code installed and how to troubleshoot operational issues. Training will also explain how the code may be modified for changes and additions in the future. Provide

## Scope of Work

Continued

classroom operator training.

### Deliverables

PDF copy of operation manual on how to use the software (showing screens and function of each software button).

### Task 10 Assumptions:

- Goodwin Road Preliminary Operation – The Goodwin Road pump station will initially be operated by the developer supplying the pump station. CH2M system integration will not provide programming or startup services for that phase of the project. However, the control panel provided by the developer will be used in the subsequent phases. The panel and devices provided for the Goodwin Road Pump Station (by developer) will be furnished by developer to meet functional requirements and configuration provided to developer's designer by CH2M in October 2016.
- GSM Modem – initial communication with the pump stations will be through a GSM modem installed at Goodwin Road. This link will also be functional for the 232nd Avenue and Leadbetter Road pump stations. Eventually, the link will be augmented by a direct fiber link between the WWTP and Leadbetter Road but such future fiber link is not part of this programming scope of work. When the final link is installed, the GSM modem may be de-commissioned or kept in service as a backup communication link.
- Communication between Pump Stations – The system design requires direct communication between PLCs at the three pump stations as necessary for coordinated operation. This link will be provided by a fiber optic link to be installed by others. The coordinated function will be verified and tested after the fiber optic link is installed and commissioned.
- Communication with WWTP SCADA – the link between the Goodwin Road pump station and the WWTP will be functional as soon as the GSM modem at the pump station and the associated router is installed at the WWTP itself.
- Functional Acceptance Testing - FAT testing involves multiple disciplines and contractors. CH2M systems integration staff will exercise the controls but the effort is led by the contractor that provides the system.
- Installation – CH2M will observe installations before proceeding with commissioning but installation of devices and modification of PLC and VFD panels is by others.
- VFD configuration – As the configuration for VFDs include mechanical (e.g. speed setpoints) and electrical parameters (e.g. full load amperage) necessary for those disciplines to identify, VFD configuration will be the responsibility of the Contractor. CH2M will identify parameters necessary for control and transmit such

settings to Contractor for configuration.

**North Shore STS**  
*Fee Estimate*  
*Summary of Otak, Inc. and all subconsultants*  
*Otak Project # 17628A*

<i>Task</i>	<i>Description</i>	Otak	CH2M	GRI	AINW	JLA	<i>Total Hours</i>	<i>Total Budget by Task</i>	<i>Budget Summaries</i>
<b>1</b>	<b>Construction Management and Inspection</b>								
1.1	Project Management of Construction Phase Services	121	360				481	\$67,842	\$994,811
1.2	Services During Bid and Award Phase	84	8				92	\$12,476	
1.3	Pre-Construction Meeting	24	12				36	\$5,684	
1.4	Construction Management and Contract Administration	1333	40				1373	\$184,105	
1.5	Weekly Construction Progress Meetings	334					334	\$43,795	
1.6	Monthly Construction Progress Estimates/Payments	196					196	\$23,604	
1.7	Submittal Review and RFIs	423					423	\$39,136	
1.8	Construction Monitoring and Inspection	3031	1040				4071	\$588,622	
1.9	Material Testing	61					61	\$8,113	
1.10	Construction Phase Close-Out	144	12				156	\$21,433	
<b>2</b>	<b>Survey and Mapping</b>								\$159,563
2.1	Survey Staking	908					908	\$135,031	
2.2	As-Builts	96					96	\$13,132	
2.3	Post-Construction Monumentation Survey	88					88	\$11,400	
<b>3</b>	<b>Archeological Site Monitoring</b>								\$86,828
3.1	Site Monitoring				836		836	\$66,752	
3.2	Site Monitoring Contingency				241		241	\$17,544	
3.3	Archeological Site Meetings				18		18	\$2,532	
<b>4</b>	<b>Design Services During Construction</b>								\$247,251
4.1	Project Meetings	100	40				140	\$19,814	
4.2	<b>Project Submittals and RFIs</b>								
4.2.1	Project Submittals	100	240				340	\$52,120	
4.2.2	Review and Respond to Requests for Information	100	132	100			332	\$50,169	
4.2.3	Review and Respond to Change Orders	80	75				155	\$21,793	
4.3	On-Site Observation Services	100	104				204	\$28,768	
4.4	Design Revisions	320	258				578	\$74,587	
<b>5</b>	<b>Startup, Testing, and Commissioning Services</b>		60				60	\$10,374	\$10,374
<b>6</b>	<b>Record Drawings</b>	300	200				500	\$59,982	\$59,982
<b>7</b>	<b>Public Involvement</b>								
7.1	Website content, including interactive construction activity map	48				56	104	\$10,320	\$37,281
7.2	Stakeholder Database, Project E-mail Updates, Contact Database					60	60	\$6,248	
7.3	Fact sheet					26	26	\$2,758	
7.4	Project mailing					21	21	\$2,149	
7.5	Neighborhood canvassing & signage					79	79	\$8,741	
7.6	Press release					11	11	\$1,120	
7.7	Public Involvement PM					54	54	\$5,944	
<b>8</b>	<b>NS-STs Operations and Maintenance Manual</b>		114				114	\$18,791	\$18,791
<b>9</b>	<b>Remote Odor Control System De-Pressurization Test</b>		44				44	\$8,028	\$8,028
<b>10</b>	<b>Control System Programming and Commissioning</b>								
10.1	Pump Station PLC and Local HMI Programming		195				195	\$39,324	\$95,525
10.2	SCADA Display Configuration		80				80	\$13,732	
10.3	Testing		52				52	\$8,799	
10.4	Startup		150				150	\$21,003	
10.5	Training		76				76	\$12,666	
	<i>Total Hours</i>	<b>7991</b>	<b>3292</b>	<b>100</b>	<b>1095</b>	<b>307</b>	<b>12785</b>		
	<i>Total Labor Cost</i>	\$1,009,292	\$573,521	\$15,800	\$86,828	\$32,993		\$1,718,433	\$1,718,433
	<i>Direct Expenses</i>	\$700	\$17,820		\$8,674	\$2,450		\$29,644	
	<i>Subconsultant Administration</i>	\$36,904						\$36,904	
	<b>Project Total</b>	<b>\$1,046,896</b>	<b>\$591,341</b>	<b>\$15,800</b>	<b>\$95,502</b>	<b>\$35,443</b>		<b>\$1,784,982</b>	





**PUBLIC WORKS DEPARTMENT**

**CONTRACT DOCUMENTS**

**AND**

**BID SPECIFICATIONS**

**FOR**

**JONES 2017 TIMBER SALE**

**CITY PROJECT NUMBER: W-1000**

**In and for the**

**City of Camas**

**A Municipal Corporation**

Prepared by:



9600 NE 126<sup>th</sup> Avenue, Suite 2520

Vancouver, WA 98682

P: (360) 882-0419

[www.aks-eng.com](http://www.aks-eng.com)

## BID FORM

### JONES 2017 TIMBER SALE

Sealed Bid Due: Thursday, January 19, 2017, on or before 2 P.M.

At the Office of: City of Camas  
Office of the Finance Department  
616 NE 4th Avenue  
Camas, WA 98607

Following is our bid for the timber described in the Jones 2017 Timber Sale Notice and Prospectus.

<u>Estimated Volume</u>	<u>Species</u>	<u>Bid Unit Price</u>	<u>Estimated Total Bid Price</u>
1050 MBF	Douglas-fir, No. 4 Sawmill and better, Net Scale	\$ <u>345.17</u> /MBF	\$ <u>362,428.50</u>
20 MBF	Douglas-fir, Poles, Net Scale	\$ <u>345.17</u> /MBF	\$ <u>6903.40</u>
10 MBF	Hemlock, No. 4 Sawmill and better, Net Scale	\$ <u>220.13</u> /MBF	\$ <u>2201.30</u>
300 TONS	Conifer, Utility Cull	\$ <u>1</u> /TON	\$ <u>300.00</u>
0 MBF	Red Alder, Sawmill, Net Scale	\$ <u>100</u> /MBF	\$ <u>0</u>
75 TONS	Red Alder, Utility Cull	\$ <u>1</u> /TON	\$ <u>75.00</u>
		<b>Total Bid Price</b>	<b>\$ <u>371,908.60</u></b>

All volumes are Scribner Scale.

Enclosed herewith is cash or a cashier's check/certified check payable to the City of Camas in the amount of \$10,000. It is our understanding that if we are the apparent successful bidder, we will be notified no later than five days after Council approval and the Timber Sale Contract will be executed.

Date: 1/19/2017 Address: P.O. Box 415  
Firm or Name of Bidder: High Cascade, Inc. Carson, WA 98610  
Signature of Bidder: Ron Schneider  
Title: Vice President Phone Number: (509) 427-4223

## QUALIFICATIONS STATEMENT

### Reference #1

Sale Name: Mint Stewardship Volume (MBF): 4254

Sale Date: 4/22/2013, Completed 2016

#### Timber Seller:

Timber Owner/Agency: USFS - Mt. Hood National Forest

Contact Person: Roy Shelby, CO

Contact Phone No.: (503) 668-1458, (541) 490-0996 - cell

### Reference #2

Sale Name: Garth T.S. Volume (MBF): 1132

Sale Date: 3/17/2016

#### Timber Seller:

Timber Owner/Agency: Hood River County - Forestry

Contact Person: Ellen Davis

Contact Phone No.: 541-387-6888

### Reference #3

Sale Name: Southrock VDT Volume (MBF): 2774

Sale Date: 1/18/2015

#### Timber Seller:

Timber Owner/Agency: Wa State DNR

Contact Person: Kellie Williams

Contact Phone No.: (360) 575-5024

Bidder (Company): High Cascade, Inc. By: Rm W. Schneider

Date: 1/19/2017

## MANDATORY BIDDER CRITERIA INFORMATION

Per Revised Code of Washington (RCW) 39.04.350, before award of a public works contract, a bidder must meet the following responsibility criteria to be considered a responsible bidder and qualified to be awarded a public works project. The bidder must provide the following:

High Cascade, Inc. Ron W. Schneider (VP)  
CORPORATION NAME OF OWNER OR CORPORATE OFFICER  
Ron W. Schneider 1/19/2017  
SIGNATURE OF OWNER OR CORPORATE OFFICER DATE  
P.O. Box 415, Carson WA 98610 (509) 427-4223  
CONTRACTOR MAILING ADDRESS PHONE NUMBER

DEPARTMENT OF LICENSING CONTRACTOR LICENSE REGISTRATION NUMBER

601122479  
UNIFIED BUSINESS IDENTIFIER NUMBER (UBI)

822, 027-02  
LABOR AND INDUSTRIES WORKERS' COMPENSATION NUMBER

457893 00 0  
EMPLOYMENT SECURITY DEPARTMENT NUMBER (UNEMPLOYMENT NUMBER)

91-1193326  
EXCISE TAX REGISTRATION NUMBER (FEDERAL ID NUMBER)

**NOTE TO BIDDER:** Complete and sign this page and submit it with your bid. Incomplete Bid Packages will be considered non-responsive and rejected. Mandatory bidder responsibility criteria information will be verified immediately for compliance to ensure that all accounts are current. Non-compliance with any of the above requirements may be considered grounds to deem a bid non-responsive.

## BID DEPOSIT ACKNOWLEDGEMENT

The bidder is hereby advised that by signing this proposal, they are deemed to have acknowledged all requirements and signed all certificates contained herein.

All bid proposals shall be accompanied by a Bid Deposit in cash, certified check, cashier's check, or surety bond in an amount equal to \$10,000. Should the successful bidder fail to enter into such Contract, the Bid Deposit shall be forfeited to the City of Camas.

☐ CASH  
☒ CASHIER'S CHECK  
☐ CERTIFIED CHECK  
☐ BOND

IN THE AMOUNT OF 10,000.00  
DOLLARS  
(\$10,000.00) PAYABLE TO THE CITY  
TREASURER OF CAMAS, WASHINGTON.

Receipt is hereby acknowledged of Addendum(a) No.(s) \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

SIGNATURE OF AUTHORIZED OFFICIAL(S):

Ron W. Schneider  
FIRM NAME High Cascade, Inc.  
ADDRESS P.O. Box 415  
Carson, WA 98610

# **TIMBER SALE CONTRACT**

**CITY OF CAMAS**

**BILL OF SALE AND CONTRACT FOR FOREST PRODUCTS**

**EXPORT RESTRICTED MBF RECOVERY SCALE SALE**

**JONES 2017 TIMBER SALE**

**THE CITY OF CAMAS (CITY) AND  
BUYER AGREE AS FOLLOWS:**

- SECTION A:** General Terms
- SECTION B:** Payments and Securities
- SECTION C:** Log Definitions and Accountability
- SECTION D:** Damages
- SECTION E:** Harvesting Operations
- SECTION F:** Construction and Maintenance
- SECTION G:** Site Preparation and Protection

## **SECTION A: General Terms**

### **A-010 Products Sold and Sale Area**

The Buyer was the successful bidder on January 19<sup>th</sup>, 2017, and the sale was confirmed five days following Council approval. The City, as Owner, agrees to sell to the Buyer, and the Buyer agrees to purchase, cut, and remove, forest products located on approximately 43 acres of land in Sections 3 and 10 of Township 2 North, Range 4 East, W.M., Clark County as shown on the attached Timber Sale Map and designated as the sale area. The sale area is bounded by the following: pink paint and pink flagging with "Timber Harvest Boundary" printed on it in black letters.

Within this area, all forest products from the bole of the tree that meet or exceed 2 inches diameter inside bark on the small end are eligible for removal, with the exception of leave trees bounded by pink paint and pink flagging, all western red cedar trees, all down timber existing three years prior to the day of sale, and all down timber greater than 60 inches in diameter.

Timber purchased under this Contract is designated as export restricted and shall not be exported until processed.

### **A-020 Buyer's Inspection**

The Buyer hereby warrants to the City that they have had an opportunity to fully inspect the sale area and the forest products being sold. The Buyer further warrants to the City that they enter this Contract based solely on their own judgment of the value of the forest products formed after their own examination and inspection of both the timber sale area and the forest products being sold. The Buyer also warrants to the City that they enter this Contract without

any reliance on the volume estimates, acreage estimates, appraisals, pre-bid documentation, or any other representations by the City.

**A-030 Schedules and Exhibits**

The following attached exhibits are hereby incorporated by reference:

Exhibit	Title
B	Road Construction Standards and Specifications <ul style="list-style-type: none"><li>– Timber Sale Maps</li><li>– Road Construction Plans</li></ul>
C	Weyerhaeuser Easement documents <ul style="list-style-type: none"><li>– Easement Agreement</li></ul>

**A-040 Contract Term**

The Buyer shall remove forest products conveyed and complete all work required by this Contract prior to September 30<sup>th</sup>, 2018.

**A-050 Contract Term Adjustment – No Payment**

The Buyer may request an adjustment in the Contract term. A claim must be submitted in writing and received by the City within 14 days after the start of interruption or delay. The claim must also indicate the actual or anticipated length of interruption or delay. The City may grant an adjustment without charge only if the cause for Contract term adjustment is beyond the Buyer's control. The cause must be one of the following and the adjustment may be granted only if operations or planned operations under this Contract are actually interrupted or delayed:

- a. Road closures that deny access.
- b. Access road closures imposed by road owner.
- c. Excessive suspensions as provided in Clause A-280.
- d. Regulatory actions not arising from the Buyer's failure to comply with this Contract that prevent timber harvest, including Clause A-120 (b).

**A-060 Contract Term Adjustment – Payment**

Extensions of this Contract term may be granted only if, in the judgment of the City, the Buyer is acting in good faith and endeavoring to remove the conveyed forest products. The term of this Contract may be extended for a reasonable time by the City if all of the following conditions are satisfied:

- a. A written request for extension of the Contract term is received by the City prior to the expiration date of the Contract.
- b. All required roads are completed and the Buyer has complied with all Contract and regulatory requirements.

- c. For an extension of not more than one year, payment of at least 50% of the Contract value based on the Contract payment rate and advertised volume has been received by the City.
- d. Payment of an amount based on 12% per annum on the unpaid portion of the timber value of the Contract is received by the City.

To determine the unpaid portion of the Contract, multiply the Contract payment rate for each item with the remaining volume for each item based on the volumes from the Timber Sale Notice and Prospectus. In addition, all cash deposits that can be used for timber payments will be deducted from the unpaid portion of the Contract.

- e. Payment of \$20.00 per acre per annum for the acres on which an operating release has not been issued is received by the City.
- f. In no event will the extension charge be less than \$500.00.
- g. Extension payments are non-refundable.

**A-070 Surveys – Sensitive, Threatened, Endangered Species**

Whenever the City determines that a survey for sensitive, threatened, or endangered species is prudent, or when the Buyer determines a survey is prudent and the City agrees, the Buyer shall perform such surveys at their expense and to the standards required by the City. The survey information shall be supplied to the City.

**A-080 Exclusion of Warranties**

The Parties agree that the implied warranties of merchantability and fitness for a particular purpose and all other warranties expressed or implied are excluded from this transaction and shall not apply to the goods sold. For example, the following specific matters are not warranted and are excluded from this transaction:

- a. The merchantability of the forest products. The use of the term “merchantable” in any document is not intended to vary the foregoing.
- b. The condition of the forest products. The forest products will be conveyed “as is.”
- c. The acreage contained within any sale area. Any acreage descriptions appearing in the Timber Sale Notice and Prospectus, Timber Sale Contract, or other documents are estimates only, provided solely for administrative and identification purposes.
- d. The volume, quality, or grade of the forest products. The City neither warrants nor limits the amount of timber to be harvested. The descriptions of the forest products to be conveyed are estimates only and made solely for administrative and identification purposes.
- e. The correctness of any soil or surface conditions, pre-sale construction appraisals, investigations, and all other pre-bid documents prepared by or for the City. These documents have been prepared for the City’s appraisal purposes only.



- f. That the sale area is free from threatened or endangered species or their habitat. The City is not responsible for any interference with forestry operations that results from the presence of threatened or endangered species or their habitat within the sale area.
- g. That the forestry operations to be performed under this Contract will be free from regulatory actions by governmental agencies. The City is not responsible for actions to enforce regulatory laws, such as the Washington Forest Practices Act (Chapter 76.09 RCW), taken by the Department of Natural Resources or any other agency that may affect the operability of this timber sale.
- h. Items contained in any other documents prepared for or by the City.

**A-090 Threatened and Endangered Species**

The Buyer shall immediately notify the Contract Administrator of locations with issues relating to compliance with the Federal Endangered Species Act. Such issues include the discovery of any threatened or endangered species, including, but not limited to, spotted owl nest sites; wolves; nests, communal roosts, or feeding concentrations of bald eagles; and peregrine falcon nests. The Buyer is required to notify the Contract Administrator upon discovery of any fish presence found in streams or bodies of water classified as non-fish bearing. In all circumstances, notification must occur within a 24-hour time period.

Upon locating any live, dead, injured, or sick specimens of threatened or endangered species, the Buyer shall immediately notify the Contract Administrator. The Buyer shall notify the Contract Administrator if there is any doubt as to the identification of a discovered threatened or endangered species. The Buyer may be required to take certain actions to help the Contract Administrator safeguard the wellbeing of any live, injured, or sick specimens until the proper disposition of such specimens can be determined by the Contract Administrator. Any such requirements will be explained to the Buyer by the Contract Administrator during the Pre-Work Conference. In all circumstances, notification must occur with a 24-hour time period.

**A-100 Permits**

The Buyer is responsible for obtaining any permits not already obtained by the City that relate to the Buyer's operations. A Forest Practice Application permit obtained by the City shall be transferred to the Buyer. The Buyer is responsible for all permit amendments and renewals.

**A-110 Regulatory Disclaimer**

The City disclaims any responsibility for or liability relating to regulatory actions taken by any government agency, including actions pursuant to the Forest Practices Act (Chapter 76.09 RCW), that may affect the operability of the timber sale.

**A-120 Governmental Regulatory Actions**

a. Risk

The Buyer shall be responsible for any increased operational costs arising from any applicable governmental regulation or order that does not cause Contract performance to become commercially impracticable or that does not substantially frustrate the purpose of the Contract. If impracticability or frustration results from the Buyer's failure to comply with this Contract, the Buyer shall remain responsible for payment of the total Contract price, notwithstanding the impracticability or frustration.

b. Sale Area

If portions of the sale area become subject to a governmental or City regulation or order that will likely prevent timber harvest for a period exceeding the expiration date of this Contract and the Buyer has complied with this Contract, the following shall apply:

- i. The City and Buyer shall agree upon Contract amendments or extensions to this Timber Sale Contract. If an agreement cannot be reached, the Contract shall automatically be suspended until May 1<sup>st</sup> of the following year and be terminated on September 30<sup>th</sup> of that year.

c. Adjustment of Price

The City shall adjust the total Contract price by subtracting an amount determined in the following manner from it: The City shall cause the timber sale area subject to governmental regulation or order to be measured and calculate the percentage of the total sale area subject to the aforementioned regulation or order. The City shall reduce the total Contract price by that calculated percentage. However, variations in species, values, costs, or other items pertaining to the affected sale area will be analyzed and included in the adjustment, if deemed appropriate by the City. The City will further reduce the total Contract price by the reasonable cost of unamortized roads the Buyer constructed but was unable to fully use for removing timber. A reduction in total Contract price terminates all of the Buyer's rights to purchase and remove the timber and all other interest in the affected sale area.

**A-130 Limitation on Damage**

In the event of a breach of any provision of this Contract by the City, the exclusive remedy available to the Buyer will be limited to a return of the Initial Deposit, unapplied payments, and credit for unamortized improvements made by the Buyer. The City shall not be liable for any damages, whether direct, indirect, or consequential.

**A-140 Scope of City Advice**

No advice by any agent, employee, or representative of the City regarding the method or manner of performance shall constitute a representation or warranty that said method, manner, or result thereof will conform to the Contract or be suitable for the Buyer's purposes under the Contract. The Buyer's reliance on any City advice regarding the method or manner of performance shall not relieve the Buyer of any risk or obligation under the Contract. The Buyer retains the final responsibility for its operations under this Contract and the City shall not be liable for any injuries resulting from the Buyer's reliance on any City advice regarding the method or manner of performance.

**A-150 Sale Area Adjustment**

The Buyer and the City may agree to adjustments in the sale area boundary. If the sale area is increased, added forest products become a part of this Contract and shall be paid for at the same rate and manner as other forest products under this Contract.

**A-160 Forest Products Not Designated**

Any forest products not designated for removal that must be removed in the course of operations authorized by the City shall be approved and designated by the Contract Administrator. Added forest products become a part of this Contract and shall be paid for at the same rate and manner as other forest products under this Contract.

**A-170 Title and Risk of Loss**

Title to the conveyed forest products passes at confirmation of the sale (signing of this Contract). The Buyer bears the risk of loss of or damage to and has an insurable interest in the forest products in this Contract from the time of confirmation of this sale of forest products. In the event of loss of or damage to the forest products after passage of title, whether foreseeable or unforeseeable, the forest products shall be paid for by the Buyer. Breach of this Contract shall have no effect on this provision. Title to the forest products not removed from the sale area within the period specified in this Contract shall revert to the City.

**A-180 Responsibility for Work**

All work, equipment, and materials necessary to perform this Contract shall be the responsibility of the Buyer. Any damage to improvements, except as provided in Clause A-190 or unless the City issues an operating release pursuant to Clause A-340, shall be repaired promptly to the satisfaction of the City and at the Buyer's expense.

**A-190 Exceptions**

Exceptions to the Buyer's responsibility in Clause A-180 shall be limited exclusively to the following. These exceptions shall not apply where road damage occurs due to the Buyer's failure to take reasonable precautions or to exercise sound forest engineering and construction practices.

Road is defined as the road bed, including, but not limited to, its component parts, such as subgrade, ditches, side slopes, culverts, and bridges.

For the purposes of this Clause, damage will be identified by the City and is defined as:

1. Failure of required improvements, or roads designated to be maintained, or new construction completed to the point that authorization to haul has been issued;
2. Caused by a single event from forces beyond the control of the Buyer, its employees, agents, or invitees, including independent contractors; and,
3. Includes, but is not limited to, natural disasters such as earthquakes, volcanic eruptions, landslides, and floods.

The repair work identified by the City shall be promptly completed by the Buyer at an agreed price. The City may elect to accomplish repairs by means of City-provided resources. The City will bear the cost to repair damages caused by a third party. In all other cases, the Buyer shall bear responsibility for the costs as described below.

For each event, the Buyer shall be solely responsible for the initial \$5,000 in repairs. For repairs in excess of \$5,000, the Parties shall equally share the portion of costs between \$5,000 and \$15,000. The City shall be solely responsible for the portion of the cost of repairs that exceeds \$15,000.

Nothing contained in Clauses A-180 and A-190 shall be construed as relieving the Buyer of responsibility for, or damage resulting from, the Buyer's operations or negligence, nor relieving

the Buyer from full responsibility for improving any defective work or materials. Authorization to haul does not warrant that Buyer-built roads are free from material defect. The City may require additional work, at the Buyer's expense regardless of cost, to remedy deficiencies at any time.

**A-200 Indemnity**

To the fullest extent permitted by law, the Buyer and their agents shall indemnify, defend, and hold harmless AKS, Weyerhaeuser, the City, agencies of the City, and all official agents and employees of the City from and against all claims arising out of or resulting from the performance of the Contract. "Claim," as used in this Contract, means any financial loss, claim, suit, action, damage, or expense, including, but not limited to, attorneys' fees; attributable for bodily injury, sickness, disease, or death; or injury to or destruction of tangible property, including loss of use resulting therefrom. The Buyer's obligation to indemnify, defend, and hold harmless includes any claim by the Buyers' agents, employees, representatives, or any subcontractor or its employee. The Buyer expressly agrees to indemnify, defend, and hold harmless the City for any claim arising out of or incident to the Buyer's or any subcontractors' performance or failure to perform the Contract. The Buyer's obligation to indemnify, defend, and hold harmless the City shall not be eliminated or reduced by any actual or alleged concurrent negligence of the City or its agents, employees, and officials. The Buyer waives its immunity under Title 51 RCW to the extent it is required to indemnify, defend, and hold harmless the City and its officials, agents, or employees.

**A-210 Evidence of Insurance**

The Buyer shall deliver to the Contracting Agency a Certificate(s) of Insurance and endorsements for each policy of insurance meeting the requirements set forth herein and detailed in Exhibit C when the Buyer delivers the signed Contract for the work. The certificates and endorsements must conform to the following requirements:

1. An ACORD certificate or a form determined by the Contracting Agency to be equivalent.
2. Copies of all endorsements naming the City and all other designated agents of the City listed in Clause A-220 as additional insured, showing the policy number. The Buyer may submit a copy of any blanket additional insured clause from its policies instead of a separate endorsement. A statement of additional insured status on an ACORD Certificate of Insurance shall not satisfy this requirement.
3. Any other amendatory endorsements to show the coverage required herein.

**A-211 Coverages and Limits**

The insurance shall provide the minimum coverages and limits set forth below. Providing coverage in these stated minimum limits shall not be construed to relieve the Buyer from liability in excess of such limits. All deductibles and self-insured retentions must be disclosed and are subject to approval by the City. The cost of any claim payments falling within the deductible shall be the responsibility of the Buyer.

**A-212 Commercial General Liability**

A policy of Commercial General Liability Insurance, including:

- Per Project Aggregate
- Premises/Operations Liability

Products/Completed Operations – For a period of one year following final acceptance of the work.

Personal/Advertising Injury

Contractual Liability

Independent Contractors Liability

Stop Gap/Employers' Liability

Explosion, Collapse, or Underground Property Damage (XCU)

Blasting (only required when the Buyer's work under this Contract includes exposures to which this specified coverage responds)

Logger's Broad Form Property Damage Endorsement

Such policy must provide the following minimum limits:

\$1,000,000	Each Occurrence
\$2,000,000	General Aggregate
\$2,000,000	Products and Completed Operations Aggregate
\$1,000,000	Personal and Advertising Injury, Each Offence

Stop Gap/Employers' Liability must provide the following minimum limits:

\$1,000,000	Each Accident
\$1,000,000	Disease – Policy Limit
\$1,000,000	Disease – Each Employee

**A-213 Automobile Liability**

The Buyer must carry Automobile Liability for owned, non-owned, hired, and leased vehicles, with an MCS-90 endorsement and a CA 99 48 endorsement attached if "pollutants" are to be transported. The policy(ies) must provide the following minimum limit:

\$1,000,000	Combined Single Limit
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**A-214 Workers' Compensation**

The Buyer shall comply with Workers' Compensation coverage as required by the Industrial Insurance laws of the State of Washington.

**A-220 Agents**

The City's rights and duties will be exercised by the City's Public Works Director. The Contract Administrator will be AKS Engineering and Forestry, LLC. The Public Works Director will notify the Buyer in writing if there is a change of Contract Administrator, who will be acting on the City's behalf and be responsible for administering the Contract. The Public Works Director has sole authority to waive, modify, or amend the terms of this Contract in the manner prescribed in Clause A-240.

No agent, employee, or representative of the City has any authority to bind the City to any affirmation, representation, or warranty concerning the forest products conveyed beyond the terms of this Contract.

The Buyer is required to have a person authorized to receive instructions and notices from the City on site during all operations. The Buyer shall inform the City in writing who is authorized to receive instructions and notices from the City, as well as any limits to this person's authority.

**A-230 Assignment and Delegation**

No rights or interest in this Contract shall be assigned by the Buyer without prior written permission of the City. Any attempted assignments shall be void and ineffective for all purposes unless made in conformity with this clause. The Buyer may perform any duty through a delegate, but the Buyer is not thereby relieved of any duty to perform or any liability. Any assignee or delegate shall be bound by the terms of the Contract in the same manner as the Buyer.

**A-240 Modifications**

Waivers, modifications, or amendments of the terms of this Contract must be in writing and signed by the Buyer and the City.

**A-250 Contract Complete**

This Contract is the final expression of the Parties' agreement. There are no understandings, agreements, or representations, expressed or implied, that are not specified in this Contract.

**A-260 Notice**

Notices required to be given under the following clauses shall be in writing and shall be delivered to the Buyer's authorized agent or sent by certified mail to the Buyer's post office address:

A-270 Violation of Contract

A-280 City Suspends Operations

All other notices required to be given under this Contract shall be in writing and delivered to the authorized agent or mailed to the Party's post office address. The Buyer agrees to notify the City of any change of address.

**A-270 Violation of Contract**

- a. If the Buyer violates any provision of this Contract, the Contract Administrator, by written notice, may suspend those operations in violation. If the violation is capable of being remedied, the Buyer has five days after receipt of a suspension notice to remedy the violation. If the violation cannot be remedied or the Buyer fails to remedy the violation within five days after receipt of a suspension notice, the City may terminate the rights of the Buyer under this Contract and collect damages.
- b. If the Contract expires pursuant to Clause A-040 without the Buyer having performed all of their duties under this Contract, the Buyer's right to operate is terminated and they shall not have the right to remedy the breach. This provision shall not relieve the Buyer of any payment obligations.

- c. The City has the right to remedy the breach in the absence of any indicated attempt by the Buyer, or if the Buyer is unable, as determined by the City, to remedy the breach. Any expense incurred by the City shall be charged to the Buyer and shall be paid within 30 days of receipt of billings.
- d. If the Buyer's violation is a result of a failure to make a payment when due, in addition to Sections a. and b., above, interest shall accrue on the unpaid balance at 12% per annum, beginning on the date payment was due.

**A-280 City Suspends Operation**

The Contract Administrator may suspend any operation of the Buyer under this Contract as deemed necessary due to wet weather, high fire risk, or when the City is suffering or there is a reasonable expectation the City will suffer environmental, monetary, or other damage if the operation is allowed to continue.

The Buyer shall be in breach of this Contract if the operation continues after the suspension notice or if the operation resumes without prior approval and notice from the Contract Administrator.

The Buyer may request a modification of a suspension within 30 days of the start of the suspension through the dispute resolution process in Clause A-300. If this process results in a finding that the suspension exceeded the time reasonably necessary to stop or prevent damage to the City, the Buyer is entitled to request a Contract term adjustment under Clause A-050.

If it reasonably appears that the damage the City is suffering from the operation, or can reasonably be expected to suffer if the operation is allowed to continue, will prevent harvest for a period that will exceed three months and the Buyer has hitherto complied with this Contract, the provisions of Clause A-120 shall govern just as if the harvest was prevented by an applicable governmental regulation or order.

**A-290 Unauthorized Activity**

Any cutting, removal, or damage of forest products or other resources within the site or adjacent to the site by the Buyer, its employees, agents, or invitees, including independent contractors, in a manner inconsistent with the terms of this Contract or State law is unauthorized. Such activity may subject the Buyer to liability for triple the value of said forest products and all other damages resulting from such unauthorized activities to the maximum extent of the law.

**A-300 Dispute Resolution**

The following procedures apply in the event of a dispute regarding interpretation or administration of this Contract and the Parties agree that these procedures must be followed before a lawsuit can be initiated.

- a. In the event of a dispute, the Buyer must make a written request to the City Public Works Director for resolution prior to seeking other relief.
- b. The Public Works Director will issue a written decision on the Buyer's request within 10 business days.



**A-310 Compliance with All Laws**

The Buyer shall comply with all applicable statutes, regulations, and laws, including, but not limited to, Chapters 27.53 and 68.50 RCW. Failure to comply may result in forfeiture of this Contract.

**A-320 Venue**

This Contract shall be governed by the laws of the State of Washington. In the event of a lawsuit involving this Contract, venue shall be proper only in the Clark County Superior Court.

**A-330 Equipment Left on City Land**

All equipment owned or in the possession of the Buyer, its employees, agents, or invitees, including independent contractors, shall be removed from the sale area and other City land by the termination date of this Contract. Equipment remaining unclaimed on City land 60 days after the expiration of the Contract period will be subject to disposition as provided by law. The Buyer shall pay all costs of moving, storing, and disposing of such equipment to the City. The City shall not be responsible for any damages to or loss of the equipment or damage caused by the moving, storing, or disposal of said equipment.

**A-340 Operating Release**

An operating release is a written document signed by the City and the Buyer indicating that the Buyer has been relieved of certain rights or responsibilities with regard to the entire or a portion of the Timber Sale Contract. The Buyer and City may agree to an operating release for this sale or portion of this sale prior to the Contract expiration, when all Contract requirements pertaining to the release area have been satisfactorily completed. Upon issuance of a release, the Buyer's right to cut and remove products on the released area will terminate.

**A-350 Road Use Authorization**

The Buyer is authorized to use the following roads for which the City has acquired easements: Northeast Jones Creek Road and Stations 0+00 to 36+52 of the Weyco-1000. The City may authorize in writing the use of other roads subject to fees, restrictions, and prior rights.

**A-360 Pre-Work Conference**

The Buyer shall arrange with the Contract Administrator to review this Contract, examine the sale area, and develop and agree on a written plan of operations before beginning any operations. To the extent that the plan of operations is inconsistent with the Contract, the terms of the Contract shall prevail. The City's acceptance and approval of the Buyer's plan of operations shall not be construed as any statement or warranty that the plan of operations is adequate for the Buyer's purposes or complies with applicable laws.

The plan of operations shall demonstrate that it will result in a minimum risk of loss to fell and bucked timber, roads, and resources.

**A-370 Preservation of Markers**

Any legal land subdivision survey corners and witness objects are to be preserved. If destroyed or disturbed, the Buyer shall have a licensed land surveyor reestablish them at the Buyer's expense.



**A-380 Road Use Reservation**

The City shall have the right to use, without charge, all existing roads and any road constructed on City lands by the Buyer under this Contract. The City may extend such rights to others. If the City grants such rights to others, the City shall require performance or payment, as directed by the City, for their proportionate share of maintenance based on their use.

**A-390 Blocking Roads**

The Buyer shall not block roads unless authority is granted in writing by the Contract Administrator.

**A-400 Road Easement**

The Buyer agrees to comply with the terms and conditions of the Road Easement Agreement with Weyerhaeuser included in Exhibit C.

**A-410 Open Fires**

The Buyer shall not set or allow to be set by the Buyer's employees, agents, invitees, and independent contractors any open fire at any time of the year.

**A-420 Encumbrances**

This Contract and the Buyer's activities are subject to the following:

No encumbrances on record.

**A-430 Portable Sanitation Services**

The Buyer shall provide accessible washing and toilet facilities sufficient for the sanitary requirements of their employees.

**SECTION B: Payments and Securities**

**B-009 Bid Deposit**

The Buyer paid a \$10,000 Bid Deposit, which will be applied towards the Initial Deposit.

**B-010 Initial Deposit**

The Buyer paid a \$35,000 Initial Deposit, which will be maintained until all contractual obligations are satisfied. If the operating authority on this Contract expires without the Buyer's payment of the full amount specified in Clause B-020, the Initial Deposit will be immediately forfeited to the City and will be offset against the Buyer's remaining balance due. Any excess Initial Deposit funds not needed to ensure full payment of the Contract price, or not needed to complete any remaining obligations of the Buyer existing after Contract expiration, will be refunded to the Buyer.

**B-020 Payment for Forest Products**

The Buyer agrees to pay the following rates per MBF Scribner net log scale for forest products conveyed and cut or removed from the sale area, as determined and certified by Clause C-040. For loads scaled from the first working day of the month through the 15<sup>th</sup> of the month, the Buyer shall issue payment to the City on or before the 25<sup>th</sup> of the month. If the 15<sup>th</sup> of the month falls on a weekend, then payment shall be based on loads scaled through the Friday preceding the 15<sup>th</sup>.

For loads scaled from the 15<sup>th</sup> of the month through the end of the month, the Buyer shall issue payment to the City on or before the 10<sup>th</sup> of the month. If the end of the month falls on a weekend, then payment shall be based on loads scaled through the Friday preceding the end of the month.

An alternate payment schedule will only be considered if it results in more frequent payments and is mutually agreed upon between the City and the Buyer.

Each payment for scaled volume must be linked to a scale certificate. The Buyer is responsible for providing copies of scale certificates to the City and for identifying which scale certificates are represented by each payment.

Douglas-fir, No. 4 Sawmill and better, Net Scale	\$ <u>345.17</u> /MBF
Douglas-fir, Poles, Net Scale	\$ <u>345.17</u> /MBF
Hemlock, No. 4 Sawmill and better, Net Scale	\$ <u>220.17</u> /MBF
Conifer, Utility Cull	\$ <u>1</u> /TON
Red Alder, Sawmill, Net Scale	\$ <u>100</u> /MBF
Red Alder, Utility Cull	\$ <u>1</u> /TON

**B-030 Payment for Weighed Loads**

It is the Buyer's responsibility to send copies of weight tickets to the City and pay for weighed loads according to the same schedule described in Clause B-020. Payment for weight loads may either be on a per ton basis or on a per MBF basis, using an appropriate factor to convert tons to MBF in accordance with Clause C-070.

**B-040 Guarantee of Payment**

The Buyer shall guarantee payment of forest products felled and bucked through the plan of operations detailed in Clause A-360.

**B-050 Billing Procedure**

The City will compute and forward statements of charges provided for in the Contract to the Buyer. The Buyer shall deliver payment to the City on or before the date shown on the billing statement.

**B-060 Form of Payment**

Payments made to the City shall be made payable to the "City of Camas," with "Jones 2017 Timber Sale" written in the Attention section. Any other forms of payment shall be mutually agreed upon between the City and the Buyer.

**B-070 Payment for Products: Damage, Theft, Loss, or Mismatch**

Forest products included in this agreement that are destroyed, damaged, stolen, lost, or mismatched shall be paid for by the Buyer on demand of the City. The rates contained in Clause B-020 shall apply.

**B-080 Payment Account Refund**

Advance payments made under Clause B-030 remaining on account above the value for the charges shall be returned to Buyer within 30 days following the final reconciliation of charges. Refunds not made within the 30-day period will accrue interest at the interest rate of 12% computed on a daily basis until paid.

**B-090 Performance Security**

The Buyer agrees to furnish within 14 days of the confirmation date security acceptable to the City in the amount of \$100,000. The security provided shall guarantee performance of all provisions of this Contract and payment of any damages caused by operations under this Contract or resulting from the Buyer's noncompliance with any rule or law. Acceptable performance security may be in the form of a performance bond, irrevocable letter of credit, cash, savings, or certificate of deposit account assignments and must name the City as the obligee or beneficiary. A letter of credit must comply with Chapter 62A.5 RCW. Performance security must remain in full force over the duration of the Contract length. Issued surety bonds shall conform to the issuance and rating requirements in Clause A-210. The Buyer shall not operate unless the performance security has been accepted by the City. If at any time the City decides that the security document or amount has become unsatisfactory, the Buyer agrees to suspend operations and within 30 days of notification to replace the security with one acceptable to the City or to supplement the amount of the existing security.

**B-100 Performance Security Reduction**

The City may reduce the performance security after an operating release has been issued if the City determines that adequate security exists for any remaining obligations of the Buyer.

**B-110 Excise Tax**

All excise tax payments and documentation are the responsibility of the Buyer.

**SECTION C: Log Definitions and Accountability**

**C-010 Forest Products Conveyed**

Forest products conveyed are all logs or parts of logs described by Clause A-010.

**C-030 Load Tickets**

The Buyer shall use load tickets as issued and directed by the Contract Administrator. The ticket books shall remain on site during active operations. Information on the load ticket should include the following: "City of Camas," Buyer's name, date, time of leaving the landing, destination, brand, species, sort (saw log, pulp, ton wood), number of logs on the load, and truck number. If required, use other identification as directed by the City to ensure accounting of forest products removed from the sale area. Each load ticket will have five color-coded copies, which shall be distributed as follows:

White: Contractor copy  
Yellow: Customer/Mill copy  
Pink: AKS accounting copy  
Gold: Trucker/Hauler copy  
White (heavy duty paper): Affix to load copy

A load ticket must be affixed, as designated by the Contract Administrator, to each truck and trailer load prior to leaving the landing.

The Buyer shall account for all load tickets issued by the Contract Administrator. The City shall treat load tickets not accounted for as lost forest products as outlined in Clause D-030. All costs associated with computing the billings for lost loads shall be covered by the Buyer.

Load tickets shall be used for each load or part of a load. For example, a truck and pup combination and a short logger combination would receive two load tickets.

**C-040 Scaling Rules**

Determination of volume and grade of any forest product shall be conducted by an industry recognized third-party scaling organization(s) in accordance with the Westside Log Scaling and Grading Rules and Scribner Volume Table contained in the Westside Log Scaling Handbook (developed and produced by the Northwest Log Rules Advisory Group) and in effect on the date of confirmation of this Contract.

**C-050 City Approval of Log Scaling and Weighing Locations**

Forest product measurement and weighing facilities required by this Contract must be approved by the City. Forest products sold under the Contract that require log scaling shall be scaled, measured, or counted by a City-approved, third-party log scaling organization. Forest products sold under the Contract that require weighing shall be weighed at a location that meets Washington State Department of Agriculture approval.

Prior to forest products being hauled, the Contract Administrator must authorize in writing the use of City approved measurement and/or weighing facilities that are at or en route to final destinations. Forest products from this sale shall be measured or weighed at facilities that are currently approved for use by the City and authorized for this sale. The City reserves the right to verify load volume and weights with City employees or contractors at the City's own expense. The City reserves the right to revoke the authorization of previously approved measurement locations.

**C-060 Long Log Taper Distribution**

Forest products over 40 feet long plus trim shall be segment scaled, and the lower segment diameters shall be determined using actual taper.

**C-070 Conversion Factors**

Forest products removed from the sale area that are not measured in units specified in Clause B-020 shall be converted to board feet using a conversion factor approved by the Contract Administrator.

**C-080 Branding and Painting**

Logs must be branded in accordance with WAC 240-15-030(2)(a)(i) using the branding hammer supplied by the Contract Administrator. Two hammers will be provided at the beginning of operations. The Buyer shall account for all hammers issued by the Contract Administrator. All costs associated with repairing or replacing branding hammers will be covered by the Buyer.

All logs 10 inches in diameter and greater on the small end shall be branded. In addition, on loads containing logs less than 10 inches in diameter on the small end, a minimum of 10 logs shall be branded per load.

All logs shall be marked with a red paint stripe across both cross-cut ends of the log and in accordance with WAC 240-15-030(2)(a)(ii).

**C-090 Load Accountability**

While the sale is in progress, the Buyer will report the loads shipped each week to the Sale Administrator. This report will be submitted for the prior week on or before the close of business on the following Monday. The report shall consist of the number of loads sent to each destination used in the week and the first and last load ticket numbers used that week.

The ticket book splines shall be returned to the Contract Administrator within two days of being exhausted, or as specified by the Contract Administrator. It is the Buyer's responsibility to return the ticket book splines to the Contract Administrator.

**SECTION D: Damages**

**D-010 Liquidated Damages**

The clauses in Section D outline payments by the Buyer to the City for certain breaches of the terms of this Contract. These payments are agreed to as liquidated damages and not as penalties. They are reasonable estimates of anticipated harm to the City caused by the Buyer's breach. These liquidated damage provisions are agreed to by the City and Buyer with the understanding of the difficulty of proving loss and the inconvenience or infeasibility of obtaining an adequate remedy. These liquidated damage provisions provide greater certainty for the Buyer by allowing the Buyer to better assess their responsibilities under the Contract.

**D-020 Failure to Remove Forest Products**

The Buyer's failure to remove all or part of the forest products sold in this agreement prior to the expiration of the Contract term results in substantial injury to the City. The value of the forest products sold at the time of breach is not readily ascertainable. The Buyer's failure to perform disrupts the City's management plans, the actual cost of which is difficult to assess. A resale involves additional time and expense and is not an adequate remedy. Therefore, the Buyer agrees to pay the City as liquidated damages a sum calculated with the following formula:

$$LD = 0.35V - ID - P + C + A$$

Where:

LD = Liquidated Damages

- V = The unremoved value at the date of breach of Contract. The value is determined by subtracting the removal volume to date from the City's cruise volume multiplied by the Contract bid rates
- ID = Initial Deposit paid at date of Contract that not been applied to timber payments
- P = Advance payments received but not yet applied to specific Contract requirements
- C = Charges assessed for Contract requirements completed prior to breach of Contract but not paid for
- A = Administrative Fee of \$5,000

The above formula reflects the Buyer's forfeiture of the Initial Deposit in accordance with Clause B-010 by deducting the Initial Deposit from the amount owed. In no event shall the liquidated damages be less than zero. Interest on the liquidated damage is owed from the date of breach until final payment, calculated using the following formula:

$$\text{Interest} = r \times \text{LD} \times N$$

Where:

- r = Daily equivalent of an annual interest of 12%
- LD = Liquidated damage value
- N = Number of days from the date of breach to date payment is received

#### **D-030 Inadequate Log Accountability**

Removal of forest products from the sale area without adequate branding, painting, and/or valid load tickets attached to the load and scaling forest products in a location other than the facility approved by the City can result in substantial injury to the City. Failure to properly account for loads, scaling, and/or weighing information can result in loss to the City. The potential loss from not having proper branding, painting, ticketing, scaling, and/or weighing location and accountability is not readily ascertainable. The Buyer's failure to perform can result in a loss of log weight and scale accountability, increase the potential for unauthorized removal of forest products, and increase the City's administration costs, the actual costs of which are difficult to assess.

Enforcement actions for unauthorized removal of forest products for each improperly branded load, improperly ticketed load, use of a facility not authorized for this sale, or improper submission of scaling data are impractical, expensive, time consuming, and not an adequate remedy. Therefore, the Buyer agrees to pay the City, as liquidated damages:

\$3,000 for the first load ticket that cannot be accounted for, and \$5,000 for each additional unaccountable load ticket.

\$100 for the first load of logs that does not have branding and/or paint as required in the Contract, and \$200 for each additional load of logs.

\$300 for the first load of logs that does not have a load ticket as required by the Contract, and \$600 for each additional load of logs.

\$300 for the first load ticket that has not been filled out as required by the plan of operations, and \$600 for each additional load ticket.

\$300 for the first load that is weighed or scaled at a location not approved as required under this Contract, and \$600 for each additional load of logs.

\$300 for the first log ticket summary report that is not submitted properly, and \$600 for each additional load of logs.

Four violations of any given action above will be classified as a breach of this Contract and the City can choose to terminate this Contract.

**D-040 Reserve Tree Damage**

a. Reserve Trees are trees required and designated for retention within the sale boundary. The Buyer shall protect Reserve Trees from being cut, damaged, or removed during operations. Damage occurs to Reserve Trees when, as a result of the Buyer's operations, the Contract Administrator determines one or more of the following has occurred:

1. One or more trunk scars (exposing the cambium layer) exceed 100 square inches.
2. The live crown is reduced by 30% of the original crown.
3. One-third of the circumference of the roots system is damaged such that the cambium layer is exposed.

Removal of designated Reserve Trees from the sale area is unauthorized and may invoke the use of Clause A-290. The Buyer is required to leave all originally designated Reserve Trees on site.

- b. If in the course of the Buyer's operations the Contract Administrator determines that a Reserve Tree has been cut, damaged, or removed, the Buyer shall provide a replacement Reserve Tree of like condition, size, and species within the sale area, as approved by the Contract Administrator to satisfy Reserve Tree requirements.
- c. If the Contract Administrator determines that suitable replacement for a Reserve Tree as described in Section b. of this Clause is not possible, the Buyer agrees to pay the City Reserve Tree liquidated damages for each Reserve Tree not replaced at the rate of \$1,000, as well as any regulatory fees that may result from such action.

**D-050 Late Payments**

In the event the Buyer fails to submit any scheduled payment on time, or does not pay the full amount for any payment, the Buyer agrees to suspend all operations until sufficient payment is received by the City, unless otherwise approved in writing by the Contract Administrator.

If the Contract Administrator deems that enough late payments have been made by the Buyer, it may be considered as a breach of Contract.

## **SECTION E: Harvesting Operations**

### **E-010 Cutting and Yarding Schedule**

Harvesting operations shall only be permitted during dry soil conditions as determined by the Contract Administrator.

### **E-020 Skid Trail Requirements**

A skid trail is defined as an area that is used for more than three passes by any equipment. No logs will be ground skidded with ground-based equipment.

### **E-030 Timber Falling**

Trees shall be felled and logs shall be bucked to obtain the greatest practicable utilization of forest products and other valuable materials conveyed.

### **E-040 Fall Trees into Sale Area**

Trees shall be felled into the sale area, unless otherwise approved by the Contract Administrator.

### **E-050 Buyer Harvest Plan**

The Buyer shall, as part of the plan of operations, prepare an acceptable harvest plan for the sale area. The plan shall address the felling and yarding operations outlined in Clause E-090. The harvest plan shall be approved by the Contract Administrator prior to beginning the harvest operation. The Buyer shall not deviate from the harvest plan without prior written approval by the Contract Administrator.

### **E-070 Stump Height**

Trees shall be cut as close to the ground as practicable. Stump height shall not exceed 12 inches measured on the uphill side or 2 inches above the root collar, whichever is higher.

### **E-080 Harvesting Equipment**

Forest products sold under this Contract shall be harvested using tracked ground-based equipment (shovel, buncher, tong thrower, and/or yoder), unless authority to use other equipment is granted in writing by the Contract Administrator. Pneumatic tire ground-based equipment is not allowed.

### **E-090 Special Harvest Requirements**

The Buyer shall accomplish the following during the harvest operations:

- a. All timber shall be yarded and hauled within 60 days of being felled.
- b. Only shovels with low ground pressure (9 psi or less) and track-mounted machines with hydraulic boom and grapple will be allowed.
- c. Shovels must be large enough to pick up one end of the log 35 feet from the machine.



- d. Ground-based equipment will not be permitted on slopes over 30%.

**Felling and Bucking Guidelines:**

- a. Trees shall be felled to the longest lay with respect to the overall felling lead.
- b. Cross-lead felling shall not be permitted without prior approval from the Contract Administrator.
- c. Windfalls not parallel to the falling pattern that cannot be removed first will be bucked into lengths necessary to control breakage prior to felling the standing timber. Preferred lengths of logs may have to be altered when bucking windfalls.
- d. Trees whose best lay will be adversely affected by road construction will be felled concurrently with right-of-way timber.
- e. All trees will be felled with a saw having a bar length adequate to enable the operator to control felling of the tree. Leaving posts or unequal holding wood indicates a bar of inadequate length.
- f. All trees will be limbed and topped prior to yarding to ensure slash remains scattered and not concentrated at any location. No concentrated slash piles will be allowed and are classified as any accumulation greater than 10 feet by 10 feet and 1 foot in depth.

Permission to do otherwise must be granted in writing by the Contract Administrator.

**E-100 Required Removal of Forest Products**

The Buyer shall remove from the sale area and present for scaling or weighting all forest products conveyed in Clause A-010 that meet the following minimum dimensions:

Species	Net bd (ft)	Log Length (ft)	Log dib
Conifer	10	12	5
Hardwood	20	16	5

The City may treat failure to remove forest products left on the sale area that meet the above specifications as a breach of the Contract. At the City's option, forest products that meet the above specifications and are left on the sale area may be scaled for volume or measured and converted to weight by the City or a third-party scaling organization and billed to the Buyer at the Contract payment rate. All costs associated with scaling, measuring, and computing the billing will be covered by the Buyer.

**E-110 Mismanufacture**

Mismanufacture is defined as forest products remaining on the sale area that would have met the specifications in Clause E-100 if bucking lengths had been varied to include such products.

The City may treat mismanufacture as a breach of this Contract. At the City's option, forest products that are left on the sale area may be scaled for volume by the City or a third-party

scaling organization and billed to the Buyer at the Contract payment rate. All costs associated with scaling and computing the billing will be covered by the Buyer.

**E-120 Completion of Settings**

Operations begun on any setting of the sale area shall be completed before any operation begins on subsequent settings, unless authorized in writing by the Contract Administrator.

**E-121 Completion of Road Construction**

All road construction, with the exception of post-haul maintenance, shall be completed and approved in writing by the Contract Administrator prior to any harvesting operations, with the exception of designated road right-of-way harvesting, unless authorized in writing by the Contract Administrator.

**E-130 Protection of Residual or Adjacent Trees**

Unless otherwise specified by this Contract, the Contract Administrator shall identify damaged adjacent or leave trees that shall be paid for according to Clause A-290.

**E-140 Tops and Limbs outside the Sale Boundary**

Tops and limbs outside of the sale boundary as a result of the Buyer's operations shall be removed concurrently with the yarding operations, unless otherwise directed by the Contract Administrator.

**E-150 Additional Falling Requirements**

Within the harvest area, all live stems greater than 2 inches DBH, except designated leave trees and all western red cedar, shall be felled concurrently with felling operations. Areas of young or immature timber may be excluded from this requirement by the Contract Administrator. Trees shall be cut below the lowest live limb and completely free of the stump. Cut trees must be on the ground and not "hung up" or leaning against leave trees. Stumps shall not exceed a 12-inch height.

Ground-based equipment shall be utilized to scatter slash and provide plantable areas based on 10-foot by 10-foot tree planting spacing, as directed by the Contract Administrator.

**E-160 Required Removal of Chunks**

The Buyer shall remove chunks produced at designated landings and roadside processing operations, unless otherwise directed by the Contract Administrator. Chunks are defined as cut portions of merchantable timber greater than 8 inches in diameter on the small end and greater than 1 foot in length that do not meet the specifications listed in Clause E-100. There is no required payment for removal of chunks from the timber sale.

**SECTION F: Road Construction and Maintenance**

**F-010 Road Construction Standards and Specifications**

Road Construction and associated work provisions for this Contract are incorporated in "Exhibit B."

**F-020 Road Maintenance**

The Buyer shall be responsible for operator road maintenance for normal wear and tear along the designated haul route during the term of the Contract. These roads shall meet the original construction or pre-haul maintenance specifications at Contract termination.

Post-haul maintenance shall be completed as specified in "Exhibit B."

If required by the City, the Buyer shall perform additional maintenance and replacement work as directed by the Contract Administrator. Buyer shall furnish a statement in a form satisfactory to the City showing the costs incurred while performing this work. Costs shall be agreed upon prior to performing the work and the City shall reimburse the Buyer for said costs within 30 days of receipt and approval of the statement.

**F-030 Water Bars**

The Buyer shall, as directed by the Contract Administrator, construct water bars across haul roads, skid trails, and fire trails as necessary to control soil erosion and water pollution. The Buyer shall construct water bars and apply seed and straw as specified in "Exhibit B."

**SECTION G: Site Preparation and Protection**

**G-010 Fire Hazardous Conditions**

The Buyer agrees to use their best efforts to minimize the risk of fire and any additional efforts shall be taken as determined by the Contract Administrator.

**G-020 Landing Debris Clean Up**

Concentrated areas of slash and other debris will not be allowed unless otherwise approved by the Contract Administrator and are classified as any accumulation greater than 10 feet by 10 feet and 1 foot in depth. Roadside landing debris shall be disposed of, at the cost of the Buyer, in a manner approved in writing by the Contract Administrator. See Clause E-160 for required removal of chunks.

**G-030 Cessation of Operations for Low Humidity**

During the "Closed Season," when the humidity is 30% or lower on the sale area, all operations must cease, unless authority to continue is granted by the City in writing. Additional levels of shut down shall follow the Industrial Fire Precaution Level system.

**G-040 Pump Truck or Pump Trailer**

The Buyer shall provide a fully functional pump truck or pump trailer equipped to meet the specifications of WAC 332-24-005 and WAC 332-24-405 during the "Closed Season" or as extended by the City and shall provide trained personnel to operate this equipment on the sale area during all operating periods.

**G-050 Stream Cleanout**

Slash or debris that enters any typed stream as a result of operations under this Contract and identified by the Contract Administrator shall be removed and deposited in a stable position. Removal of slash and debris shall be accomplished in a manner that avoids damage to the natural stream bed and bank vegetation and protects water quality.

**G-060 Resource Protection**

No ground-based equipment shall operate within the 50-foot Equipment Limitation Zone of any stream, unless authority is granted in writing by the Contract Administrator.

**G-070 Hazardous Materials**

a. Hazardous Materials and Waste-Regulatory Compliance

The Buyer is responsible for understanding and complying with all applicable local, State, and federal hazardous material/waste laws and regulations for operations conducted under this Contract. Such regulations pertain to, but may not be limited to, hazardous material storage, handling and transport, personnel protection, release notification, emergency response, cleanup, and waste disposal. The Buyer shall be responsible for restoring the site in the event of a spill.

b. Hazardous Materials Spill Prevention

All operations shall be conducted in a manner that avoids the release of hazardous materials, including petroleum products, into the environment (water, air, or land). Leaking or derelict equipment shall not be allowed onto the property and the undercarriage and exposed areas of equipment shall be cleaned of hazardous materials prior to entering the property.

c. Hazardous Materials Spill Containment, Control, and Cleanup

If safe to do so, the Buyer shall take immediate action to contain and control all hazardous material spills. The Buyer shall ensure that enough quick response spill kits capable of absorbing 4 to 6 gallons of oil, coolant, solvent, or contaminated water are available on site to quickly address potential spills from any piece of equipment at all times throughout active operations. No large quantities of bulk fuel/other hazardous materials shall be stored on site. The Buyer must be able to effectively control a container leak and contain and recover a hazmat spill equal to the largest single on-site storage container volume (HAZWOPER Regulation 29 CFR 1910.120(j)(1)(vii)).

d. Hazardous Material Release Reporting

Release of oil or hazardous materials to the environment must be reported immediately to and according to the requirements of the Washington State Department of Ecology (ECY). It is the responsibility of the Buyer to have all emergency contact information and a means of remote communication readily available for purposes of quick notification. In the event of a spill, the Buyer is responsible for immediately notifying the following:

Timber Sale Contract Administrator

DOE - Southwest Region: (360) 407-6300

**G-080 Refuse Disposal**

As required by Chapter 70.93 RCW, all Buyer-generated refuse shall be removed from City lands for proper disposal prior to termination of this Contract. No refuse shall be burned, buried, or abandoned on City property. All refuse shall be transported in a manner such that it is in compliance with Chapter 70.93 RCW, and all loads or loose materials shall be covered/secured such that these waste materials are properly contained during transport.

IN WITNESS WHEREOF, the Parties hereto have entered into this Contract.

Buyer

\_\_\_\_\_  
Name of Corporation

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Date

City of Camas

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## CORPORATE ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_  
\_\_\_\_\_ to me known to be the \_\_\_\_\_

\_\_\_\_\_ of the corporation that executed the within and foregoing instrument and  
acknowledged said instrument to be the free and voluntary act and deed of the corporation, for the uses  
and purposes therein mentioned, and on oath that (he/she was) (they were) authorized to execute said  
instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first  
above written.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_

My appointment expires \_\_\_\_\_

## CORPORATE ACKNOWLEDGEMENT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared \_\_\_\_\_  
\_\_\_\_\_ to me known to be the \_\_\_\_\_  
\_\_\_\_\_ of the corporation that executed the within and foregoing instrument  
and acknowledged said instrument to be the free and voluntary act and deed of the corporation, for the  
uses and purposes therein mentioned, and on oath that (he/she was) (they were) authorized to execute  
said instrument and that the seal affixed is the corporate seal of said corporation.

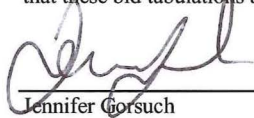
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first  
above written.

\_\_\_\_\_  
Notary Public in and for the State of

My appointment expires \_\_\_\_\_



I, Jennifer Gorsuch, City Clerk hereby certify  
that these bid tabulations are correct.

 1/31/17  
Jennifer Gorsuch Date

PROJECT NO. W-1000				High Cascade, Inc. P.O. Box 415 Carson, WA 98610 *Apparent High Bidder 509.427.4223		Interfor IS, Inc. 15555 S. Hwy. 211 Molalla, OR 97038 *Math error on bid proposal 503.539.9350		RSG Forest Products, Inc. 985 NW Second St. Kalama, WA 98625 360.673.2825		Boise Cascade Wood Products, LLC 110 N. Monmouth Ave. Ste.103 Monmouth, OR 97361 503.569.8740	
DESCRIPTION: Jones 2017 Timber Sale				Entered by RAJ							
DATE OF BID OPENING: January 19th, 2017											
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT PRICE	ENGRG TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL
1	Douglas Fir, No. 4 Sawmill and better, net scale	MBF	1,050	\$345.17	\$362,428.50	\$330.71	\$347,245.50	\$335.36	\$352,128.00	\$315.97	\$331,768.50
2	Douglas Fir, Poles, net scale	MBF	20	\$345.17	\$6,903.40	\$750.00	\$15,000.00	\$335.36	\$6,707.20	\$315.97	\$6,319.40
3	Hemlock, No. 4 Sawmill and better, net scale	MBF	10	\$220.17	\$2,201.70	\$200.00	\$2,000.00	\$160.36	\$1,603.60	\$100.00	\$1,000.00
4	Conifer, Utility Cull	TONS	300	\$1.00	\$300.00	\$3.00	\$900.00	\$2.00	\$600.00	\$1.00	\$300.00
5	Red Alder, Sawmill, net scale	MBF	0	\$100.00	\$0.00	\$300.00	\$0.00	\$0.00	\$0.00	\$1.00	\$0.00
6	Red Alder, Utility Cull	TONS	75	\$1.00	\$75.00	\$3.00	\$225.00	\$2.00	\$150.00	\$1.00	\$75.00
Subtotal				\$371,908.60		\$365,370.50		\$361,188.80		\$339,462.90	
Sales Tax N/A											
Total				\$371,908.60		\$365,370.50		\$361,188.80		\$339,462.90	



CITY OF CAMAS PROJECT NO. WS-709F Water Transmission Main Phase 2	PAY ESTIMATE: FOUR - FINAL PAY PERIOD: 10/1/16 Through 12/17/16  ORIGINAL CONTRACT AMOUNT: \$1,523,360.50	Mc Donald Excavating 2719 Main Street Washougal, WA 98671 360-835-8794
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Schedule B - Water / Sewer											
ITEM NO.	DESCRIPTION	UNIT	ORIGINAL QUANTITY	UNIT PRICE	CONTRACT TOTAL	QUANTITY PREVIOUS	TOTAL PREVIOUS	QUANTITY THIS EST.	TOTAL THIS EST.	QUANTITY TO DATE	TOTAL TO DATE
1	Contractor Construction Survey/Staking	LS	1.00	\$9,095.00	\$9,095.00	1.00	\$9,095.00		\$0.00	1.00	\$9,095.00
2	Project Documentation (\$20,000 Minimum Bid)	LS	1.00	\$20,000.00	\$20,000.00		\$0.00	1.00	\$20,000.00	1.00	\$20,000.00
3	Mobilization	LS	1.00	\$94,200.00	\$94,200.00	1.00	\$94,200.00		\$0.00	1.00	\$94,200.00
4	Project Temporary Traffic Control	LS	1.00	\$27,530.00	\$27,530.00	1.00	\$27,530.00		\$0.00	1.00	\$27,530.00
5	Clearing & Grubbing	AC	3.00	\$21,885.00	\$65,655.00	3.00	\$65,655.00		\$0.00	3.00	\$65,655.00
6	Removal of Structures and Obstructions	LS	1.00	\$19,820.00	\$19,820.00	1.00	\$19,820.00		\$0.00	1.00	\$19,820.00
7	Control Density Fill and Trench Plating	LF	30.00	\$80.00	\$2,400.00		\$0.00		\$0.00	0.00	\$0.00
8	Crushed Surfacing Top Course	TN	1,145.00	\$37.00	\$42,365.00	994.36	\$36,791.32	50.94	\$1,884.78	1045.30	\$38,676.10
9	HMA CL. 1/2" PG 64-22	TN	182.00	\$155.00	\$28,210.00	182.00	\$28,210.00	19.75	\$3,061.25	201.75	\$31,271.25
10	Planing Bituminous Pavement	SY	1,642.00	\$6.00	\$9,852.00	855.30	\$5,131.80		\$0.00	855.30	\$5,131.80
11	Paint Line, 4"	LF	2,650.00	\$0.70	\$1,855.00		\$0.00		\$0.00	0.00	\$0.00
12	Plastic Stop Line	LF	12.00	\$22.00	\$264.00		\$0.00		\$0.00	0.00	\$0.00
13	Temporary Pavement Marking	LF	2,650.00	\$0.70	\$1,855.00		\$0.00		\$0.00	0.00	\$0.00
14	Removing Temporary Pavement Marking	LF	2,650.00	\$1.50	\$3,975.00		\$0.00		\$0.00	0.00	\$0.00
15	Trench Safety Systems (\$1/LF Minimum Bid)	LF	8,182.00	\$1.00	\$8,182.00	8,182.00	\$8,182.00		\$0.00	8182.00	\$8,182.00
16	Removal and Replacement of Unsuitable Material	CY	150.00	\$40.00	\$6,000.00		\$0.00		\$0.00	0.00	\$0.00
17	Solid Rock Excavation	CY	100.00	\$200.00	\$20,000.00	67.00	\$13,400.00		\$0.00	67.00	\$13,400.00
18	Plugging Existing Pipe	EA	2.00	\$450.00	\$900.00	2.00	\$900.00		\$0.00	2.00	\$900.00
19	Connection to Existing 12 In. Diam. Pipe at STA 200+00	LS	1.00	\$6,595.00	\$6,595.00	1.00	\$6,595.00		\$0.00	1.00	\$6,595.00
20	Connection to Existing 10 In. Diam. Pipe at STA 281+89	LS	1.00	\$2,590.00	\$2,590.00	1.00	\$2,590.00		\$0.00	1.00	\$2,590.00
21	Ductile Iron Pipe for Water Main 14 In. Diam. (CL 51)	LF	8,182.00	\$110.00	\$900,020.00	8,182.00	\$900,020.00		\$0.00	8182.00	\$900,020.00
22	Extra Trench Excavation	CY	150.00	\$15.00	\$2,250.00		\$0.00		\$0.00	0.00	\$0.00
23	Butterfly Valve, 14 In.	EA	12.00	\$3,860.00	\$46,320.00	12.00	\$46,320.00		\$0.00	12.00	\$46,320.00
24	Comb. Air Release/Air Vacuum Valve Assembly, 2 In.	EA	2.00	\$3,365.00	\$6,730.00	2.00	\$6,730.00		\$0.00	2.00	\$6,730.00
25	Hydrant Assembly	EA	4.00	\$9,430.00	\$37,720.00	5.00	\$47,150.00		\$0.00	5.00	\$47,150.00
26	Reconnect Existing Hydrant	EA	1.00	\$6,695.00	\$6,695.00		\$0.00		\$0.00	0.00	\$0.00
27	Erosion Control and Water Pollution Control	LS	1.00	\$37,330.00	\$37,330.00	1.00	\$37,330.00		\$0.00	1.00	\$37,330.00
28	12 Ft. Galvanized Steel Gate	EA	8.00	\$500.00	\$4,000.00		\$0.00	11.00	\$5,500.00	11.00	\$5,500.00
29	Relocate Existing Fence	LF	340.00	\$6.00	\$2,040.00		\$0.00	750.00	\$4,500.00	750.00	\$4,500.00
Schedule B SUBTOTAL:					\$1,414,448.00		\$1,355,650.12		\$34,946.03		\$1,390,596.15
Schedule B Sales Tax (7.7%):					\$108,912.50		\$104,385.06		\$2,690.84		\$107,075.90
Schedule B Total:					\$1,523,360.50		\$1,355,650.12		\$37,636.87		\$1,393,286.99

Change Order #1											
ITEM	DESCRIPTION	UNIT	ORIGINAL QUANTITY	UNIT PRICE	CONTRACT TOTAL	QUANTITY PREVIOUS	TOTAL PREVIOUS	QUANTITY THIS EST.	TOTAL THIS EST.	QUANTITY TO DATE	TOTAL TO DATE
A	Reset Gate Posts	LS	1.00	\$3,207.74	\$3,207.74	0.00	\$0.00	1.00	\$3,207.74	1.00	\$3,207.74
SUBTOTAL:					\$3,207.74		\$0.00		\$3,207.74		\$3,207.74
Sales Tax (7.7%):					\$247.00		\$0.00		\$247.00		\$247.00
Total:					\$3,454.74		\$0.00		\$3,454.74		\$3,454.74

Clark County Sales Tax is 7.7%

ORIGINAL CONTRACT TOTAL		\$1,414,448.00	TOTAL PREVIOUS	\$1,355,650.12	TOTAL THIS EST.	\$34,946.03	TOTAL TO DATE	\$1,390,596.15
ADDITIONS / DELETIONS		\$3,207.74		\$0.00		\$3,207.74		\$3,207.74
SUBTOTAL		\$1,417,655.74		\$1,355,650.12		\$38,153.77		\$1,393,803.89
SALES TAX (7.7%)		\$109,159.49		\$104,385.06		\$2,937.84		\$107,322.90
TOTAL CONTRACT		\$1,526,815.23		\$1,460,035.18		\$41,091.61		\$1,501,126.79
LESS 0% RETAINAGE*				\$0.00		\$0.00		\$0.00
TOTAL LESS RETAIN.				\$1,460,035.18		\$41,091.61		\$1,501,126.79

\*Retainage Bond

SAN. ACT. NUMBER: 426-00-594-341-65

SAN. THIS PAY EST: \$41,091.61

F.I.

Project Engineer

Date

Contractor

Date

Project Manager

Date

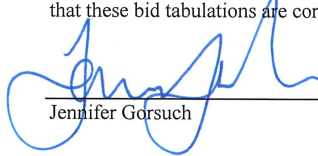
544 Zone Water Main & Treatment Phase 2 Final Expenditure Summary  
January 10, 2017

		Expenditures
Pre-Construction		\$107,860
Construction		
<u>Construction Contract</u>		
Base Bid		\$1,523,361
Change Order (CO) #1 - Reset Gate Posts		\$3,455
Net Contract Overruns, Underruns & Deletions		-\$25,689
Total Construction Contract =		\$1,501,127
<u>Other Construction Costs</u>		
Management		\$60,000
Materials Testing		\$3,750
Additional Costs		\$907
Total Construction Other Costs =		\$64,657
Total Project Costs =		\$1,673,644

This project is part of the original Washington State Department of Health (WSDOH) Drinking Water State Revolving Fund (SRF) Loan scope and was completed within the budget.



I, Jennifer Gorsuch, City Clerk, hereby certify  
that these bid tabulations are correct.

  
Jennifer Gorsuch

1/10/17  
Date

<b>PROJECT NO. S-610</b>				<b>Engineer's Estimate:</b> \$1,216,500.00		<b>Northeast Electric, LLC</b> 7004 Green Mountain Road Woodland, WA 98674 360.225.7004		<b>Mill Plain Electric</b> 6000 NE 88th St, B105 Vancouver, WA 98665 360.574.7265	
<b>DESCRIPTION: NW Pacific Rim Blvd Roadway Illumination</b>									
<b>DATE OF BID OPENING: January 10, 2017, at 11 AM</b>				<b>Entered by: RLS</b>					
ITEM NO	DESCRIPTION	UNIT	QTY	UNIT PRICE	ENGRG TOTAL	UNIT PRICE	CONTRACT TOTAL	UNIT PRICE	CONTRACT TOTAL
1	Mobilization	LS	1.00	\$119,000.00	\$119,000.00	\$65,000.00	\$65,000.00	\$18,282.00	\$18,282.00
2	Minor Changes (Minimum Bid \$5,000)	LS	1.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
3	Construction Documentation (Minimum Bid \$15,000)	LS	1.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
4	Project Temporary Traffic Control	LS	1.00	\$69,000.00	\$69,000.00	\$40,000.00	\$40,000.00	\$45,675.00	\$45,675.00
5	Clearing & Grubbing	LS	1.00	\$18,000.00	\$18,000.00	\$7,500.00	\$7,500.00	\$35,795.00	\$35,795.00
6	Removal of Structure and Obstruction	LS	1.00	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00	\$15,236.00	\$15,236.00
7	Erosion Control and Water Pollution Control	LS	1.00	\$2,500.00	\$2,500.00	\$3,500.00	\$3,500.00	\$5,800.00	\$5,800.00
8	Roadside Restoration	LS	1.00	\$3,000.00	\$3,000.00	\$7,500.00	\$7,500.00	\$18,564.00	\$18,564.00
9	Illumination System	LS	1.00	\$980,000.00	\$980,000.00	\$535,000.00	\$535,000.00	\$609,433.00	\$609,433.00

<b>SUBTOTAL</b>	<b>\$1,216,500.00</b>	<b>\$682,000.00</b>	<b>\$768,785.00</b>
<b>WA STATE SALES TAX (NOT APPLICABLE)</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>CONTRACT TOTAL (BASIS OF AWARD)</b>	<b>\$1,216,500.00</b>	<b>\$682,000.00</b>	<b>\$768,785.00</b>

**Irregular: Mill Plain Electric did not submit  
a full and complete copy of the MOU issued  
by Homeland Security with bid.**



Mayor's  
**VOLUNTEER SPIRIT AWARD**

in the City of Camas, presented to

**KRIS CAVIN**

For generously giving his time and talents to photograph school and community events;  
capturing special moments for the students, families and community, which he freely shares.



Dated this 6th day of February, 2017

Scott Higgins, Mayor





## ~ PROCLAMATION ~

WHEREAS, Camas High School senior Yacine Guermali has been a standout Cross-Country and Track Student Athlete during his entire high school career, including establishing the school track record in the 5,000 meter competition; and

WHEREAS, on November 5, 2016, at the Washington State 4A Cross Country Championships, Yacine Guermali became the 4A State Champion, in a field of more than 150 runners and set the fastest time on the course of all five high school classifications; and

WHEREAS, Yacine Guermali is the first boys' individual cross country champion from Camas High School and led his team to a 5<sup>th</sup> place finish at State, continuing the outstanding progress of the boys' cross country team, who finished 6<sup>th</sup> the previous two years; and

WHEREAS, the Camas High School girls' cross country team has also had an exemplary record over the last several years, led by Coach Laurie Porter, with two State titles and two State runner-up awards, with one member of that team, Alexa Efraimson, going on to national recognition, including the finals of the U.S. Olympic trials this year; and

WHEREAS, Yacine Guermali is an exemplary representative of his school and community, on and off the track and cross country courses; and

WHEREAS, the City of Camas desires to recognize Yacine Guermali for his outstanding athletic accomplishments and to acknowledge the appreciation of the citizens of Camas for his successes at the local and State levels; and

WHEREAS, the City of Camas wishes to express its continued support as he pursues the 2017 High School Track and Field Season and his post high school endeavors; and

NOW THEREFORE, I, Scott Higgins, Mayor of the City of Camas, do hereby proclaim  
**December 19, 2016**, as:

### ***"YACINE GUERMALI APPRECIATION DAY"***



in the City of Camas.

In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 15<sup>th</sup> day of December, 2016.

\_\_\_\_\_  
Scott Higgins, Mayor

## ~ PROCLAMATION ~

WHEREAS, the Camas High School girls' soccer team compiled a season record of 21 wins, no losses and one tie to Sherwood, Oregon, the eventual Oregon State Class 6A Champion; and

WHEREAS, the Camas High School girls' soccer team dominated their opponents this year, scoring 89 goals and conceding only 2 goals; and

WHEREAS, 11 players made the Greater St. Helens League All-League honors in 2016; and

WHEREAS, 15 players made All-League academic honors; and

WHEREAS, the girls' soccer team set a school record of 67 assists and 20 shut-outs in 2016; and

WHEREAS, under the leadership of Coach Roland Minder, national soccer coach of the year, the Camas High School girls' soccer team culminated this dominating season by prevailing 3-0 over West Valley and is the 2016 Washington State Class 4A Champion, and the number one team in the nation; and

WHEREAS, the City of Camas desires to recognize the achievements of the Camas High School girls' soccer team in attaining the second State title for girls' soccer and recognize the tremendous amount of hard work and dedication of these student athletes, who have brought great pride to the community which we love;

NOW THEREFORE, I, Scott Higgins, Mayor of the City of Camas, do hereby proclaim December 18-24, 2016, as:

### ***"Camas High School Girls' Soccer Team Appreciation Week"***



in the City of Camas.

In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 15<sup>th</sup> day of December, 2016.

---

Scott Higgins, Mayor



## ~ PROCLAMATION ~

WHEREAS, the Camas High School girls' soccer team compiled a season record of 21 wins, no losses and one tie to Sherwood, Oregon, the eventual Oregon State Class 6A Champion; and

WHEREAS, the Camas High School girls' soccer team dominated their opponents this year, scoring 89 goals and conceding only 2 goals; and

WHEREAS, 11 players made the Greater St. Helens League All-League honors in 2016; and

WHEREAS, 15 players made All-League academic honors; and

WHEREAS, the girls' soccer team set a school record of 67 assists and 20 shut-outs in 2016; and

WHEREAS, under the leadership of Coach Roland Minder, national soccer coach of the year, the Camas High School girls' soccer team culminated this dominating season by prevailing 3-0 over West Valley and is the 2016 Washington State Class 4A Champion, and the number one team in the nation; and

WHEREAS, the City of Camas desires to recognize the achievements of the Camas High School girls' soccer team in attaining the second State title for girls' soccer and recognize the tremendous amount of hard work and dedication of these student athletes, who have brought great pride to the community which we love;

NOW THEREFORE, I, Scott Higgins, Mayor of the City of Camas, do hereby proclaim December 18-24, 2016, as:

### ***"Camas High School Girls' Soccer Team Appreciation Week"***



in the City of Camas.

In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 15<sup>th</sup> day of December, 2016.

---

Scott Higgins, Mayor

## ~ PROCLAMATION ~

WHEREAS, the Camas High School football team began the 2016 season with an impressive 42-10 victory over Central Catholic, a team which played for the Oregon State 6A championship this year; and

WHEREAS, during the 2016 season, the Papermakers notched impressive victories over Sherwood, Davis, Enumclaw and Graham-Kapowsin, winning by over 40 points in each of those contests; and

WHEREAS, in addition to victories over Oregon and Washington schools, the Papermakers traveled to Coeur d' Alene, Idaho in September and came away with a 49-30 victory; and

WHEREAS, following hard-fought playoff victories over Skyline and Sumner, the Papermakers earned the right to compete in the Washington State Class 4A state football championship against the Richland Bombers;

WHEREAS, Camas High School, during the 2013 season, competed for their very first state football championship, falling just short in that contest; and

WHEREAS, during the weeks leading up to the State football championship contest this year, a certain alumni, former player and fan endeavored to bring his team the best of all possible luck by wearing a letterman's jacket each and every day; and

WHEREAS, the City of Camas desires to recognize the achievements of the Camas High School football team in bringing to our great City its first state football championship and recognize the tremendous amount of hard work and dedication of these student athletes, who have brought great pride to the community, which we love;

NOW THEREFORE, I, Scott Higgins, Mayor of the City of Camas, do hereby proclaim December 25-31, 2016, as:

### ***"Camas High School Football Team Appreciation Week"***



in the City of Camas.

In witness whereof, I have set my hand and caused the seal of the City of Camas to be affixed this 15<sup>th</sup> day of December, 2016.

---

Scott Higgins, Mayor



## 2017 Council Appointments

Board/ Committee/ Commission	Full Name	Position
Administrative Committee	Greg Anderson	Liaison
	Melissa Smith	Liaison
	Steve Hogan	Liaison
Camas Youth Advisory Council (CYAC)	Scott Higgins	Liaison
Camas-Washougal Economic Development Association (CWEDA)	Scott Higgins	Liaison
	Steve Hogan	Alternate
City/School Committee	Don Chaney	Liaison
	Scott Higgins	Liaison
Clark Regional Emergency Services Agency (CRESA)	Don Chaney	Liaison
Columbia River Economic Development Council (CREDC)	Scott Higgins	Liaison
Community Development Block Grant	Scott Higgins	Liaison
C-TRAN	Greg Anderson	Liaison
	Scott Higgins	Alternate
CW Chamber of Commerce	Melissa Smith	Liaison
	Bonnie Carter	Alternate
Design Review Committee	Melissa Smith	Liaison
Downtown Camas Association	Bonnie Carter	Liaison
	Steve Hogan	Alternate
East County Ambulance Advisory Board (ECAAB)	Greg Anderson	Liaison
	Don Chaney	Alternate
Economic Development Strategy Committee for Economic Incentives	Greg Anderson	Liaison
	Scott Higgins	Liaison
	Tim Hazen	Liaison
Finance Committee	Don Chaney	Liaison
	Shannon Turk	Liaison
	Tim Hazen	Liaison
Fire - Joint Policy Advisory Committee (JPAC)	Don Chaney	Liaison
	Greg Anderson	Liaison

	Shannon Turk	Liaison
Fire/Emergency Medical Services Partnership	Greg Anderson	Liaison
	Scott Higgins	Liaison
GP Mill Advisory Committee	Steve Hogan	Liaison
	Scott Higgins	Alternate
LEOFF Disability Board	Melissa Smith	Liaison
	Don Chaney	Liaison
Library Board	Bonnie Carter	Liaison
	Shannon Turk	Alternate
Lodging Tax Advisory Committee	Shannon Turk	Liaison
Lower Columbia Fish Recovery Board - Regional Cities Rep	No assignment	
Mayor Pro-Tem	Steve Hogan	Liaison
Parks & Recreation Commission	Tim Hazen	Liaison
	Melissa Smith	Alternate
Planning Commission	Bonnie Carter	Liaison
	Tim Hazen	Alternate
Port of Camas-Washougal	Scott Higgins	Liaison
Regional Transportation Council (RTC)	Paul Greenlee (Washougal City Council)	Liaison
	Melissa Smith	Alternate
Shoreline Management Review Committee	Don Chaney	Liaison
Sister Cities Committee	Shannon Turk	Liaison
	Scott Higgins	Alternate

## 2017 Citizen Appointments

Board/ Committee/ Commission	Term	Full Name	Appiointment	Term Expiration
Arts Commission	remainder of 4-year term recently vacated	Uta Zuendel	Appointment	12/31/2018
Board of Adjustment	5-year	Robert Guetter	Reappointment	12/31/2021
Civil Service Commission	6-year	Ronald Goodpaster	Reappointment	12/31/2022
Design Review Committee	no term limits	Jim Short	Reappointment	Ongoing
		Casey Wyckoff	Appointment	Ongoing
		Whitney Henion	Appointment	Ongoing
		Kathy Mann	Appointment	Ongoing
		Dawn Redmond	Appointment	Ongoing
		Kevin Bruener	Appointment	Ongoing
Library Board	5-year	Julie Anne Hill	Reappointment	12/31/2021
Mosquito Control Board	2-year	Linda Dietzman	Reappointment	12/31/2018
Parking Advisory Committee	4-year	Gene Dietzen	Reappointment	12/31/2020
		Geoerl Niles	Reappointment	12/31/2020
Parks & Recreation Commission	3-year	Eunice Abrahamsen	Reappointment	12/31/2019
		David Gast	Reappointment	12/31/2019
Planning Commission	3-year	Bryan Beel	Reappointment	12/31/2019
		Troy Hull	Reappointment	12/31/2019
Salary Commission	4-year	Erika Cox	Reappointment	12/31/2020
		Matthew McBride	Reappointment	12/31/2020



Community Development Department

## Staff Report

### Minor Amendments to Title 16 Environment of Camas Municipal Code File #MC16-06

To: Mayor Higgins  
City Council

Public Hearing: February 6, 2017

From: Sarah Fox, Senior Planner on behalf of the Planning Commission

Report Date: January 31, 2017

*Public Notices:* Notice of the public hearing before City Council was published in the Post Record on January 26, 2017 (Legal Publication #576547). Notice of the public hearing before Planning Commission was published in the Post Record on December 8 and 15, 2016 (Legal Publication #573825).

*Compliance with state agencies:* Expedited review was requested on December 5, 2016 and was granted by the Department of Commerce on December 6, 2016, with Material ID # 23141. A State Environmental Policy Act Determination of Non-Significance was issued on January 12, 2017. The comment and appeal period ended on January 26, 2017, with one comment received (Exhibit 3).

#### I. Summary

As part of a periodic code improvement project, the proposed minor amendments to Title 16 Environment of the Camas Municipal Code (CMC) include updates due to changes of state law, corrections to typos, or to clarify sections that may have been challenging to administer since the past review cycle.

A public hearing before Planning Commission was held on December 20, 2016. The Commission unanimously recommended approval. The proposed CMC amendments are provided at Exhibit 1, which shows the draft changes as strike-through text or underlined. Exhibit 2 includes the currently adopted version of Title 16.

#### **Staff has proposed amendments within the following chapters of Title 16 Environment:**

- Chapter 16.01 General Provisions
- Chapter 16.07 Categorical Exemption and Threshold Determinations
- Chapter 16.13 SEPA and Agency Decisions and Appeals
- Chapter 16.19 Fees
- Chapter 16.21 Forms
- Chapter 16.31 Archaeological Resource Preservation
- Chapter 16.33 Public View, Open Space Protection and Historic Sites and Structures
- Chapter 16.35 Historic Preservation
- Chapter 16.51 General Provisions
- Chapter 16.53 Wetlands
- Chapter 16.61 Fish and Wildlife Habitat Conservation Areas

## II. Description of Proposed Amendments

### Chapter 16.01 General Provisions

Interestingly, there are eleven chapters of provisions for the State Environmental Policy Act (SEPA), with only one chapter that includes in its label, “SEPA” (16.01 to 16.21). Amendments to this chapter include adding “SEPA” to key chapter headings, which will assist with way finding when searching online and with code citations.

### Chapter 16.07 Categorical Exemption and Threshold Determinations

The city is allowed to establish SEPA exempt levels for minor new construction, if consistent with the thresholds provided for in WAC197-11-800(1)(b). The state raised exemption levels this year and the proposed amendments comply with those thresholds. Staff provided the state law maximum allowances as a comment within Exhibit 1 (page 2). The changes also include formatting the exemptions list in a table format, which is how the state law presents this information.

Section III of this report includes findings for compliance with WAC197-11-800(1)(C) for the city’s intention to raise exemption levels.

### Section 16.13.060 Appeal

The current section required that an appeal of a SEPA determination must be referred to City Council if it was rendered by a non-elected SEPA Official. This procedure is inconsistent with the powers designated to the city’s Hearings Examiner at Section 2.15.080; which includes certain land use decisions, such as SEPA appeals and Type II permit appeals.

### Chapter 16.19 Fees

The changes proposed to this section include formatting, eliminating section headings and combining a few sections. No fees are listed in this chapter and no changes to fees were proposed.

### Chapter 16.21 Forms

The proposal to repeal this chapter is due to the fact that the city creates its own forms and updates them as needed. The forms are substantially similar to the model forms provided by the Department of Ecology.

### Chapter 16.31 Archaeological Resource Preservation

The amendments to this chapter are to incorporate policies that will be deleted from Chapter 16.33 and to clarify how the city reviews and processes archaeological reports. Current provisions in regards to the notification process requires considerable staff time (applicant and the city) to track postal receipts. The proposed change is to allow electronic submissions (emails).

### Chapter 16.33 Public View, Open Space Protection and Historic Sites and Structures

The title of this chapter is proposed to change to, “Public View & Open Space Protection” given that policies regarding historic sites should more appropriately be organized under Chapter 16.31 Archaeological Resource Preservation.

Also, the current title did not include all of subsections contained within it. For example, the chapter includes policies in regard to transportation, public facilities and water. Those sections are proposed to be removed, due to the fact that the city adopted new policies for transportation and public facilities as part of the comprehensive plan update, Camas 2035, in June of this year.

The subsection regarding public views was amended to require a visual assessment for a new development that could impact a public view (page 13, Section 16.33.010-C). Currently, the code is silent as to what is expected to be submitted by the applicant. The proposed amendments are based on the WA

Department of Transportation view analysis standards for transportation projects.

#### Chapter 16.35 Historic Preservation

The amendments to this section include fixing typos and to change the name of the Clark County Board of Commissioners to the “Board of County Councilors”. The three-member council was expanded on January 1, 2016 to five members by a home rule charter that was adopted by voters in 2014.

#### Chapter 16.51 General Provisions

The proposed amendments to the vegetation removal section include creating a new section heading for ease of finding the requirements, rather than being located in a sub-subsection of the chapter. It will also clarify submittal materials and the standards for approval. Currently the code uses the terminology “topping” and allows it in certain circumstances. Tree topping is not an approved method of abatement by certified arborists, and the code is proposed to reflect current practices.

There are also amendments to Section 16.51.210, which concerns fencing and signage of critical areas. These provisions are currently listed as discretionary options, which means that they often become mitigation measures under SEPA. If these regularly conditioned items were adopted into CMC, then those same developments could likely have received unmitigated SEPA determinations.

#### Chapter 16.53 Wetlands

The amendments include removing references to shoreline compliance, which were inadvertently added with the mandated updates to wetland regulations in 2015.

The City received SEPA comments from Joe Turner (Exhibit 3), which noted that the fencing requirements within this chapter could be confusing or incongruous to the proposed fencing provisions at Chapter 16.51 General Provisions. Revisions were proposed to this section to mirror the proposed new text at Chapter 16.51.

#### Chapter 16.61 Fish and Wildlife Habitat Conservation Areas

Similar to Chapter 16.53, the amendments within this chapter include removing references to shoreline compliance, which were inadvertently added with the mandated updates to wetland regulations in 2015. References to “lakes” were also removed due to the fact that all lakes in Camas are within shoreline jurisdiction and are subject to the regulations contained within the Camas Shoreline Master Program.

### III. Findings for Compliance with WAC197-11-800 (1)(C)

At CMC§16.07.020 (A), the city proposes to raise the exemption level for minor construction of the project type: “Office, school, commercial, recreational, service or storage buildings (including associated parking lots)”. The city also proposes to add two categories: Multi-family; and Parking Lots (not associated with a structure). In order to change exemption levels, the city must include findings per the criteria at WAC197-11-800(1)(C)(i-iv). Criteria of WAC197-11-800(1)(C) is provided below in *italicized* type.

*(i) Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the development exempted. The*

*requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations.*

**Finding:** The city issued a SEPA Determination of Non-Significance on January 12, 2017. The distribution documents included a SEPA Checklist. The comment and appeal period ended on January 26, 2017, with one comment received (Exhibit 3).

*(ii) Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.*

**Finding:** The SEPA Determination of Non-Significance provided instructions for submitting comments, along with public notices that were published on December 8 and 15, 2016, and January 26, 2017.

*(iii) Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of sixty days' notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.*

**Finding:** On February 6, 2017 (date of public hearing), the city will have provided 63 days' notice to affected tribes, agencies with expertise, and the Department of Ecology through submittal of a request for expedited review to the Department of Commerce. The request for review was granted on December 6, 2016, with Material ID #23141. A SEPA Determination of Non-Significance was issued on January 12, 2017. Adoption of the amendments, if approved by Council, is anticipated on February 21, 2017. **The total days provided for comment by ordinance adoption will be 78 from Commerce notice and 41 days from SEPA notice.**

*(iv) The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(i) and (ii) of this subsection and the requirements for protection and mitigation in (c)(i) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following:*

- *Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington department of archaeology and historic preservation, other agencies, and tribal governments.*
- *Planning and permitting processes that ensure compliance with applicable laws including chapters 27.44, 27.53, 68.50, and 68.60 RCW.*
- *Local development regulations that include at minimum preproject cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.*

**Finding:** As noted previously, at CMC§16.07.020, the city proposes to increase the minor exemption level up to the allowed maximum of 30,000 square feet and associated parking lots of up to 40 spaces for project types which include: offices, schools, commercial and recreational buildings, service or storage buildings, multi-family developments, and parking lots (with an associated structure). There will also be two new project types, which

include Multifamily residential and Parking Lots (not associated with a structure). These project types are new to the CMC, yet are individually listed in the WAC.

Per this criterion, all of the aforementioned project types require development approval with a **Site Plan Permit** (Type II permit). The process for submittal of a Type II application requires a “Pre-application Meeting” prior to submittal of a development application. This meeting allows staff the opportunity to research whether or not the site is likely to contain any cultural or historic resources, or any critical areas in the vicinity, prior to determining whether or not the project will be eligible for a SEPA exemption.

In addition, the CMC includes inadvertent discovery provisions at CMC§16.31.150 Discovery Principle. Whether or not a project is exempt from SEPA does not exempt the project from archaeological review. Provisions at CMC§16.31.030, state that SEPA regulations are intended to supplement, not supplant, the provisions of Chapter 16.31 Archaeological.

#### **IV. Recommendation**

Staff recommends that Council conduct a public hearing, deliberate, and move to approve the amendments to Title 16 Environment as proposed. Further, Staff recommends that Council direct the City Attorney to prepare an ordinance for adoption.



## PROPOSED (DRAFT) CAMAS MUNICIPAL CODE AMENDMENTS

### *Staff Note:*

*In general, only the sections of the Camas Municipal Code (CMC) that are proposed to change are included in this version. CMC Title 16 - Environment is available [online](#) in its entirety at the city's website.*

*Further, if the text is not shown struck out (e.g. ~~Amendment~~) or underlined (e.g. Amendment), then there are **no changes** intended or proposed.*

## CHAPTER 16.01 – STATE ENVIRONMENTAL POLICY ACT (SEPA) GENERAL PROVISIONS

### 16.01.010 – STATE ENVIRONMENTAL POLICY ACT STATUTORY AUTHORITY.

The city adopts this chapter under the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA Rules, WAC 197-11-904.

## CHAPTER 16.07 – SEPA CATEGORICAL EXEMPTION AND THRESHOLD DETERMINATIONS

### 16.07.020 – FLEXIBLE EXEMPTION LEVELS.

- A. The city establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions, which is consistent with WAC 197-11-800(1):

<u>Project Types</u>	<u>Exempt Levels in Camas</u>
<u>Single family residential dwelling units</u>	<u>Up to 10-9 dwelling units</u>
<u>Multifamily residential</u>	<u>Up to 9 dwelling units</u>
Agricultural structures	Up to 30,000 square feet
Office, school, commercial, recreational, service or storage buildings (including associated parking lots)	Up to 1230,000 square feet and associated parking spaces-lots of up to 40 spaces.
Parking lots <u>not associated with a structure</u>	<u>Up to 20 parking spaces</u>
Landfills and excavation	<u>Up to 500 cubic yards</u>

1. ~~For residential dwelling units in WAC 197-11-800(1)(b)(i) (Note: Range four to twenty units): up to ten dwelling units;~~
2. ~~For agricultural structures in WAC 197-11-800(1)(b)(ii) (Note: Range ten thousand to thirty thousand square feet): up to thirty thousand square feet;~~
3. ~~For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(b)(iii) (Note: Range four thousand to twelve thousand square feet and twenty to forty parking spaces): up to twelve thousand square feet and up to forty parking spaces;~~
4. ~~For parking lots in WAC 197-11-800(1)(b)(iv) (Note: Range twenty to forty parking spaces): up to forty parking spaces;~~
5. ~~For landfills and excavations in WAC 197-11-800(1)(b)(v) (Note: Range one hundred to five hundred cubic yards): up to five hundred cubic yards.~~

- B. Whenever the city establishes new exempt levels under this section, it shall send them to the Department of Ecology, headquarters office, Olympia, Washington, under WAC 197-11-800(1)(c).

- C. The exemptions listed in CMC Section 16.07.020 and WAC 197-11-800 shall not apply within critical areas, or within 200 feet of a critical area boundary.

**Commented [SF1]:** WAC 197-11-800(1)(b)(i) is the minimum requirement. A list of the maximum allowances are at (1)(d). The city must adopt exemptions within the range.

**Commented [SF2]:** Consistent with short plat threshold. WAC allows 4-30 units.

**Commented [SF3]:** Maximum density in multi-family zones is 18 units per acre. WAC allows a range of 4 – 60 units.

**Commented [SF4]:** No change proposed since agricultural uses are considered to be “non-conforming”. New agricultural structures are only allowed per CMC§18.41.140 Nonconforming permitted uses. Maximum allowed per WAC is 40,000 sq. ft.

**Commented [SF5]:** Maximum allowed is 30,000 sq. ft. and 40 spaces.

**Commented [SF6]:** This type is new to Camas, but is separate in WAC. This is the maximum allowed.

**Commented [SF7]:** No change proposed. Range allows up to 1,000 cubic yards.

**Commented [SF8]:** (Moved from Section 16.07.025) The intent of this end phrase is to provide clarity that projects adjacent to a critical area must be reviewed.

~~16.07.025—ENVIRONMENTALLY SENSITIVE AREAS.~~

16.13.030 ~~— SEPA CONDITIONS.~~

The city may attach conditions to a permit or approval for a proposal so long as:

- A. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this title; and
- B. Such conditions are in writing; and
- C. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
- D. The city has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
- E. Such conditions are based on one or more policies in Section 16.13.050 of this chapter, and cited in the license or other decision document.

16.13.060 ~~— SEPA APPEAL.~~

Except for permits and variances issued pursuant to the Camas Shoreline Master Program, when any proposal or action ~~not requiring a decision of the city council~~ is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the ~~city council~~ Hearings Examiner. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the ~~responsible official~~ City of Camas Clerk within ~~ten-fourteen (14)~~ ten (10) days of the ~~date the decision being was appealed~~ decision. ~~Review by the city council shall be on a de novo basis.~~

**Commented [SF9]:** This section appears to have been missed with the initial update in 2005 when the Hearings Examiner (Ch.2.15) was added as the authority in these cases.

CHAPTER 16.19 - FEES

**Sections:**

16.19.010 ~~— FEES REQUIRED.~~

The city shall require the following fees for its activities in accordance with the provisions of this title.

- A. ~~16.19.020—~~Threshold determination. For every environmental checklist the city reviews when it is lead agency, the city shall collect a fee in accordance with the most current fee schedule adopted by the city. The time periods provided for by this title for making a threshold determination shall not begin to run until payment of the fee.
- B. ~~16.19.030—~~Environmental impact statement.
  - 1. ~~A.—~~When the city is the lead agency for a proposal requiring an EIS and the responsible official determines that the EIS shall be prepared by employees of the city, the city may charge and collect a reasonable fee from any applicant to cover costs incurred by the city in preparing the EIS. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.
  - 2. ~~B.—~~The responsible official may determine that the city will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the city and may bill such costs and expenses directly to the applicant. Such consultants shall be selected by mutual agreement of the city and applicant after a call for

**Commented [SF10]:** This is only a formatting correction and to remove reference to using Ecology's forms when the city has their own.

proposals. The city may require the applicant to post bond or otherwise ensure payment of such costs.

3. ~~C.~~ If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under subsection A or B of this section which remain after incurred costs are paid.

## ~~CHAPTER 16.21 FORMS~~

### **Sections:**

#### ~~16.21.010 ADOPTION BY REFERENCE.~~

~~The city adopts the following forms and sections of WAC Chapter 197-11 by reference:~~

<del>197-11-960</del>	<del>Environmental checklist.</del>
<del>197-11-965</del>	<del>Adoption notice.</del>
<del>197-11-970</del>	<del>Determination of non-significance (DNS).</del>
<del>197-11-980</del>	<del>Determination of significance and scoping notice (DS).</del>
<del>197-11-985</del>	<del>Notice of assumption of lead agency status.</del>
<del>197-11-990</del>	<del>Notice of action.</del>

**Commented [SF11]:** This entire section consists of the sample forms. The city did not adopt the sample forms, we modified their forms or we issue a letter.

## ARCHAEOLOGICAL

### CHAPTER 16.31 - ARCHAEOLOGICAL RESOURCE PRESERVATION

#### Sections:

#### 16.31.010 - PURPOSE.

~~The discovery, identification, excavation, preservation and study of archaeological resources, the inventorying of archaeological sites and collections, and providing information to state, federal and private agencies regarding the impact of construction activities on archaeological resources are public functions, and the city is an appropriate agency to assist in the carrying out of these functions.~~

The purposes of this chapter are to:

- A. Encourage the identification and preservation of cultural, archaeological, and historic resources consistent with the Growth Management Act of 1990, as amended, and Camas' comprehensive plan;
- B. Establish clear procedures and specific standards for identifying, documenting and preserving Camas' cultural, archaeological and historic resources;
- C. Ensure use of the best available technology and techniques commonly accepted as standards in the profession of archaeology;
- D. Establish a fair and equitable process for balancing the identification and preservation of cultural, archaeological, and historic resources with economic development;
- E. Ensure coordination and consistency in the implementation of the State Environmental Policy Act, the Shoreline Management Act and the Growth Management Act.
- ~~F. Development of land should be regulated to mitigate adverse impacts to archaeological resources.~~

**Commented [SF12]:** This section was moved from Chapter 16.33 Policy Background for Archaeological Resources.

#### 16.31.015 - ARCHAEOLOGICAL RESOURCES POLICIES

#### ~~A. Policy Background.~~

#### ~~BA.~~ Policies.

- 1. It is the city's policy to identify, inventory and preserve archaeological resources and archaeological sites located within the city.
- 2. Whenever a development proposal contains a known or suspected archaeological site, the responsible officials shall assess the probable effect of the impact and the need for mitigating measures.
- 3. Whenever the responsible official determines that a development project may contain an archaeological site or may adversely impact a known archaeological site, the proponent may be required to retain the services of a qualified professional archaeologist to assess the impact of the development, and to propose such mitigating measures as may be necessary.
- 4. The responsible official shall notify the Washington State Office of Archaeology and Historic Preservation, Department of Community Development, of any development activity that may adversely impact a recognized or suspected archaeological site.
- 5. If the responsible official makes a written finding that a development project will adversely impact an archaeological site, then the responsible official may condition or deny the development project to minimize such adverse impact.
- 6. Mitigation measures may include:

- a. Reduction in size or scope of the project;
  - b. Requiring the implementation of mitigation measures as recommended by a professional archaeologist;
  - c. Requiring compliance with any permits or conditions as may be imposed or recommended by the Washington State Office of Archaeology and Historic Preservation.
7. If archaeological resources are discovered on a development site after approval of the development by the city without the imposition of appropriate mitigation measures, then the responsible official may issue an order to cease and desist all development activity in the affected area until such time as an appropriate archaeological resources assessment can be undertaken and mitigating measures, if necessary, implemented.

#### 16.31.020 - DEFINITIONS.

In addition to those definitions listed in CMC Chapter 18.09, the following definitions shall apply to this chapter:

- A. "Adequately surveyed and documented" means that: (1) the survey method, level of analysis, and area covered are sufficient to meet the requirements of this chapter; and (2) the documentation is sufficient to allow another archaeologist to repeat the survey and reach the same conclusion. Adequacy shall be determined by the director.
- B. "Archaeological object" means an object that comprises the physical evidence of an indigenous and subsequent culture, including material remains of past human life, including monuments, symbols, tools, facilities and technological by-products (WAC 25-48-020(8)).
- C. "Archaeological resource survey" means procedure by which an archaeologist makes an assessment of the presence or absence of an archaeological site on a parcel, a preliminary assessment of a site's significance, and a recommendation for further evaluation, avoidance, mitigation, or recovery of resources.
- D. "Archaeological resources" means any material remains of human life or activities which are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements, and locations of prehistoric or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material (WAC 25-48-020(10)). This shall also include any material remains of human life or activities from historic periods which are located at least partially below the ground surface necessitating the use of archaeological methods for study or recovery.
- E. "Archaeological site" means a geographic locality in Washington, including but not limited to, submerged and submersible lands, and the bed of the sea within the state's jurisdiction, that contains archaeological objects (WAC 25-48-020(9)).
- F. "Archaeologist" means either a qualified archaeologist (RCW 27.53.030(9)) or a professional archaeologist (RCW 27.53.030(8) and WAC 25-48-020(4)) who has been approved by the city. Both qualified archaeologists and professional archaeologists may perform predeterminations and surveys. Only professional archaeologists may perform services such as evaluation and data recovery for which a state permit is needed.
- G. "DAHP" means the Washington State Department of Archaeology and Historic Preservation.
- H. "Department" means the community development department.
- I. "Director" means the director of the community development department or designee.
- J. "Feature" means an artifact or set of artifacts which loses its integrity when moved due to its size and complexity (e.g., a hearth or a house floor).

**Commented [SF13]:** The change to this section includes adding numbering (ABC..) and amending the definition of "Probability Level" at (new) N.

- K. "Known, recorded archaeological site" means an archaeological site which has been recorded with DAHP.
- L. "Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation (WAC 25-48-020(12)).
- M. "Predetermination" means a procedure similar to, but of less intensity than an archaeological resource survey. Its purpose is to determine whether an archaeological site is likely to be present or absent on a parcel, and based on that determination recommend whether or not to proceed with an archaeological resource survey.
- N. "Probability level" means ~~account~~ classification of property according to the probability of its having archaeological resources. The probability levels are low (~~zero to twenty percent~~), low-moderate (~~twenty to forty percent~~), moderate (~~forty to sixty percent~~), moderate-high (~~sixty to eighty percent~~), and high (~~eighty to one hundred percent~~), which are based on a combination of information from inventories and predictive models provided by DAHP, other agencies, tribal governments and local permit review. The probability levels assigned to property within the urban growth boundary of the city are generally shown on maps provided by Clark County Geographic Information Systems, identified in that map entitled "City of Camas Archaeological Probability, July 21, 2006."
- O. "Significant archaeological site" means an archaeological site which has been determined by a professional archaeologist to contain: (1) archaeological objects at a density of at least one hundred per cubic meter per stratigraphic or cultural unit; or (2) at least one feature; or (3) at least one relatively uncommon archaeological object; or (4) skeletal remains.
- P. "Survey" means archaeological resource survey.
- P.Q. "Tribes" means any federally recognized or other local Native American government organization which may consider the site to be of historic or cultural significance.

#### 16.31.030 - COORDINATION.

- A. General. Where the provisions of this chapter conflict with each other or with other laws, ordinances, or programs, the more restrictive provisions shall apply.
- B. SMA. The provisions of this chapter shall apply throughout Camas, including areas regulated by the Shoreline Management Act (SMA) and the Camas Shoreline Master Program.
- C. SEPA. The regulations of the State Environmental Policy Act (SEPA) shall supplement the provisions of this chapter.
- D. Development Review. For projects subject to Title 18, Chapter 18.55 of the Camas Municipal Code, a determination that an application is complete shall not be made until any required predetermination has been completed and a predetermination report has been submitted.

#### 16.31.040 - RECORDING.

Any archaeological site identified pursuant to the provisions of this chapter shall be recorded with DAHP.

#### 16.31.050 - PERMIT REQUIRED.

A permit from DAHP shall be secured prior to digging, altering, excavating, and/or removing archaeological objects and sites or historic archaeological resources, or proposing to remove glyptic or painted records of tribes or peoples, or archaeological resources from native Indian cairns or graves (WAC 25-48-050).

#### 16.31.060 - APPLICABILITY.

- A. The provisions of this chapter shall apply:
1. When any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity (Section 16.31.150);
  2. When the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.
- B. The provisions of this chapter shall apply, except as provided in this section and in subsection C of this section, to all ground-disturbing actions or activities for which a permit or approval is required:
1. On all parcels in probability level high;
  2. On parcels of at least five acres in probability levels moderate-high and moderate;
  3. Regardless of parcel size or probability level, when proposed within one-fourth mile of a known, recorded archaeological site as measured on a horizontal plane extending in all directions. Such an action or activity may be exempted by the director, when appropriate, during the predetermination process due to the effects of a geographic barrier (Section 16.31.070(F)).
- C. The following shall not trigger or shall be exempted from the provisions of this chapter:
1. Accessory dwelling units;
  2. Land use permits issued under clear and objective standards, such as those for fences, sheds, decks, patios or driveways;
  3. Sign permits;
  4. Conditional use permits for a change in use only, not involving ground disturbance for structural modification;
  5. Zoning variance approvals;
  6. Ground-disturbing actions or activities which constitute normal maintenance and repair of existing structures and facilities; or
  7. Ground-disturbing actions or activities proposed in areas which the director determines to have been adequately surveyed and documented (as defined in Section 16.31.020) in the past and within which no archaeological resources have been discovered.
- D. When more than one probability level traverses a parcel, the entire parcel shall be considered to be within the level with the greatest probability rating.

#### 16.31.070 — PREDETERMINATION REPORT REQUIRED.

- ~~A.~~ Predetermination reports shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required for the following:
1. ~~Properties~~ within probability level high;
  - ~~2. B. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required and which is located on~~ A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required and which is located on a parcel of at least five acres within probability levels moderate-high and moderate; ~~or~~
  - ~~3. C. A predetermination shall be required for all nonexempt ground-disturbing actions or activities for which a permit or approval is required which are proposed within~~ A predetermination shall be required for all nonexempt ground-disturbing actions or activities for which a permit or approval is required which are proposed within one-fourth mile of a known, recorded archaeological site;
- ~~D. B.~~ A predetermination shall be required when the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.

**Commented [SF14]:** Edits to this section were to eliminate the repetitive pretext of each sentence. No levels were modified.



- ~~E. C.~~ A predetermination shall be required when any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity.
- ~~F. D.~~ During the predetermination process, the director will determine whether a ground-disturbing action or activity is exempt under Section 16.31.060(B)(3) or 16.31.060(C)(7) of this chapter. In the event that the director is able to make such a determination of exemption based solely upon background research (Section 16.31.080(C)), the city shall reduce the applicant's total fee obligation for the project by one-half of the predetermination fee.
- ~~G. E.~~ A predetermination shall not be performed when a survey is required under Section 16.31.110 of this chapter.
- ~~H. F.~~ The director may waive the requirement for a predetermination if the applicant chooses to provide a survey in accordance with Sections 16.31.110 and 16.31.130 of this chapter.

#### 16.31.080 - PREDETERMINATION REPORT STANDARDS.

A predetermination report shall be completed to the high standard of quality which fulfills the purposes of this chapter. Predeterminations shall include at a minimum the following elements ~~and be carried out according to the following standards:~~

- A. Predeterminations shall be performed by a qualified ~~or~~ professional archaeologist.
- ~~B. Predeterminations shall be performed to the high standard of quality which fulfills the purposes of this chapter.~~
- ~~C. B.~~ Background Research. A thorough review of records, documentation, maps, and other pertinent literature shall be performed.
- ~~D. C.~~ Surface Inspection. A visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
- ~~E. D.~~ Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist. When necessary, the following standards shall apply:
1. Subsurface probes shall be no less than eight inches/twenty centimeters in diameter (twelve inches/thirty centimeters or more preferred) at the ground surface, and shall delve no less than twenty inches/fifty centimeters deep into natural soil deposits whenever possible.
  2. The most appropriate number of and locations for subsurface probes shall be determined by the archaeologist.
  3. All material excavated by subsurface probes shall be screened using both one-fourth inch and one-eighth inch hardware mesh cloths.

~~16.31.090 — Predetermination reports. A report shall be completed for each predetermination to the high standard of quality which fulfills the purposes of this chapter and standardized guidelines furnished by the department. A completed report shall be submitted to DAHP as well as the city.~~

#### 16.31.100 - REVIEW OF PREDETERMINATION REPORTS ~~AND~~ FURTHER ACTION-REVIEW

A. The A report shall be completed for each predetermination to the high standard of quality which fulfills the purposes of this chapter and standardized guidelines furnished by the department. A completed report shall be submitted to DAHP, ~~to the tribes,~~ as well as the city. Refer to the tribal notification procedures in this chapter (Section 16.31.160). ~~Predetermination reports shall be reviewed by the director.~~

- B. Predetermination reports shall be reviewed by the director. When the director determines that a predetermination report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site is likely to exist.
- C. Where the director determines that an archaeological site is not likely to exist, the application may proceed through the remainder of the development review process.
- D. Where the director determines that an archaeological site is likely to exist, an archaeological resource survey shall be required and carried out in accordance with the provisions of this chapter.

#### 16.31.110 - ARCHAEOLOGICAL RESOURCE SURVEY REQUIRED.

A survey shall be required when the results of a predetermination indicate further investigation is necessary and either:

- A. No previous survey has been done; or
- B. A previous survey or documentation is determined by the director to be inadequate.

#### 16.31.120 - SURVEY STANDARDS.

Surveys shall include at a minimum the following elements and be carried out according to the following standards:

- A. Surveys shall be performed by a professional archaeologist.
- ~~B. Surveys shall be performed to the high standard of quality which fulfills the purposes of this chapter.~~
- ~~C.B.~~ Background Research. A thorough review of records, documentation, and other pertinent literature shall be performed.
- ~~D.C.~~ Surface Inspection. A systematic, one hundred percent visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
- ~~E.D.~~ Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist, utilizing the same standards set forth within CMC Section 16.31.080(E).

#### 16.31.130 - SURVEY REPORTS.

A report shall be completed for each survey in accordance with state guidelines and to the high standard of quality which fulfills the purposes of this chapter. A completed report shall be submitted to DAHP, the tribes, as well as the city.

#### 16.31.140 - REVIEW OF SURVEY REPORTS AND FURTHER ACTION.

- A. Survey reports shall be reviewed by the director.

- B. When the director determines that a survey report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site has been identified.
- C. Where the director determines that no archaeological site has been identified, the application may proceed through the remainder of the development review process.
- D. Where the director determines that an identified archaeological site is not likely to be significant, has been identified and is DAHP and the tribes concur, not likely to be significant, the application may proceed through the remainder of the development review process.
- E. Where the director determines that an archaeological site has been identified and is likely to be significant, archaeological resources shall be further evaluated, avoided, properly mitigated, or properly recovered in accordance with the director's recommendation and subject to state regulations.
- F. Priority for protection in-place and thorough evaluation and data recovery shall be given to significant archaeological sites. Bonding may be required to ensure that the site is treated in accordance with the director's recommendation and provisions of the state permit.
- G. The City will coordinate with the state if mMonitoring and future corrective measures may be required to ensure that an archaeological site is not degraded by a permitted development.

#### 16.31.150 - DISCOVERY PRINCIPLE.

In the event that any item of archaeological interest is uncovered during the course of a permitted ground-disturbing action or activity:

- A. All ground-disturbing activity shall immediately cease.
- B. The applicant shall notify the department and DAHP.
- C. The applicant shall provide for a predetermination and a predetermination report prepared in accordance with the provisions of this chapter. The director shall review the report and issue a determination in accordance with Section 16.31.100 of this chapter in a reasonably diligent manner, taking into account all pertinent factors and conditions (within seven calendar days whenever feasible). Where such determination is that an archaeological site is not likely to exist, construction may continue. Where such determination is that an archaeological site is likely to exist, the applicant shall provide a survey and survey report. The director shall produce a map of the parcel indicating clearly the portion(s) of the parcel, if any, within which construction may continue under the supervision of an archaeologist and monitoring by the director while the required survey is being completed. The provisions of this section shall apply.
- D. In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a one hundred-foot buffer; this number may vary by circumstance) must stop and the following actions taken:
  - 1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and
  - 2. Take reasonable steps to ensure the confidentiality of the discovery site; and
  - 3. Take reasonable steps to restrict access to the site of discovery.
  - 4. The project proponent will notify the concerned tribes and all appropriate city, county, state, and federal agencies, including the Washington State Department of Archaeology and Historical Preservation (DAHP).
  - 5. The agencies and tribe(s) will discuss possible measures to remove or avoid cultural material, and will reach an agreement with the project proponent regarding action to be taken and disposition of material.

**Commented [SF15]:** No changes beyond formatting the paragraph into a numbered list and adding "DAHP".

6. If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be native, consultation with the affected tribes will take place in order to mitigate the final disposition of said remains.

#### 16.31.160 - NOTIFICATION TO TRIBES.

- A. Whenever a predetermination or survey is required, the applicant shall provide the tribes with a copy of the application and all supporting materials.
1. ~~The submittal to the tribes must include city staff contact information. The report must also inform the tribes that any comments on the development must be received by the Director within fourteen days from the date that notification was mailed or electronic mailed ("email").~~
  2. ~~Reports may be sent~~ by certified mail, return receipt requested; ~~or by email.~~
  3. ~~For an application to be considered "technically complete", the applicant must and shall provide proof of compliance with this requirement mailing or emailing to the director.~~
- A-B. Comments from the tribes shall be accepted by the director until five p.m. on the fourteenth day from the date notification was mailed to the tribes. Should the fourteenth day fall on a nonbusiness day, the comment period shall be extended until five p.m. on the next business day.

#### 16.31.170 - ENFORCEMENT.

The provisions of this chapter shall be enforced in accordance with the provisions of CMC Chapter 18.55 of this code.

### CHAPTER 16.33 - PUBLIC VIEW, ~~&~~ OPEN SPACE PROTECTION ~~AND HISTORIC SITES AND STRUCTURES~~

#### Sections:

#### 16.33.010 - PUBLIC VIEW, ~~&~~ OPEN SPACE PROTECTION ~~POLICIES AND HISTORIC SITES AND STRUCTURES.~~

##### A. Policy Background.

1. Camas has a magnificent natural setting of greenery, mountains, and water; visual amenities and opportunities are an integral part of the city's environmental quality.
2. The city has developed particular sites for the public's enjoyment of views of mountains, water, open space networks and skyline and has many scenic routes and other public places where such views enhance one's experience.
3. Obstruction of public views or open space networks may occur when a proposed structure is located in close proximity to the street property line, when development occurs on lots situated at the foot of a street that terminates or changes direction because of a shift in the street grid pattern,

when buildings are built on a ridge line, or when development along a street creates a continuous wall separating the street from the view.

4. As part of the city's character, it is important to preserve sites and structures which reflect significant elements of the city's historic heritage and to designate and regulate such sites and structures as historic landmarks.
5. Adopted land use regulations attempt to protect private views through height and bulk controls and other zoning regulations but it is impractical to protect private views through project-specific review.

#### B. Policies.

1. It is the city's policy to protect public views of the following significant natural and human-made features as viewed from public rights of way, public open spaces and water bodies, public trails and parks, or land that is planned for inclusion in the Open Space Network as identified in the City of Camas Park, Recreation and Open Space Comprehensive Plan (as currently adopted):

a) Mount Hood; and major bodies of water including

b) The Columbia River;

c) Lacamas Lake; and

d) the Washougal River; and

e) The natural backdrop of Lacamas Lake and the Washougal River.

~~These include public places consisting of viewpoints, parks, scenic routes, and view corridors identified in the comprehensive plan and the comprehensive park and recreation plan.~~

3. It is the city's policy to protect public views of historic sites or landmarks designated by the city or identified in the review process which, because of their prominence of location or contrasts or siting, age, or scale, are easily identifiable visual features of their neighborhood or the city and contribute to the distinctive quality or identity of their neighborhood or the city.
4. A proposed project may be conditioned or denied to mitigate view impacts.
5. Mitigating measures may include, but are not limited to:
  - a. Requiring a change in the height of development;
  - b. Requiring a change in the bulk of the development;
  - c. Requiring a redesign of the profile of the development;
  - d. Requiring on-site view corridors or requiring enhancements to off-site view corridors;
  - e. Relocating the project on the site;
  - f. Requiring a reduction or re-arrangement of walls, fences, or plant material; and
  - g. Requiring a reduction or rearrangement of accessory structures including, but not limited to, tower railings and antennae.

#### C. Visual Analysis Required.

1. A view analysis must be submitted when a proposed development is likely to impact the public views of areas identified under Subsection B of this chapter.
2. All visual analyses are to be performed by a qualified Landscape Architect.
3. The visual analysis will assess both positive and negative visual impacts.
4. The supporting documentation must include a minimum of two views for consideration: the view from the development to the public view, and the view toward the development.

#### ~~16.33.015 - ARCHAEOLOGICAL RESOURCES~~

##### ~~A. Policy Background.~~

- ~~1. The city has sites containing objects of archaeological and historical significance.~~
- ~~2. The discovery, identification, excavation, preservation and study of archaeological resources, the inventorying of archaeological sites and collections, and the providing of information to state, federal and private construction agencies regarding the impact of construction activities on archaeological resources are public functions, and the city is an appropriate agency to assist in the carrying out of these functions.~~
- ~~3. The conversion of undeveloped lands into residential, commercial and industrial uses may result in the destruction of archaeological resources.~~
- ~~4. Development of land should be regulated to mitigate adverse impacts to archaeological resources.~~

##### ~~B. Policies.~~

- ~~1. It is the city's policy to identify, inventory and preserve archaeological resources and archaeological sites located within the city.~~
- ~~2. Whenever a development proposal contains a known or suspected archaeological site, the responsible officials shall assess the probable effect of the impact and the need for mitigating measures.~~
- ~~3. Whenever the responsible official determines that a development project may contain an archaeological site or may adversely impact a known archaeological site, the proponent may be required to retain the services of a qualified professional archaeologist to assess the impact of the development, and to propose such mitigating measures as may be necessary.~~
- ~~4. The responsible official shall notify the Washington State Office of Archaeology and Historic Preservation, Department of Community Development, of any development activity that may adversely impact a recognized or suspected archaeological site.~~
- ~~5. If the responsible official makes a written finding that a development project will adversely impact an archaeological site, then the responsible official may condition or deny the development project to minimize such adverse impact.~~
- ~~6. Mitigation measures may include:~~
  - ~~a. Reduction in size or scope of the project;~~
  - ~~b. Requiring the implementation of mitigation measures as recommended by a professional archaeologist;~~
  - ~~c. Requiring compliance with any permits or conditions as may be imposed or recommended by the Washington State Office of Archaeology and Historic Preservation.~~
- ~~7. If archaeological resources are discovered on a development site after approval of the development by the city without the imposition of appropriate mitigation measures, then the responsible official may issue an order to cease and desist all development activity in the affected area until such time as an appropriate archaeological resources assessment can be undertaken and mitigating measures, if necessary, implemented.~~

#### ~~16.33.020 - TRAFFIC AND TRANSPORTATION~~

##### ~~A. Policy Background.~~

- ~~1. Excessive traffic can adversely affect the stability, safety and character of Camas' neighborhoods and downtown.~~

**Commented [SF16]:** Redundant. Moved the relevant policies to Chapter 16.31 Archaeological Resources

**Commented [SF17]:** These transportation policies can be found in the city's comprehensive plan or in Chapter 17.19.

- ~~2. Substantial traffic volumes associated with major projects may adversely impact surrounding areas.~~
- ~~3. Individual projects may create adverse impacts on transportation facilities which service such projects. Such impacts may result in a need for turn channelization, right-of-way dedication, street widening, or other improvements including traffic signalization.~~

~~B. Policies.~~

- ~~1. Minimize or prevent adverse traffic impacts that would undermine the stability, safety and/or character of downtown, a neighborhood, or surrounding areas.~~
- ~~2. In determining the necessary traffic and transportation impact mitigation, the responsible official shall examine the expected peak traffic and circulation pattern of the proposed project weighed against such factors as the availability of public transit; existing vehicular and pedestrian traffic conditions; accident history; the trend in local area development; parking characteristics of the immediate area; the use of the street as determined by the city and the availability of goods, services and recreation with reasonable walking or biking distance.~~
- ~~3. Mitigating measures which may be applied to projects may include, but are not limited to:
  - ~~a. Changes in access;~~
  - ~~b. Changes in the location, number and size of curb cuts and driveways;~~
  - ~~c. Provision of transit incentives including transit pass subsidies;~~
  - ~~d. Bicycle parking;~~
  - ~~e. Signage;~~
  - ~~f. Improvements to pedestrian and vehicular traffic operations including signalization, turn channelization, right-of-way dedication, street widening, or other improvements proportionate to the impacts of the project; and~~
  - ~~g. Transportation management plans.~~~~
- ~~4. For projects which result in adverse impacts, the responsible official may reduce the size and/or scale of the project if the responsible official determines that the traffic improvements outlined under the above paragraph would not be adequate to effectively mitigate the adverse impacts of the project.~~

~~16.33.030 GROUND AND SURFACE WATER QUALITY.~~

~~A. Policy Background.~~

- ~~1. Camas' water quality is adversely affected primarily dumping of pollutants and drainage-related sewage overflows into its lakes, streams, creeks, and other systems draining into the Washougal and Columbia Rivers.~~
- ~~2. Camas' water quality is also adversely affected by storm drainage runoff; nonpoint source discharges from streets, parking lots and other impervious surfaces; and construction site runoff.~~
- ~~3. Federal, state and regional water quality regulations and programs cannot always anticipate or eliminate adverse impacts to water quality.~~

~~B. Policies.~~

- ~~1. It is the city's policy to minimize or prevent adverse water quality impacts.~~
- ~~2. For any project proposal which poses a potential threat to water quality in Camas, the responsible official shall assess the probable effect of the impact and the need for mitigating measures. The~~

~~assessment shall be completed in consultation with appropriate agencies with water quality expertise.~~

- ~~3. If the responsible official makes a written finding that the applicable federal, state and regional regulations did not anticipate or are inadequate to address the particular impact(s) of the project, the responsible official may condition or deny the project to mitigate its adverse impacts.~~
- ~~4. Mitigating measures may include, but are not limited to:~~
  - ~~a. Use of an alternative technology;~~
  - ~~b. Reduction in the size or scope of the project or operation;~~
  - ~~c. Landscaping; and~~
  - ~~d. Limits on the time and duration of the project or operation.~~

#### ~~16.33.040 - PUBLIC FACILITIES.~~

##### ~~A. Policy Background.~~

- ~~1. A single development though otherwise consistent with zoning regulations, may create excessive demands upon existing public services and facilities. "Public services and facilities" in this context includes facilities such as sewers, storm drains, solid waste disposal facilities, parks, schools, police and fire facilities, and streets and services such as transit, solid waste collection, public health services, and police and fire protection, provided by either a public or private entity.~~

##### ~~B. Policies.~~

- ~~1. It is the city's policy to minimize or prevent adverse impacts to existing public services and facilities.~~
- ~~2. The responsible official may require as part of the environmental review of a project, a reasonable assessment present and planned condition and capacity of public services and facilities to serve the area affected by the proposal.~~
- ~~3. Based upon such analyses, a project which would result adverse impacts on existing public services and facilities may be conditioned or denied to lessen its demand for services and facilities, or required to improve or add services and/or facilities to meet demand caused by the project.~~

## CHAPTER 16.35 - HISTORIC PRESERVATION

### 16.35.010 - PURPOSE.

The purpose of this chapter is to provide for the identification, evaluation and protection of cultural and historic resources in the city and to encourage the preservation, restoration and rehabilitation of these resources for future generations in order to:

- A. Safeguard the heritage of Camas as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the city's history;
- B. Increase recognition of Camas' cultural and historic resources;
- C. Foster a sense of identity based upon the city's history;
- D. Assist, encourage and provide incentives to property owners for preservation, restoration and reuse of significant buildings, districts, objects, sites and structures; and



- E. Promote and facilitate the early identification and resolution of conflicts between preservation of cultural and historic resources and alternative land uses.

#### 16.35.020 - APPLICABILITY.

This chapter applies to:

- A. Property(ies) within the city listed or eligible to be listed on any historic or cultural resource inventory for Clark County;
- B. Property(ies) within the city listed or eligible to be listed on the National Register of Historic Places, Washington State Heritage Register, Clark County Heritage Register or other local register for Clark County.

#### 16.35.030 - DEFINITIONS.

In addition to those definitions listed in CMC Chapter 18.03, the following terms when used in this chapter shall mean as follows, unless a different meaning clearly appears from the context:

- 1. "Board" shall refer to the ~~Clark County board of commissioners~~Board of County Councilors, except where reference is made to the "local review board" for purposes of the special valuation tax incentive program.
- 2. "Clark County cultural resources inventory" or "inventory" means a comprehensive inventory of historic resources within the boundaries of Clark County including resources identified in the Clark County cultural resources inventory and other inventories by local jurisdictions within Clark County.
- 3. "Commission" means the "Clark County ~~historic~~Historic preservation~~Preservation~~commissionCommission."
- 4. "Contributing" means a property which dates to the historic period and retains sufficient physical integrity so as to convey its historic character.
- 5. "Cultural resources" consist of historic or prehistoric or archaeological sites and standing structures, cemeteries, burial grounds and funerary objects and distributions of cultural remains and artifacts.
- 6. "Emergency repair" means work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.
- ~~6.7.~~ "Historic district" is a geographically definable area possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development.
- ~~6.8.~~ "National Register of Historic Places" means the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering or cultural heritage.
- ~~6.9.~~ "Noncontributing" means a property which either does not date to the historic period or has not retained sufficient physical integrity so as to convey its historic character.
- ~~6.10.~~ "Ordinary repair and maintenance" means work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.
- ~~6.11.~~ "Qualified archaeologist" means a person who has had formal training and/or experience in archaeology over a period of at least three years, and has been certified in writing to be a qualified archaeologist by two professional archaeologists, as defined in RCW 27.53.030.

7.12. "Significance" shall refer to a quality of a property which helps one understand the history of the local area, state, or nation by illuminating the local, statewide or nationwide impact of the events or persons associated with the property, or its architectural type or style in information potential. The local area may be as large as Clark County or Southwest Washington, or as small as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

13. "Special valuation tax incentive program" or "special valuation" means the local option program, ~~which makes~~ available to property owners a special tax valuation for rehabilitation of historic property(ies). ~~This program allows under which~~ the assessed value of an eligible historic property ~~is to be determined based on~~ at a rate that excludes, for up to ten years, the actual cost of the rehabilitation.

8.14. "Washington Heritage Register" means the state listing of properties significant to the community, state or nation but which do not meet the criteria of the National Register of Historic Places.

#### 16.35.040 - CLARK COUNTY HISTORIC PRESERVATION COMMISSION.

- A. Authority. The Clark County historic preservation commission shall serve as the review authority on matters of historic preservation as outlined in subsection C of this section for properties within the city of Camas.
- B. Composition of the Commission. Appointments to the commission shall be made by the ~~Clark County board of commissioners~~ Board of County Councilors. All members shall be selected based on the professional or demonstrated expertise criteria (CCC Section 18.328.040(B)), rather than by geographic distribution.

#### 16.35.050 - NATIONAL REGISTER OF HISTORIC PLACES.

- A. Nominations to the National Register of Historic Places shall be reviewed as established in the Code of Federal Regulations (36 CFR 60).
- B. The commission shall hold a duly advertised public hearing at a regularly scheduled meeting at which the applicable criteria are reviewed and a recommendation forwarded to the State Department of Archaeology and Historic Preservation (DAHP) within sixty days of the date of application. The ~~QAHP~~ DAHP shall complete the designation process and notify the applicant of the designation decision.

#### 16.35.060 - CLARK COUNTY HERITAGE REGISTER.

- B. Nominating, Designating and Listing Property(ies) or Districts to the local Clark County Heritage Register.

#### 16.35.100 - CLARK COUNTY CULTURAL RESOURCES INVENTORY.

- A. Purpose of the Inventory. The Clark County cultural resources inventory is a tool for planning and research, and includes those resources believed to have cultural or historic significance for the City, the Clark County, the region, or the nation, regardless of current ownership.

**Commented [SF18]:** Previously called the **Board of County Commissioners**, the panel became the Board of County Councilors Jan. 1, 2015 under a home rule charter approved by voters in November 2014. The three-member council expanded Jan. 1, 2016 to five members, including an elected chair and a fourth councilor elected at the district level.

## CRITICAL AREAS

### CHAPTER 16.51 - GENERAL PROVISIONS FOR CRITICAL AREAS

#### 16.51.090 - APPLICABILITY.

~~Land proposals~~The following proposed activities below are subject to the criteria, guidelines, report requirements, conditions, and performance standards in this title:

- A. Binding site plan;
- B. Blasting permits;
- C. Commercial development;
- D. Conditional use permit;
- E. Light industrial or industrial development;
- F. Planned residential development;
- G. Short plat;
- H. Subdivision;

~~I. Shoreline substantial development permit;~~

~~J. Any grading, filling, or clearing of land, or logging or removal of timber on land characterized in a critical area described in CMC Section 16.51.070(A); and~~

~~K. Other activities as specified within this title.~~

**Commented [SF19]:** Developments proposed within shoreline management areas are governed by the Camas Shoreline Master Program, which has critical area regulations specific to those areas.

#### 16.51.120 - ALLOWED ACTIVITIES.

- A. Critical Area Report not ~~Required~~required. Activities which have been reviewed and permitted or approved by the city, or other agency with jurisdiction, for impacts to critical or sensitive areas, do not require submittal of a new critical area report or application under this chapter, unless such submittal was required previously for the underlying permit.
- B. Required Use of Best Management Practices. All allowed activities shall be conducted using the best management practices, adopted pursuant to other provisions contained in this code, that result in the least amount of impact to the critical areas. Best management practices shall be used for tree and vegetation protection, construction management, erosion and sedimentation control, water quality protection, and regulation of chemical applications. The city shall monitor the use of best management practices to ensure that the activity does not result in degradation to the critical area. Any incidental damage to, or alteration of, a critical area shall be restored, rehabilitated, or replaced at the responsible party's expense.
- C. Allowed Activities. The following activities are allowed:
  - 1. Permit Requests Subsequent to Previous Critical Area Review. Development permits and approvals that involve both discretionary land use approvals (such as subdivisions, rezones, or conditional use permits) and construction approvals (such as building permits) if all of the following conditions have been met:
    - a. There have been no material changes in the potential impact to the critical area or management zone since the prior review,
    - b. There is no new information available that is applicable to any critical area review of the site or particular critical area,

- c. ~~The permit or approval has not expired or, if no expiration date, no~~ No more than five years has elapsed since the issuance of ~~that the~~ permit or approval, and
  - d. Compliance with any standards or conditions placed upon the prior permit or approval has been achieved or secured;
2. Modification to Existing Structures. Structural modifications, additions to, or replacement of an existing legally constructed structure that does not further alter or increase the impact to the critical area or management zone, and where there is no increased risk to life or property as a result of the proposed modification or replacement, provided that restoration of structures substantially damaged by fire, flood, or act of nature must be initiated within one year of the date of such damage, as evidenced by the issuance of a valid building permit, and diligently pursued to completion;
3. Activities Within the Improved Right-of-Way. Replacement, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the improved portion of the public right-of-way or a city-authorized private roadway, except those activities that alter a wetland or watercourse, such as culverts or bridges, or results in the transport of sediment or increased stormwater;
4. Public and Private Pedestrian Trails.
- a. Existing public and private trails established consistent with the city of Camas parks and open space plan may be maintained, replaced, or extended, provided there is no increase in the impact to the critical area or management zone.
  - b. Other public and private pedestrian trails, except in wetlands, fish and wildlife habitat conservation areas, or their management zones, subject to the following:
    - i. The trail surface shall meet all other requirements including water quality standards set forth in the city of Camas Design Standards Manual,
    - ii. Critical area and/or management zone widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas, and
    - iii. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion, and in accordance with an approved geotechnical report;
5. Selective Vegetation Removal Activities. The following vegetation removal activities are allowed without a permit:
- a. The removal of invasive plant species including Himalayan blackberry (*Rubus discolor*, *R. procerus*), Evergreen blackberry (*Rubus laciniatus*), English Ivy as well as any other noxious weed or invasive plant species acknowledged by the city. Tree topping is prohibited.
  - b. Invasive plant removal must be performed with hand labor and light equipment (e.g., push mowers, powered trimmers, etc.).
  - c. Measures to control a fire or halt the spread of disease or damaging insects consistent with the State Forest Practices Act; Chapter 76.09 RCW, and Camas fire department requirements; provided, that the removed vegetation shall be replaced in-kind or with similar native species within one year in accordance with an approved restoration plan;
  - 6d. Chemical Applications. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, provided that their use shall be restricted in accordance with Department of Fish and Wildlife Management Recommendations, and the regulations of the Department of Agriculture and the U.S. Environmental Protection Agency;\*
  - 7e. Minor Site Investigative Work. Work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads or significant amounts of excavation. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored; and

**Commented [SF20]:** Many site plan permits expire within 2 years. It seems excessive to require new critical area reports in such a short time.

- 8f. Navigational Aids and Boundary Markers. Construction or modification of navigational aids and boundary markers.

#### 16.51.125 VEGETATION REMOVAL PERMIT

A. Vegetation and tree removal from a critical area or its management zone must be approved by the Director, ~~and~~ An application must include the following information:

1. The applicant must submit a report from a certified arborist, ~~registered landscape architect,~~ or professional forester that documents the hazard and provides a pruning plan or replanting schedule plan for the replacement trees and vegetation. Report must be prepared by a professional unaffiliated with the company proposing to remove the tree(s).

2. Tree cutting/pruning is preferred over felling. Pruning includes shall be limited to the removal of a hazardous branch; crown thinning or crown reduction limbing and crown thinning. When limbing or crown thinning/pruning is not insufficient to address the hazard, unless otherwise then trees should be topped to removed as justified by a qualified professional. the hazard rather than cut at or near the base of the tree.

a. Tree topping is prohibited. Topping is the cutting of tree branches to stubs or to lateral branches that are not large enough to assume the terminal role.

b. Reduction. Reduction reduces the size of a tree, often for utility line clearance. Reducing a tree's spread is best accomplished by pruning back the leaders and branch terminals to secondary branches that are large enough to assume the terminal roles. Compared to topping, reduction helps maintain the form and structural integrity of the tree.

a-c. Crown cleaning and thinning. Proper pruning opens the foliage of a tree, reduces weight on heavy limbs, removes dead branches, and helps retain the tree's natural shape and height.

iiiB. Mitigation Required. The landowner shall replace any trees that are felled ~~or topped~~ with new trees at a ratio of two replacement trees for each tree felled ~~or topped~~ within one year in accordance with an approved restoration plan.

1. Tree species that are native and indigenous to the site and a minimum caliper of two inches shall be used.

2. If a tree to be removed provides critical habitat, such as an eagle perch, a qualified wildlife biologist shall be consulted to determine timing and methods of removal that will minimize impacts.

C. ~~v.~~ Hazard trees determined to pose an imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation, may be removed ~~or topped~~ by the landowner prior to receiving written approval from the city; provided, that within fourteen days following such action, the landowner shall submit a proof of hazard (e.g. photos) together with a restoration plan that demonstrates compliance with these provisions, ~~and~~.

#### 16.51.130 - REVIEW REQUIRED.

Mapping. The approximate location and extent of critical areas are shown on ~~the adopted~~ critical area maps that are provided by interlocal contract by the Clark County Geographic Information Systems (a.k.a. "Maps Online"). These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continually updated as new critical areas are identified. They are a reference and do not provide a final critical area designation or delineation. If the proposed activity is within, adjacent to (within 200 feet), or is likely to impact a critical area, the city shall require a critical area report from the applicant that has been prepared by a qualified professional. If the report concludes that there is a critical area present then the city of Camas shall:

- A. Review and evaluate the critical area report;

**Commented [SF21]:** •Tree topping is not a justifiable pruning practice per ISA.

•It increases tree health problems and is aesthetically unappealing

•A topped tree will require constant maintenance and has an increased potential to become hazardous

•Hazardous trees are a liability and ultimately the property owner is responsible for any damage hazard trees cause

•Certified arborists and other legitimate landscape professionals do not practice tree topping

•There are acceptable pruning techniques designed to keep trees away from power lines and other structures

•If problems caused by a tree **cannot** be solved through acceptable management practices, the tree should be removed and replaced with plant material more appropriate for the site

**Commented [SF22]:** These definitions are borrowed from ISA and were shortened from their original versions after discussion with Planning Commission at the workshop in November.

- B. Determine whether the development proposal conforms to the purposes and performance standards of these provisions;
- C. Assess potential impacts to the critical area and determine if they are necessary and unavoidable; and
- D. Determine if any mitigation proposed by the applicant is sufficient to protect the functions and values of the critical area and public health, safety, and welfare concerns consistent with the goals, purposes, objectives, and requirements of these provisions.

#### 16.51.210 - CRITICAL AREA MARKERS, SIGNS AND FENCING.

- A. Temporary Markers. The outer perimeter of the management zones and/or critical areas ~~may be required~~must to be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by the director prior to the commencement of permitted activities. This temporary marking, ~~if required,~~ shall be maintained throughout construction, and shall not be removed until installation of permanent signs, if required, are in place or final city approval is granted.
- B. Permanent Signs. The city may require, as a condition of any permit or authorization issued pursuant to this chapter, that the applicant install permanent signs along the boundary of a critical area or management zone to city standards.
- C. ~~Fencing. The director may condition any permit or authorization issued pursuant to this chapter to require the applicant to install~~ation of a permanent fence ~~to city specifications~~ at the edge of the habitat conservation area or management zone ~~is required, when, in the opinion of the city,~~
  - 1. Fencing may be waived in the following circumstances:
    - a. The applicant demonstrates that fencing will ~~not reasonably~~ prevent future impacts to the habitat conservation area.
    - b. The director determines that a proposed use adjoining the buffer does not pose a threat to the critical area and buffer functions, or there is a public safety issue.
  - 2. Fencing installed as part of a proposed activity shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed 42-inches high and in a manner that minimizes habitat impacts. Approved fencing styles include: vinyl coated chain link, wooden split rail, or similar, as approved by the city.

**Commented [SF23]:** This requirement is consistently a SEPA mitigation measure. Making fencing a requirement would eliminate the need to use SEPA authority.

**Commented [SF24]:** Modifications were made to this section per SEPA Comment by Joe Turner, in order to not contradict fencing allowed in wetland areas at **Section 16.53.040.**

## WETLANDS

### CHAPTER 16.53 - WETLANDS

#### 16.53.040 - STANDARDS.

A. Activities and uses shall be prohibited from wetlands and wetland buffers, except as provided for in this chapter.

**B. Wetland Buffers.**

3. Where a residential plat ~~and subdivisions~~ is proposed ~~within shoreline jurisdiction~~, wetlands and wetland buffers shall be placed within a non-buildable tract. Refer to density transfer options within CMC Chapter 18.09 Density and Dimensions, if lot dimensions are reduced below minimum standards, unless creation of a tract would result in violation of minimum lot depth standards.

4. Adjusted Buffer Width ~~in Shoreline Jurisdiction~~.

- a. Adjustments Authorized by Wetland Permits. Adjustments to the required buffer width are authorized by Section 16.53.050(D) of this section upon issuance of a wetland permit.
- b. Functionally Isolated Buffer Areas. Areas which are functionally separated from a wetland and do not protect the wetland from adverse impacts shall be treated as follows:
  - i. Preexisting roads, structures, or vertical separation shall be excluded from buffers otherwise required by this chapter;
  - ii. Distinct portions of wetlands with reduced habitat functions that are components of wetlands with an overall habitat rating score greater than five points shall not be subject to the habitat function buffers designated in Tables 16.53.040-2 and 16.53.040-3 if all of the following criteria are met:
    - (A) The area of reduced habitat function is at least one acre in size;
    - (B) The area does not meet any WDFW priority habitat or species criteria; and
    - (C) The required habitat function buffer is provided for all portions of the wetland that do not have reduced habitat function.
    - (D) The buffer reduction afforded by this subsection shall not exceed seventy-five percent of the required buffer width of Category I and II wetlands.

C. Standard Requirements. Any action granting or approving a development permit application shall be conditioned on all the following:

1. ~~Temporary~~ Marking Buffer During Construction. The location of the outer extent of the wetland buffer shall be marked in the field and such markings shall be maintained throughout the duration of ~~the permit review and construction~~.
2. Permanent Marking of Buffer Area. A permanent physical demarcation of fencing and signs along the upland boundary of the wetland buffer area shall be installed and ~~thereafter perpetually maintained~~.
  - a. ~~Fencing~~ Such demarcation may must consist of logs, a tree or hedge row, be 42-inches high continuous fencing, which is vinyl coated chain link, wooden split rail, or similar, as approved by the city or other prominent physical marking approved by the responsible official. In addition, signs
  - b. Signs must measure ~~small twelve inch (12") by eighteen inch (18")~~ and shall be posted on a six foot high green steel post at an interval of one per lot. If demarcation is along a tract boundary without lots, then place signs at an interval of ~~or every one hundred feet, whichever is less, and Signs must be perpetually maintained at locations along the outer~~

**Commented [SF25]:** The preceding subsection 1, 2 and the Tables are not being proposed to be modified or amended. Keep those sections as adopted.

**Commented [SF26]:** Modified to be consistent with Section 16.51.210, in response to SEPA Comments from Joe Turner.

~~perimeter of the wetland buffer as approved by the responsible official, and worded substantially as follows: **Wetland and Buffer Area—Please retain in a natural state.**~~

c. Fencing may be waived in the following circumstances:

i. The applicant demonstrates that fencing will not reasonably prevent future impacts to the ~~habitat conservation~~ wetland and buffer area.

i-ii. The director determines that a proposed use adjoining the buffer does not pose a threat to the critical area and buffer functions, or there is a public safety issue.

3. A conservation covenant shall be recorded in a form approved by the city as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer.

4. In the case of plats, short plats, and recorded site plans, include on the face of such instrument the boundary of the wetland and its buffer, and a reference to the separately recorded conservation covenant provided for in subsection (C)(3) of this section.

D. Standard Requirements—Waivers. The responsible official shall waive the requirements of Section 16.53.030(D) and subsection B of this section in certain cases described below if the applicant designates development envelopes which are clearly outside of any wetland or buffer. The responsible official may require partial wetland delineation to the extent necessary to ensure eligibility for this waiver:

1. Residential building permits and home businesses;
2. Site plan reviews where the responsible official determines that all development is clearly separated from the wetlands and wetland buffers:
  - a. Development envelopes shall be required for a fully complete preliminary application;
  - b. Development envelopes shall be shown on the final site plan; and
  - c. A note referencing the development envelopes shall be placed on the final site plan.

#### 16.53.050 - WETLAND PERMITS.

D. STANDARDS—WETLAND ACTIVITIES. THE FOLLOWING ADDITIONAL STANDARDS APPLY TO THE APPROVAL OF ALL ACTIVITIES PERMITTED WITHIN WETLANDS UNDER THIS SECTION

5. Alternate Wetland Mitigation.

...

~~6. Stormwater Facilities in Shoreline Jurisdiction. Stormwater facilities shall follow the specific criteria in the [Shoreline Master] Program, Chapter 6 at Section 6.3.15, Utilities Uses.~~

~~7. Utility Crossings. Crossing wetlands by utilities is allowed, provided the activity is not prohibited by subsection (D)(1) of this section, and provided all the following conditions are met:~~

- a. The activity does not result in a decrease in wetland acreage or classification;
- b. The activity results in no more than a short-term six-month decrease in wetland functions; and
- c. Impacts to the wetland are minimized.

~~8. Other Activities Allowed in a Wetland. Activities not involving stormwater management, utility crossings, or wetland mitigation are allowed in a wetland, provided the activity is not prohibited~~



by subsection (D)(1) of this section and if it is not subject to a shoreline permit as listed in Chapter 2 of the [Shoreline Master] Program, and provided all the following conditions are met:

- a. The activity shall not result in a reduction of wetland acreage or function; and
- b. The activity is temporary and shall cease or be completed within three months of the date the activity begins.

#### CHAPTER 16.61 - FISH AND WILDLIFE HABITAT CONSERVATION AREAS

##### 16.61.040 - PERFORMANCE STANDARDS—SPECIFIC HABITATS.

###### A. Endangered, Threatened, and Sensitive Species.

1. No development shall be allowed within a habitat conservation area or buffer with which state or federally listed endangered, threatened, or sensitive species have a documented presence.
2. Activities proposed adjacent to a habitat conservation area with which state or federally listed endangered, threatened, or sensitive species have a documented presence shall be protected through the application of protection measures in accordance with a critical area report prepared by a qualified professional and approved by the city of Camas. Approval for alteration of land adjacent to the habitat conservation area or its buffer shall include consultation with the Department of Fish and Wildlife and the appropriate federal agency.

**Commented [SF27]:** SEPA comment from Joe Turner asked if the term "development activity" (note: "activity" had been added) was defined separately from "development"? Staff is unsure what prompted this change and has withdrawn the change based on this comment.

###### B. Anadromous Fish.

1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards:
  - a. Activities shall be timed to occur only during the allowable work window as designated by the Department of Fish and Wildlife for the applicable species;
  - b. An alternative alignment or location for the activity is not feasible;
  - c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; and
  - d. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.
2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish, and shall prevent fry and juveniles migrating downstream from being trapped or harmed.
3. Fills may only intrude into water bodies used by anadromous fish when ~~consistent with the Camas shoreline master program, and~~ the applicant demonstrates that the fill is for a water-dependent use that is in the public interest.

###### C. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall, at a minimum, conform to the wetland development performance standards set forth in Chapter 16.53, Wetlands.

###### D. Stream Buffer Widths. Stream buffers are established for habitats that include aquatic systems. Unless otherwise allowed in this title, all structures and activities shall be located outside of the stream buffer area.

The following base stream buffer widths are based upon the Washington Department of Natural Resources (DNR) Water Typing System and further classification based upon fish presence (Fish bearing v. Non-fish Bearing) for Type F streams existing in the city of Camas. Widths shall be measured outward, on the horizontal plane, from the ordinary high water mark, or from the top of bank if the ordinary high water mark cannot be identified. Buffer areas should be sufficiently wide to achieve the full range of riparian and aquatic ecosystem functions, which include but are not limited to protection of instream fish habitat through control of temperature and sedimentation in streams, preservation of fish and wildlife habitat, and connection of riparian wildlife habitat to other habitats.

#### STREAM BUFFER WIDTHS

Stream Type	Base Buffer Width
<b>Type S</b>	150 feet
<b>Type F, anadromous fish-bearing stream flowing to reaches with anadromous fish-bearing access</b>	100 feet
<b>Type F, anadromous fish-bearing stream flowing to reaches without anadromous fish-bearing access</b>	75 feet
<b>Type F, non-anadromous fish-bearing stream</b>	75 feet
<b>Type Np</b>	50 feet
<b>Type Ns</b>	25 feet

1. Increased Stream Buffer Area Widths. The base stream buffer width may be increased, as follows:
  - a. When the city determines that the base width is insufficient to prevent habitat degradation, and to protect the structure and functions of the habitat area; and
  - b. When the habitat area is within an erosion or landslide hazard area, or buffer, the stream buffer area shall be the base width, or the erosion or landslide hazard area or buffer, whichever is greater.
2. Stream Buffer Area Reduction and Averaging. The director may allow the base stream buffer area width to be reduced in accordance with a critical area report only if:
  - a. The width reduction will not reduce or degrade stream or habitat functions, including anadromous fish habitat and those of nonfish habitat;
  - b. The stream buffer area width is not reduced by more than fifty percent in any one location;
  - c. The stream buffer area width is not reduced to less than fifteen feet;
  - d. The width reduction will not be located within another critical area or associated buffer, and the reduced stream buffer area width is supported by best available science;
  - e. All undeveloped lands within the area will be left undeveloped in perpetuity by covenant, deed restriction, easement, or other legally binding mechanism;
  - f. The buffer averaging plan shall be conducted in consultation with a qualified biologist and the plan shall be submitted to the Washington Department of Fish and Wildlife for comment; and
  - g. The city will use the recommendations of the qualified experts in making a decision on a plan that uses buffer averaging.

3. Stream Buffer Mitigation. Mitigation of adverse impacts to stream buffer areas shall result in equivalent functions and values, on a per function basis, and be located in the same drainage basin as the habitat impacted.
  4. Alternative Mitigation for Stream Buffer Areas. The requirements set forth in this section may be modified at the city-of Camas's discretion if the applicant demonstrates that greater habitat functions, on a per function basis, can be obtained in the affected drainage basin as a result of alternative mitigation measures.
- E. Stream Buffer Areas, Ponds, ~~Lakes,~~ and Waters of the State. The following specific activities may be permitted within a stream buffer area, ponds, ~~lake,~~ and water of the state, or associated buffer when the activity complies with ~~the provisions set forth in the city of Camas shoreline master program, and subject to the~~ following standards:
1. Clearing and Grading. When clearing and grading is permitted as part of an authorized activity, or as otherwise allowed in these standards, the following shall apply:
    - a. Grading is allowed only during the dry season, which is typically regarded as beginning on May 1st and ending on October 1st of each year, provided that the city of Camas may extend or shorten the dry season on a case-by-case basis.
    - b. Filling or modification of a wetland or wetland buffer is permitted only if it is conducted as part of an approved wetland alteration.
    - c. Erosion and sediment control that meets or exceeds the standards set forth in the city of Camas Design Standards Manual shall be provided.
  2. Streambank Stabilization. Streambank stabilization to protect new structures from future channel migration is not permitted except when such stabilization is achieved through bio-engineering or soft armoring techniques in accordance with an approved critical area report.
  3. Launching Ramps—Public or Private. Launching ramps may be permitted in accordance with an approved critical area report that has demonstrated the following:
    - a. The project will not result in increased beach erosion or alterations to, or loss of, shoreline substrate within one-quarter mile of the site; and
    - b. The ramp will not adversely impact critical fish or wildlife habitat areas or associated wetlands.
  4. Docks. Repair and maintenance of an existing dock or pier may be permitted subject to the following:
    - a. There is no increase in the use of materials creating shade for predator species;
    - b. There is no expansion in overwater coverage;
    - c. There is no increase in the size and number of pilings; and
    - d. There is no use of toxic materials (such as creosote) that come in contact with the water.
  5. Roads, Trails, Bridges, and Rights-of-Way. Construction of trails, roadways, and minor road bridging, less than or equal to the city's street standards, may be permitted in accordance with an approved critical area report subject to the following standards:
    - a. The crossing minimizes interruption of downstream movement of wood and gravel;
    - b. Mitigation for impacts is provided pursuant to a mitigation plan of an approved critical area report;
    - c. If applicable, road bridges are designed according to the Department of Fish and Wildlife Fish Passage Design at Road Culverts, March 1999, as amended, and the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000, as amended; and

**Commented [SF28]:** CMC only applies to those streams that are not within the jurisdiction of the SMP. If the streams are within the jurisdiction of the SMP, then the SMP would be applied, not the CMC.

- d. Trails and associated viewing platforms shall not be made of continuous impervious materials.
- 6. Utility Facilities. New underground utility lines and facilities may be permitted to cross watercourses in accordance with an approved critical area report if they comply with the following standards:
  - a. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone (sediments underlying the surface stream) of the water body;
  - b. The utilities shall cross at an angle greater than sixty degrees to the centerline of the channel in streams or perpendicular to the channel centerline whenever boring under the channel is not feasible, and shall be contained within the footprint of an existing road or utility crossing where possible; and
  - c. The utility route should avoid paralleling the stream or following a down-valley course near the channel; and
  - d. Installation shall not increase or decrease the natural rate of shore migration or channel migration.
- 7. Public Flood Protection Measures. New public flood protection measures and expansion of existing ones may be permitted, subject to the city-of-Camas's review and approval of a critical area report and the approval of a federal biological assessment by the federal agency responsible for reviewing actions related to a federally listed species.
- 8. Instream Structures. Instream structures, such as high flow bypasses, sediment ponds, instream ponds, retention and detention facilities, tide gates, dams, and weirs, shall be allowed only as part of an approved watershed basin restoration project approved by the city of Camas, and upon acquisition of any required state or federal permits. The structure shall be designed to avoid modifying flows and water quality in ways that may adversely affect habitat conservation areas.
- 9. Stormwater Conveyance Facilities. Conveyance structures may be permitted in accordance with an approved critical area report subject to the following standards:
  - a. Mitigation for impacts is provided;
  - b. Instream stormwater conveyance facilities shall incorporate fish habitat features; and
  - c. Vegetation shall be maintained and, if necessary, added adjacent to all open channels and ponds in order to retard erosion, filter out sediments, and shade the water.
- 10. On-Site Sewage Systems and Wells. All developments subject to review under this section shall be connected to city water and sanitary facilities. Existing private water and sanitary facilities shall be abandoned in a manner consistent with state law.

# CAMAS MUNICIPAL CODE - TITLE 16 ENVIRONMENT

Exhibit 2  
MC16-06

Current Through Ordinance # 16-017

## CHAPTER 16.01 - GENERAL PROVISIONS

### Sections:

#### 16.01.010 - STATUTORY AUTHORITY.

The city adopts this chapter under the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA Rules, WAC 197-11-904.

#### 16.01.020 - SEVERABILITY.

If any provision of this title or its application to any person or circumstances is held invalid, the remainder of this title, or the application of the provision to other persons or circumstances, shall not be affected.

## CHAPTER 16.03 - DEFINITIONS

### Sections:

#### 16.03.010 - ADOPTION BY REFERENCE.

This chapter contains uniform usage and definitions of terms under SEPA. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented by WAC 173-806-030 above:

197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.
197-11-714	Agency.
197-11-716	Applicant.
197-11-718	Built environment.
197-11-720	Categorical exemption.
197-11-722	Consolidated appeal.
197-11-724	Consulted agency.
197-11-726	Cost-benefit analysis.
197-11-728	County/City.
197-11-730	Decisionmaker.

197-11-732	Department.
197-11-734	Determination of non-significance (DNS).
197-11-736	Determination of significance (DS).
197-11-738	EIS.
197-11-740	Environment.
197-11-742	Environmental checklist.
197-11-744	Environmental document.
197-11-746	Environmental review.
197-11-748	Environmentally sensitive area.
197-11-750	Expanded scoping.
197-11-752	Impacts.
197-11-754	Incorporation by reference.
197-11-756	Lands covered by water.
197-11-758	Lead Agency.

197-11-760	License.
197-11-762	Local Agency.
197-11-764	Major action.
197-11-765	Mitigated DNS.
197-11-768	Mitigation.
197-11-770	Natural environment.
197-11-772	NEPA.
197-11-774	Nonproject.
197-11-776	Phased review.
197-11-778	Preparation.
197-11-780	Private Project.

197-11-782	Probable.
197-11-784	Proposal.
197-11-786	Reasonable alternative.
197-11-788	Responsible official.
197-11-790	SEPA.
197-11-792	Scope.
197-11-793	Scoping.
197-11-794	Significant.
197-11-796	State Agency.
197-11-797	Threshold determination.
197-11-799	Underlying governmental action.

## CHAPTER 16.05 - ADMINISTRATIVE PROVISIONS

### Sections:

#### 16.05.010 - ADOPTION BY REFERENCE.

The city adopts the following sections of WAC Chapter 197-11 by reference:

197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of Environmental review.
197-11-070	Limitations on action during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.

197-11-100	Information required of applicants.
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#### 16.05.020 - ADDITIONAL DEFINITIONS.

In addition to those definitions contained within WAC 197-11-700 through 197-11-799 and CMC Chapter 18.03, when used in this chapter, the following terms shall have the following meanings, unless the context indicates otherwise:

"Department" means any division, subdivision, or organizational unit of the city established by ordinance, rule, or order.

"Early notice" means the city's response to an applicant stating whether it considers issuance of a determination of significance likely for the applicant's proposal (mitigated DNS procedures).

"Ordinance" means the ordinance, resolution, or other procedure used by the city to adopt regulatory requirements.

"SEPA rules" means WAC Chapter 197-11 adopted by the department of ecology.

#### 16.05.030 - RESPONSIBLE OFFICIAL DESIGNATED.

- A. For those proposals for which the city is the lead agency, the responsible official shall be the community development director or designee.
- B. For all proposals for which the city is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required EIS, and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in WAC 173-806-020.
- C. The city shall retain all documents required by the SEPA rules (WAC Chapter 197-11) and make them available in accordance with RCW Chapter 42.56.

#### 16.05.040 - LEAD AGENCY—DETERMINATION.

- A. The department within the city receiving an application for or initiating a proposal that involves a nonexempt action shall determine the lead agency for that proposal under WAC 197-11-050 and WAC 197-11-922 through WAC 197-11-940; unless the lead agency has been previously determined or the department is aware that another department or agency is in the process of determining the lead agency.
- B. When the city is the lead agency for a proposal, the department receiving the application shall determine the responsible official who shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.
- C. When the city is not the lead agency for a proposal, all departments of the city shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in making decisions on the proposal. No city department shall prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the city may conduct supplemental environmental review under WAC 197-11-600.
- D. If the city or any of its departments receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and

resolved within fifteen days of receipt of the determination, or the city must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any such petition on behalf of the city may be initiated by community development director.

- E. Departments of the city are authorized to make agreements as to lead agency status or shared lead agency duties for a proposal under WAC 197-11-942 and 197-11-944; provided, that the responsible official and any department that will incur responsibilities as the result of such agreement must approve the agreement.
- F. Any department making a lead agency determination for a private project shall require sufficient information from the applicant to identify which other agencies have jurisdiction over the proposal (that is: which agencies require nonexempt licenses).

#### 16.05.050 - LEAD AGENCY—TRANSFER TO STATE.

For any proposal for a private project where the city would be the lead agency and for which one or more state agencies have jurisdiction, the city's responsible official may elect to transfer the lead agency duties to a state agency. The state agency with jurisdiction appearing first on the priority listing in WAC 197-11-936 shall be the lead agency and the city shall be an agency with jurisdiction. To transfer lead agency duties, the city's responsible official must transmit a notice of the transfer, together with any relevant information available on the proposal to the appropriate state agency with jurisdiction. The responsible official of the city shall also give notice of the transfer to the private applicant and any other agencies with jurisdiction over the proposal.

#### 16.05.060 - TIME LIMIT CONSIDERATION.

The following time limits (expressed in calendar days) shall apply when the city processes licenses for all private projects and those governmental proposals submitted to the city by other agencies:

- A. Categorical Exemptions. The city shall identify whether an action is categorically exempt within seven days of receiving a completed application.
- B. Threshold Determinations.
  - 1. The city should complete threshold determinations that can be based solely upon review of the environmental checklist for the proposal within fifteen days of the date an applicant's adequate application and completed checklist are submitted.
  - 2. When the responsible official requires further information from the applicant or consultation with other agencies with jurisdiction:
    - a. The city should request such further information within fifteen days of receiving an adequate application and completed environmental checklist;
    - b. The city shall wait no longer than thirty days for a consulted agency to respond;
    - c. The responsible official should complete the threshold determination within fifteen days of receiving the requested information from the applicant or the consulted agency.
  - 3. When the city must initiate further studies, including field investigations, to obtain the information to make the threshold determination, the city should complete the studies within thirty days of receiving an adequate application and a completed checklist.
  - 4. The city shall complete threshold determinations on actions where the applicant recommends in writing that an EIS be prepared, because of the probable significant adverse environmental impact(s) described in the application, within fifteen days of receiving an adequate application and completed checklist.

#### 16.05.070 - ADDITIONAL TIMING CONSIDERATIONS.

- A. For nonexempt proposals, the DNS or draft EIS for the proposal shall accompany the city's staff recommendation to any appropriate advisory body, such as the planning commission.



- B. If the city's only action on a proposal is a decision on a building permit or other license that requires detailed project plans and specifications, the applicant may request in writing that the city conduct environmental review prior to submission of the detailed plans and specifications.

## CHAPTER 16.07 - CATEGORICAL EXEMPTION AND THRESHOLD DETERMINATIONS

### Sections:

#### 16.07.010 - PURPOSE—ADOPTION PROVISIONS.

This chapter contains the rules for deciding whether a proposal has a "probable significant, adverse environmental impact" requiring an environmental impact statement (EIS) to be prepared. This part also contains rules for evaluating the impacts of proposals not requiring an EIS. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented in this chapter:

197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of non-significance (DNS).
197-11-350	Mitigated DNS.
197-11-355	Optional DNS process.
197-11-360	Determination of significance (DS) initiation of scoping.
197-11-390	Effect of threshold determination.

#### 16.07.020 - FLEXIBLE.

- A. The city establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(b) based on local conditions:
  - 1. For residential dwelling units in WAC 197-11-800(1)(b)(i) (Note: Range four to twenty units): up to ten dwelling units;
  - 2. For agricultural structures in WAC 197-11-800(1)(b)(ii) (Note: Range ten thousand to thirty thousand square feet): up to thirty thousand square feet;
  - 3. For office, school, commercial, recreational, service or storage buildings in WAC 197-11-800(1)(b)(iii) (Note: Range four thousand to twelve thousand square feet and twenty to forty parking spaces): up to twelve thousand square feet and up to forty parking spaces;
  - 4. For parking lots in WAC 197-11-800(1)(b)(iv) (Note: Range twenty to forty parking spaces): up to forty parking spaces;
  - 5. For landfills and excavations in WAC 197-11-800(1)(b)(v) (Note: Range one hundred to five hundred cubic yards): up to five hundred cubic yards.
- B. Whenever the city establishes new exempt levels under this section, it shall send them to the Department of Ecology, headquarters office, Olympia, Washington, under WAC 197-11-800(1)(c).

#### 16.07.025 - ENVIRONMENTALLY SENSITIVE AREAS.

The city has adopted maps of certain areas within the city characterized as environmentally sensitive. These maps, which are incorporated by reference, shall be used to generally indicate the location of lands within the city characterized by steep slopes (fifteen percent or greater), potentially unstable soils, wetlands, and streams/watercourses. Lands containing such environmentally sensitive features, as determined by site investigation or studies, whether or not mapped, shall be subject to the provisions of this section. To the extent permitted by state law, the exemptions listed in CMC Section 16.07.020 and WAC 197-11-800 shall not apply within environmentally sensitive areas.

#### 16.07.030 - USE.

- A. Each department within the city that receives an application for a license or, in the case of governmental proposals, the department initiating the proposal, shall determine whether the license and/or the proposal is exempt. The department's determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of this title apply to the proposal. The city shall not require completion of an environmental checklist for an exempt proposal.
- B. In determining whether or not a proposal is exempt, the department shall make certain the proposal is properly defined and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the department shall determine the lead agency, even if the license application that triggers the department's consideration is exempt.
- C. If a proposal includes both exempt and nonexempt actions, the city may authorize exempt actions prior to compliance with the procedural requirements of this chapter, except that:
  - 1. The city shall not give authorization for:
    - a. Any nonexempt action,

- b. Any action that would have an adverse environmental impact, or
- c. Any action that would limit the choice of alternatives;
- 2. A department may withhold approval of an exempt action that would lead to modification of the physical environment, when such modification would serve no purpose if nonexempt action(s) were not approved; and
- 3. A department may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.

#### 16.07.040 - ENVIRONMENTAL CHECKLIST.

- A. A completed environmental checklist (or a copy) in the form provided in WAC 197-11-960, shall be filed at the same time as an application for a permit, license, certificate, or other approval not specifically exempted in this title; except, a checklist is not needed if the city and applicant agree an EIS is required, SEPA compliance has been completed, or SEPA compliance has been initiated by another agency. The city shall use the environmental checklist to determine the lead agency and, if the city is the lead agency, for determining the responsible official, and for making the threshold determination.
- B. For private proposals, the city will require the applicant to complete the environmental checklist, providing assistance as necessary. For city proposals, the department initiating the proposal shall complete the environmental checklist for that proposal.
- C. The city may require that it, and not the private applicant, will complete all or part of the environmental checklist for a private proposal, if either of the following occurs:
  - 1. The city has technical information on a question or questions that is unavailable to the private applicant; or
  - 2. The applicant has provided inaccurate information on previous proposals or on proposals currently under consideration.

#### 16.07.050 - THRESHOLD DETERMINATION.

- A. As provided in this section and in WAC 197-11-350, the responsible official may issue a determination of nonsignificance (DNS) based on conditions attached to the proposal by the responsible official, or on changes to, or clarifications of, the proposal made by the applicant.
- B. An applicant may request in writing early notice of whether a determination of significance (DS) is likely under WAC 197-11-350. The request must:
  - 1. Follow submission of a permit application and environmental checklist for a nonexempt proposal for which the department is lead agency; and
  - 2. Precede the city's actual threshold determination for the proposal.
- C. The responsible official should respond to the request for early notice within fifteen working days. The response shall:
  - 1. Be written;
  - 2. State whether the city currently considers issuance of a DS likely and, if so, indicate the general or specific area(s) of concern that are leading the city to consider a DS; and

3. State that the applicant may change or clarify the proposal to mitigate the indicated impacts, revising the environmental checklist and/or permit application as necessary to reflect the changes or clarifications.
- D. As much as possible, the city should assist the applicant with identification of impacts to the extent necessary to formulate mitigation measures.
- E. When an applicant submits a changed or clarified proposal, along with a revised environmental checklist, the city shall base its threshold determination on the changed or clarified proposal and should make the determination within fifteen days of receiving the changed or clarified proposal:
  1. If the city indicated specific mitigation measures in its response to the request for early notice, and the applicant changed or clarified the proposal to include those specific mitigation measures, the city shall issue and circulate a determination of nonsignificance under WAC 197-11-340(2).
  2. If the city indicated areas of concern, but did not indicate specific mitigation measures that would allow it to issue a DNS, the city shall make the threshold determination, issuing a DNS or DS as appropriate.
  3. The applicant's proposed mitigation measures (clarifications, changes, or conditions) must be in writing and must be specific. For example, proposals to "control noise" or "prevent stormwater runoff" are inadequate, whereas proposals to "muffle machinery to X decibel" or "construct two hundred feet stormwater retention pond at Y location" are adequate.
  4. Mitigation measures which justify issuance of a mitigated DNS may be incorporated in the DNS by reference to agency staff reports, studies, or other documents.
- F. A mitigated DNS is issued under WAC 197-11-340(2), requiring a fifteen-day consent period and public notice.
- G. Mitigation measures incorporated in the mitigated DNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit, or enforced in any manner specifically prescribed by the city.
- H. If the city's tentative decision on a permit or approval does not include mitigation measures that were incorporated in a mitigated DNS for the proposal, the city should evaluate the threshold determination to assure consistency with WAC 197-11-340(3)(a) (withdrawal of DNS).
- I. The city's written response under subsection B of this section shall not be construed as a determination of significance. In addition, preliminary discussion of clarifications or changes to a proposal, as opposed to a written request for early notice, shall not bind the city to consider the clarifications or changes in its threshold determination.

## CHAPTER 16.09 - ENVIRONMENTAL IMPACT STATEMENTS

### Sections:

#### 16.09.010 - PURPOSE—ADOPTION BY REFERENCE.

This chapter contains the rules for preparing environmental impact statements. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented by this article:

197-11-400	Purpose of EIS.
197-11-402	General requirements.

197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping.
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on non-project proposals.
197-11-443	EIS contents when prior non-project EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-460	Issuance of DEIS.
197-11-460	Issuance of FEIS.

16.09.020 - Preparation.

Current Camas CAO  
September, 2016

- A. Preparation of draft and final EIS's and SEIS's is the responsibility of community development department under the direction of the responsible official. Before the city issues an EIS, the responsible official shall be satisfied that it complies with this title and WAC Chapter 197-11.
- B. The draft and final EIS or SEIS shall be prepared by city staff, the applicant, or by a consultant selected by the city or the applicant. If the responsible official requires an EIS for a proposal and determines that someone other than the city will prepare the EIS, the responsible official shall notify the applicant immediately after completion of the threshold determination. The responsible official shall also notify the applicant of the city's procedure for EIS preparation, including approval of the draft and final EIS prior to distribution.
- C. The city may require an applicant to provide information the city does not possess, including specific investigations. However, the applicant is not required to supply information that is not required under this title, or that is being requested from another agency. (This does not apply to information the city may request under another ordinance or statute.)

## CHAPTER 16.11 - ENVIRONMENTAL DOCUMENTS AND HEARINGS

### Sections:

#### 16.11.010 - PURPOSE—ADOPTION BY REFERENCE.

This chapter contains rules for consulting, commenting and responding on all environmental documents under SEPA, including rules for public notice and hearings. The city adopts the following sections of WAC Chapter 197-11 by reference, as supplemented in this chapter:

197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA Register.
197-11-510	Public Notice.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.
197-11-560	FEIS response to comments.

197-11-570	Consulted agency costs to assist lead agency.
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#### 16.11.020 - NOTICE.

- A. Whenever the city issues a DNS under WAC 197-11-340(2) or a DS under WAC 197-11-360(3), the city shall give public notice as follows:
  - 1. If public notice is required for a nonexempt license, the notice shall state whether a DS or DNS has been issued and when comments are due.
  - 2. If no public notice is required for the permit or approval, the city shall give notice of the DNS or DS by publishing notice in a newspaper of general circulation in the county, city or general area where the proposal is located.
  - 3. Whenever the city issues a DS under WAC 197-11-360(3), the city shall state the scoping procedure for the proposal in the DS as required in WAC 197-11-408.
- B. Whenever the city issues a draft EIS under WAC 197-11-455(5) or a supplemental EIS under WAC 197-11-620, notice of the availability of those documents shall be given by:
  - 1. Indicating the availability of the DEIS in any public notice required for a nonexempt license; and
  - 2. Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located.
- C. Whenever possible, the city shall integrate the public notice required under this section with existing notice procedures for the city's nonexempt permit(s) or approval(s) required for the proposal.
- D. The city may require an applicant to complete the public notice requirements for the applicant's proposal at his or her expense.

#### 16.11.030 - CONSULTED AGENCY DETERMINATION.

- A. The community development department shall be responsible for preparation of written comments for the city in response to a consultation request prior to a threshold determination, participation in scoping, and reviewing a draft EIS.
- B. This department shall be responsible for the city's compliance with WAC 197-11-550 whenever the city is a consulted agency, and is authorized to develop operating procedures that will ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the city.

#### 16.11.040 - EXISTING DOCUMENT USE.

This chapter contains rules for using and supplementing existing environmental documents prepared under SEPA or NEPA for the city's own environmental compliance. The city adopts the following sections of WAC Chapter 197-11 by reference:

197-11-600	When to use existing environmental documents.
197-11-610	Use of NEPA documents.
197-11-620	Supplemental environmental impact statement—Procedures.
197-11-625	Addenda—Procedures.
197-11-630	Adoption—Procedures.
197-11-635	Incorporation by reference—Procedures.
197-11-640	Combining documents.

## CHAPTER 16.13 - SEPA AND AGENCY DECISIONS AND APPEALS

### Sections:

16.13.010 - Purpose—Adoption by reference.

This chapter contains rules (and policies) for SEPA's substantive authority, such as decisions to mitigate or reject proposals as a result of SEPA. This chapter also contains procedures for appealing SEPA determinations to agencies or the courts. The city adopts the following sections of WAC Chapter 197-11 by reference:

197-11-650	Purpose of this part.
197-11-655	Implementation.
197-11-660	Substantive authority and mitigation.
197-11-680	Appeals.
197-11-700	Definitions.



#### 16.13.020 - POLICIES.

The policies and goals set forth in this title are supplementary to those in the existing authorization of the city.

#### 16.13.030 - CONDITIONS.

The city may attach conditions to a permit or approval for a proposal so long as:

- A. Such conditions are necessary to mitigate specific probable adverse environmental impacts identified in environmental documents prepared pursuant to this title; and
- B. Such conditions are in writing; and
- C. The mitigation measures included in such conditions are reasonable and capable of being accomplished; and
- D. The city has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
- E. Such conditions are based on one or more policies in Section 16.13.050 of this chapter, and cited in the license or other decision document.

#### 16.13.040 - DENIAL.

The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

- A. A finding is made that approving the proposal would result in probable significant adverse environmental impacts that are identified in a final EIS or final supplemental EIS prepared pursuant to this title; and
- B. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
- C. The denial is based on one or more policies identified in Section 16.13.050 of this chapter and identified in writing in the decision document.

#### 16.13.050 - ADOPTED POLICIES.

The city designates and adopts by reference the following policies as the basis for the city's exercise of authority pursuant to Sections 16.13.020 through 16.13.060:

- A. The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:
  - 1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

2. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
  3. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
  4. Preserve important historic, cultural, and natural aspects of our national heritage;
  5. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;
  6. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
  7. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.
- B. The city recognizes that each person has a fundamental and inalienable right to a healthful environment, and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

#### 16.13.060 - APPEAL.

Except for permits and variances issued pursuant to the Camas Shoreline Master Program, when any proposal or action not requiring a decision of the city council is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the city council. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the responsible official within ten days of the decision being appealed. Review by the city council shall be on a de novo basis.

### CHAPTER 16.15 - CATEGORICAL EXEMPTIONS

#### Sections:

16.15.010 - Purpose—Adoption by reference.

The city adopts by reference the following sections of WAC Chapter 197-11 for categorical exemptions, as supplemented in this title:

197-11-800	Categorical exemptions.
197-11-880	Emergencies.
197-11-890	Petitioning DOE to change exemptions.

## CHAPTER 16.17 - AGENCY COMPLIANCE

### Sections:

#### 16.17.010 - PURPOSE—ADOPTION BY REFERENCE.

This chapter contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating environmental sensitive areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The city adopts the following sections of WAC Chapter 197-11 by reference:

197-11-900	Purpose of this part.
197-11-902	Agency SEPA policies.
197-11-916	Application to ongoing actions.
197-11-920	Agencies with environmental expertise.
197-11-922	Lead agency rules.
197-11-924	Determining the lead agency.
197-11-926	Lead agency for governmental proposals.
197-11-928	Lead agency for public and private proposals.
197-11-930	Lead agency for private projects with one agency with jurisdiction.
197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
197-11-936	Lead agency for private projects requiring licenses from more than one state agency.
197-11-938	Lead agencies for specific proposals.
197-11-940	Transfer of lead agency status to a state agency.

197-11-942	Agreements on lead agency status.
197-11-944	Agreements on division of lead agency duties.
197-11-946	DOE resolution of lead agency disputes.
197-11-948	Assumption of lead agency status.

## CHAPTER 16.19 - FEES

### Sections:

#### 16.19.010 - REQUIRED.

The city shall require the following fees for its activities in accordance with the provisions of this title.

#### 16.19.020 - THRESHOLD DETERMINATION.

For every environmental checklist the city reviews when it is lead agency, the city shall collect a fee in accordance with the most current fee schedule adopted by the city. The time periods provided for by this title for making a threshold determination shall not begin to run until payment of the fee.

#### 16.19.030 - ENVIRONMENTAL IMPACT STATEMENT.

- A. When the city is the lead agency for a proposal requiring an EIS and the responsible official determines that the EIS shall be prepared by employees of the city, the city may charge and collect a reasonable fee from any applicant to cover costs incurred by the city in preparing the EIS. The responsible official shall advise the applicant(s) of the projected costs for the EIS prior to actual preparation; the applicant shall post bond or otherwise ensure payment of such costs.
- B. The responsible official may determine that the city will contract directly with a consultant for preparation of an EIS, or a portion of the EIS, for activities initiated by some persons or entity other than the city and may bill such costs and expenses directly to the applicant. Such consultants shall be selected by mutual agreement of the city and applicant after a call for proposals. The city may require the applicant to post bond or otherwise ensure payment of such costs.
- C. If a proposal is modified so that an EIS is no longer required, the responsible official shall refund any fees collected under subsection A or B of this section which remain after incurred costs are paid.

#### 16.19.040 - NOTICE—PUBLICATION.

The city may collect a reasonable fee from an applicant to cover the cost of meeting the public notice requirements of this title relating to the applicant's proposal.

#### 16.19.050 - COPY PREPARATION.

The city may charge any person for copies of any document prepared under this title, and for mailing the document, in a manner provided by RCW Chapter 42.56.

### CHAPTER 16.21 - FORMS

#### Sections:

#### 16.21.010 - ADOPTION BY REFERENCE.

The city adopts the following forms and sections of WAC Chapter 197-11 by reference:

197-11-960	Environmental checklist.
197-11-965	Adoption notice.
197-11-970	Determination of non-significance (DNS).
197-11-980	Determination of significance and scoping notice (DS).
197-11-985	Notice of assumption of lead agency status.
197-11-990	Notice of action.

# ARCHAEOLOGICAL

## CHAPTER 16.31 - ARCHAEOLOGICAL RESOURCE PRESERVATION

### Sections:

#### 16.31.010 - PURPOSE.

The purposes of this chapter are to:

- A. Encourage the identification and preservation of cultural, archaeological, and historic resources consistent with the Growth Management Act of 1990, as amended, and Camas' comprehensive plan;
- B. Establish clear procedures and specific standards for identifying, documenting and preserving Camas' cultural, archaeological and historic resources;
- C. Ensure use of the best available technology and techniques commonly accepted as standards in the profession of archaeology;
- D. Establish a fair and equitable process for balancing the identification and preservation of cultural, archaeological, and historic resources with economic development;
- E. Ensure coordination and consistency in the implementation of the State Environmental Policy Act, the Shoreline Management Act and the Growth Management Act.

#### 16.31.020 - DEFINITIONS.

In addition to those definitions listed in CMC Chapter 18.09, the following definitions shall apply to this chapter:

"Adequately surveyed and documented" means that: (1) the survey method, level of analysis, and area covered are sufficient to meet the requirements of this chapter; and (2) the documentation is sufficient to allow another archaeologist to repeat the survey and reach the same conclusion. Adequacy shall be determined by the director.

"Archaeological object" means an object that comprises the physical evidence of an indigenous and subsequent culture, including material remains of past human life, including monuments, symbols, tools, facilities and technological by-products (WAC 25-48-020(8)).

"Archaeological resource survey" means procedure by which an archaeologist makes an assessment of the presence or absence of an archaeological site on a parcel, a preliminary assessment of a site's significance, and a recommendation for further evaluation, avoidance, mitigation, or recovery of resources.

"Archaeological resources" means any material remains of human life or activities which are of archaeological interest. This shall include all sites, objects, structures, artifacts, implements, and locations of prehistoric or archaeological interest, whether previously recorded or still unrecognized, including, but not limited to, those pertaining to prehistoric and historic American Indian or aboriginal burials, campsites, dwellings, and their habitation sites, including rock shelters and caves, their artifacts and implements of culture such as projectile points, arrowheads, skeletal remains, grave goods, basketry, pestles, mauls, and grinding stones, knives, scrapers, rock carvings and paintings, and other implements and artifacts of any material (WAC 25-48-020(10)). This shall also include any material remains of human life or activities from historic periods which are located at least partially below the ground surface necessitating the use of archaeological methods for study or recovery.

"Archaeological site" means a geographic locality in Washington, including but not limited to, submerged and submersible lands, and the bed of the sea within the state's jurisdiction, that contains archaeological objects (WAC 25-48-020(9)).

"Archaeologist" means either a qualified archaeologist (RCW 27.53.030(9)) or a professional archaeologist (RCW 27.53.030(8) and WAC 25-48-020(4)) who has been approved by the city. Both qualified archaeologists and professional archaeologists may perform predeterminations and surveys. Only professional archaeologists may perform services such as evaluation and data recovery for which a state permit is needed.

"DAHP" means the Washington State Department of Archaeology and Historic Preservation.

"Department" means the community development department.

"Director" means the director of the community development department or designee.

"Feature" means an artifact or set of artifacts which loses its integrity when moved due to its size and complexity (e.g., a hearth or a house floor).

"Known, recorded archaeological site" means an archaeological site which has been recorded with DAHP.

"Of archaeological interest" means capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics through the application of scientific or scholarly techniques such as controlled observation, contextual measurement, controlled collection, analysis, interpretation, and explanation (WAC 25-48-020(12)).

"Predetermination" means a procedure similar to, but of less intensity than an archaeological resource survey. Its purpose is to determine whether an archaeological site is likely to be present or absent on a parcel, and based on that determination recommend whether or not to proceed with an archaeological resource survey.

"Probability level" means account classification of property according to the probability of its having archaeological resources. The probability levels are low (zero to twenty percent), low-moderate (twenty to forty percent), moderate (forty to sixty percent), moderate-high (sixty to eighty percent), and high (eighty to one hundred percent). The probability levels assigned to property within the urban growth boundary of the city are identified in that map entitled "City of Camas Archaeological Probability, July 21, 2006."

"Significant archaeological site" means an archaeological site which has been determined by a professional archaeologist to contain: (1) archaeological objects at a density of at least one hundred per cubic meter per stratigraphic or cultural unit; or (2) at least one feature; or (3) at least one relatively uncommon archaeological object; or (4) skeletal remains.

"Survey" means archaeological resource survey.

"Tribes" means any federally recognized or other local Native American government organization which may consider the site to be of historic or cultural significance.

#### 16.31.030 - COORDINATION.

- A. General. Where the provisions of this chapter conflict with each other or with other laws, ordinances, or programs, the more restrictive provisions shall apply.
- B. SMA. The provisions of this chapter shall apply throughout Camas, including areas regulated by the Shoreline Management Act (SMA) and the Camas Shoreline Master Program.
- C. SEPA. The regulations of the State Environmental Policy Act (SEPA) shall supplement the provisions of this chapter.

- D. Development Review. For projects subject to Title 18, Chapter 18.55 of the Camas Municipal Code, a determination that an application is complete shall not be made until any required predetermination has been completed and a predetermination report has been submitted.

#### 16.31.040 - RECORDING.

Any archaeological site identified pursuant to the provisions of this chapter shall be recorded with DAHP.

#### 16.31.050 - PERMIT REQUIRED.

A permit from DAHP shall be secured prior to digging, altering, excavating, and/or removing archaeological objects and sites or historic archaeological resources, or proposing to remove glyptic or painted records of tribes or peoples, or archaeological resources from native Indian cairns or graves (WAC 25-48-050).

#### 16.31.060 - APPLICABILITY.

- A. The provisions of this chapter shall apply:
1. When any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity (Section 16.31.150);
  2. When the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.
- B. The provisions of this chapter shall apply, except as provided in this section and in subsection C of this section, to all ground-disturbing actions or activities for which a permit or approval is required:
1. On all parcels in probability level high;
  2. On parcels of at least five acres in probability levels moderate-high and moderate;
  3. Regardless of parcel size or probability level, when proposed within one-fourth mile of a known, recorded archaeological site as measured on a horizontal plane extending in all directions. Such an action or activity may be exempted by the director, when appropriate, during the predetermination process due to the effects of a geographic barrier (Section 16.31.070(F)).
- C. The following shall not trigger or shall be exempted from the provisions of this chapter:
1. Accessory dwelling units;
  2. Land use permits issued under clear and objective standards, such as those for fences, sheds, decks, patios or driveways;
  3. Sign permits;
  4. Conditional use permits for a change in use only, not involving ground disturbance for structural modification;
  5. Zoning variance approvals;
  6. Ground-disturbing actions or activities which constitute normal maintenance and repair of existing structures and facilities; or



7. Ground-disturbing actions or activities proposed in areas which the director determines to have been adequately surveyed and documented (as defined in Section 16.31.020) in the past and within which no archaeological resources have been discovered.
- D. When more than one probability level traverses a parcel, the entire parcel shall be considered to be within the level with the greatest probability rating.

#### 16.31.070 - PREDETERMINATION REQUIRED.

- A. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required within probability level high.
- B. A predetermination shall be required for any nonexempt ground-disturbing action or activity for which a permit or approval is required and which is located on a parcel of at least five acres within probability levels moderate-high and moderate.
- C. A predetermination shall be required for all nonexempt ground-disturbing actions or activities for which a permit or approval is required which are proposed within one-fourth mile of a known, recorded archaeological site.
- D. A predetermination shall be required when the director determines that reliable information indicates the possible existence of an archaeological site on a parcel for which an application for a permit or approval for a ground-disturbing action or activity has been submitted.
- E. A predetermination shall be required when any item of archaeological interest is discovered during the course of a permitted ground-disturbing action or activity.
- F. During the predetermination process, the director will determine whether a ground-disturbing action or activity is exempt under Section 16.31.060(B)(3) or 16.31.060(C)(7) of this chapter. In the event that the director is able to make such a determination of exemption based solely upon background research (Section 16.31.080(C)), the city shall reduce the applicant's total fee obligation for the project by one-half of the predetermination fee.
- G. A predetermination shall not be performed when a survey is required under Section 16.31.110 of this chapter.
- H. The director may waive the requirement for a predetermination if the applicant chooses to provide a survey in accordance with Sections 16.31.110 and 16.31.130 of this chapter.

#### 16.31.080 - PREDETERMINATION STANDARDS.

Predeterminations shall include at a minimum the following elements and be carried out according to the following standards:

- A. Predeterminations shall be performed by a qualified or professional archaeologist.
- B. Predeterminations shall be performed to the high standard of quality which fulfills the purposes of this chapter.
- C. Background Research. A thorough review of records, documentation, maps, and other pertinent literature shall be performed.
- D. Surface Inspection. A visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
- E. Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist. When necessary, the following standards shall apply:

1. Subsurface probes shall be no less than eight inches/twenty centimeters in diameter (twelve inches/thirty centimeters or more preferred) at the ground surface, and shall delve no less than twenty inches/fifty centimeters deep into natural soil deposits whenever possible.
2. The most appropriate number of and locations for subsurface probes shall be determined by the archaeologist.
3. All material excavated by subsurface probes shall be screened using both one-fourth inch and one-eighth inch hardware mesh cloths.

#### 16.31.090 - PREDETERMINATION REPORTS.

A report shall be completed for each predetermination to the high standard of quality which fulfills the purposes of this chapter and standardized guidelines furnished by the department. A completed report shall be submitted to DAHP as well as the city.

#### 16.31.100 - REVIEW OF PREDETERMINATION REPORTS AND FURTHER ACTION.

- A. Predetermination reports shall be reviewed by the director.
- B. When the director determines that a predetermination report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site is likely to exist.
- C. Where the director determines that an archaeological site is not likely to exist, the application may proceed through the remainder of the development review process.
- D. Where the director determines that an archaeological site is likely to exist, an archaeological resource survey shall be required and carried out in accordance with the provisions of this chapter.

#### 16.31.110 - ARCHAEOLOGICAL RESOURCE SURVEY REQUIRED.

A survey shall be required when the results of a predetermination indicate further investigation is necessary and either:

- A. No previous survey has been done; or
- B. A previous survey or documentation is determined by the director to be inadequate.

#### 16.31.120 - SURVEY STANDARDS.

Surveys shall include at a minimum the following elements and be carried out according to the following standards:

- A. Surveys shall be performed by a professional archaeologist.
- B. Surveys shall be performed to the high standard of quality which fulfills the purposes of this chapter.
- C. Background Research. A thorough review of records, documentation, and other pertinent literature shall be performed.

- D. Surface Inspection. A systematic, one hundred percent visual inspection of the ground surface shall be completed when conditions yield at least fifty percent visibility.
- E. Subsurface Investigation. Subsurface investigation shall be performed when considered necessary by the archaeologist, utilizing the same standards set forth within CMC Section 16.31.080(E).

#### 16.31.130 - SURVEY REPORTS.

A report shall be completed for each survey in accordance with state guidelines and to the high standard of quality which fulfills the purposes of this chapter. A completed report shall be submitted to DAHP as well as the city.

#### 16.31.140 - REVIEW OF SURVEY REPORTS AND FURTHER ACTION.

- A. Survey reports shall be reviewed by the director.
- B. When the director determines that a survey report is complete and adequate, the director shall, based upon the information contained in the report, determine whether an archaeological site has been identified.
- C. Where the director determines that no archaeological site has been identified, the application may proceed through the remainder of the development review process.
- D. Where the director determines that an archaeological site has been identified and is not likely to be significant, the application may proceed through the remainder of the development review process.
- E. Where the director determines that an archaeological site has been identified and is likely to be significant, archaeological resources shall be further evaluated, avoided, properly mitigated, or properly recovered in accordance with the director's recommendation and subject to state regulations. Priority for protection in-place and thorough evaluation and data recovery shall be given to significant archaeological sites. Bonding may be required to ensure that the site is treated in accordance with the director's recommendation and provisions of the state permit. Monitoring and future corrective measures may be required to ensure that an archaeological site is not degraded by a permitted development.

#### 16.31.150 - DISCOVERY PRINCIPLE.

In the event that any item of archaeological interest is uncovered during the course of a permitted ground-disturbing action or activity:

- A. All ground-disturbing activity shall immediately cease.
- B. The applicant shall notify the department and DAHP.
- C. The applicant shall provide for a predetermination and a predetermination report prepared in accordance with the provisions of this chapter. The director shall review the report and issue a determination in accordance with Section 16.31.100 of this chapter in a reasonably diligent manner, taking into account all pertinent factors and conditions (within seven calendar days whenever feasible). Where such determination is that an archaeological site is not likely to exist, construction may continue. Where such determination is that an archaeological site is likely to

exist, the applicant shall provide a survey and survey report. The director shall produce a map of the parcel indicating clearly the portion(s) of the parcel, if any, within which construction may continue under the supervision of an archaeologist and monitoring by the director while the required survey is being completed. The provisions of this section shall apply.

- D. In the event any archaeological or historic materials are encountered during project activity, work in the immediate area (initially allowing for a one hundred-foot buffer; this number may vary by circumstance) must stop and the following actions taken:
1. Implement reasonable measures to protect the discovery site, including any appropriate stabilization or covering; and
  2. Take reasonable steps to ensure the confidentiality of the discovery site; and
  3. Take reasonable steps to restrict access to the site of discovery.

The project proponent will notify the concerned tribes and all appropriate city, county, state, and federal agencies, including the Washington State Department of Archaeology and Historical Preservation. The agencies and tribe(s) will discuss possible measures to remove or avoid cultural material, and will reach an agreement with the project proponent regarding action to be taken and disposition of material.

If human remains are uncovered, appropriate law enforcement agencies shall be notified first, and the above steps followed. If the remains are determined to be native, consultation with the affected tribes will take place in order to mitigate the final disposition of said remains.

#### 16.31.160 - NOTIFICATION TO TRIBES.

Whenever a predetermination or survey is required, the applicant shall provide the tribes with a copy of the application and all supporting materials by certified mail, return receipt requested, and shall provide proof of compliance with this requirement to the director. Comments from the tribes shall be accepted by the director until five p.m. on the fourteenth day from the date notification was mailed to the tribes. Should the fourteenth day fall on a nonbusiness day, the comment period shall be extended until five p.m. on the next business day.

#### 16.31.170 - ENFORCEMENT.

The provisions of this chapter shall be enforced in accordance with the provisions of CMC Chapter 18.55 of this code.

### CHAPTER 16.33 - PUBLIC VIEW, OPEN SPACE PROTECTION AND HISTORIC SITES AND STRUCTURES

#### Sections:

#### 16.33.010 - PUBLIC VIEW, OPEN SPACE PROTECTION AND HISTORIC SITES AND STRUCTURES.

##### A. Policy Background.

1. Camas has a magnificent natural setting of greenery, mountains, and water; visual amenities and opportunities are an integral part of the city's environmental quality.

2. The city has developed particular sites for the public's enjoyment of views of mountains, water, open space networks and skyline and has many scenic routes and other public places where such views enhance one's experience.
3. Obstruction of public views or open space networks may occur when a proposed structure is located in close proximity to the street property line, when development occurs on lots situated at the foot of a street that terminates or changes direction because of a shift in the street grid pattern, when buildings are built on a ridge line, or when development along a street creates a continuous wall separating the street from the view.
4. As part of the city's character, it is important to preserve sites and structures which reflect significant elements of the city's historic heritage and to designate and regulate such sites and structures as historic landmarks.
5. Adopted land use regulations attempt to protect private views through height and bulk controls and other zoning regulations but it is impractical to protect private views through project-specific review.

B. Policies.

1. It is the city's policy to protect public views of significant natural and human-made features: Mount Hood and major bodies of water including the Columbia River, Lacamas Lake and the Washougal River. These include public places consisting of viewpoints, parks, scenic routes, and view corridors identified in the comprehensive plan and the comprehensive park and recreation plan.
2. The responsible official may condition or deny a proposal to eliminate or reduce its adverse impacts on designated public views or open space networks.
3. It is the city's policy to protect public views of historic sites or landmarks designated by the city or identified in the review process which, because of their prominence of location or contrasts or siting, age, or scale, are easily identifiable visual features of their neighborhood or the city and contribute to the distinctive quality or identity of their neighborhood or the city.
4. A proposed project may be conditioned or denied to mitigate view impacts.
5. Mitigating measures may include, but are not limited to:
  - a. Requiring a change in the height of development;
  - b. Requiring a change in the bulk of the development;
  - c. Requiring a redesign of the profile of the development;
  - d. Requiring on-site view corridors or requiring enhancements to off-site view corridors;
  - e. Relocating the project on the site;
  - f. Requiring a reduction or re-arrangement of walls, fences, or plant material; and
  - g. Requiring a reduction or rearrangement of accessory structures including, but not limited to, tower railings and antennae.

#### 16.33.015 - ARCHAEOLOGICAL RESOURCES.

A. Policy Background.

1. The city has sites containing objects of archaeological and historical significance.
2. The discovery, identification, excavation, preservation and study of archaeological resources, the inventorying of archaeological sites and collections, and the providing of information to state, federal and private construction agencies regarding the impact of construction activities on

archaeological resources are public functions, and the city is an appropriate agency to assist in the carrying out of these functions.

3. The conversion of undeveloped lands into residential, commercial and industrial uses may result in the destruction of archaeological resources.
4. Development of land should be regulated to mitigate adverse impacts to archaeological resources.

B. Policies.

1. It is the city's policy to identify, inventory and preserve archaeological resources and archaeological sites located within the city.
2. Whenever a development proposal contains a known or suspected archaeological site, the responsible officials shall assess the probable effect of the impact and the need for mitigating measures.
3. Whenever the responsible official determines that a development project may contain an archaeological site or may adversely impact a known archaeological site, the proponent may be required to retain the services of a qualified professional archaeologist to assess the impact of the development, and to propose such mitigating measures as may be necessary.
4. The responsible official shall notify the Washington State Office of Archaeology and Historic Preservation, Department of Community Development, of any development activity that may adversely impact a recognized or suspected archaeological site.
5. If the responsible official makes a written finding that a development project will adversely impact an archaeological site, then the responsible official may condition or deny the development project to minimize such adverse impact.
6. Mitigation measures may include:
  - a. Reduction in size or scope of the project;
  - b. Requiring the implementation of mitigation measures as recommended by a professional archaeologist;
  - c. Requiring compliance with any permits or conditions as may be imposed or recommended by the Washington State Office of Archaeology and Historic Preservation.
7. If archaeological resources are discovered on a development site after approval of the development by the city without the imposition of appropriate mitigation measures, then the responsible official may issue an order to cease and desist all development activity in the affected area until such time as an appropriate archaeological resources assessment can be undertaken and mitigating measures, if necessary, implemented.

16.33.020 - TRAFFIC AND TRANSPORTATION.

A. Policy Background.

1. Excessive traffic can adversely affect the stability, safety and character of Camas' neighborhoods and downtown.
2. Substantial traffic volumes associated with major projects may adversely impact surrounding areas.
3. Individual projects may create adverse impacts on transportation facilities which service such projects. Such impacts may result in a need for turn channelization, right-of-way dedication, street widening, or other improvements including traffic signalization.

B. Policies.

1. Minimize or prevent adverse traffic impacts that would undermine the stability, safety and/or character of downtown, a neighborhood, or surrounding areas.
2. In determining the necessary traffic and transportation impact mitigation, the responsible official shall examine the expected peak traffic and circulation pattern of the proposed project weighed against such factors as the availability of public transit; existing vehicular and pedestrian traffic conditions; accident history; the trend in local area development; parking characteristics of the immediate area; the use of the street as determined by the city and the availability of goods, services and recreation with reasonable walking or biking distance.
3. Mitigating measures which may be applied to projects may include, but are not limited to:
  - a. Changes in access;
  - b. Changes in the location, number and size of curb cuts and driveways;
  - c. Provision of transit incentives including transit pass subsidies;
  - d. Bicycle parking;
  - e. Signage;
  - f. Improvements to pedestrian and vehicular traffic operations including signalization, turn channelization, right-of-way dedication, street widening, or other improvements proportionate to the impacts of the project; and
  - g. Transportation management plans.
4. For projects which result in adverse impacts, the responsible official may reduce the size and/or scale of the project if the responsible official determines that the traffic improvements outlined under the above paragraph would not be adequate to effectively mitigate the adverse impacts of the project.

16.33.030 - GROUND AND SURFACE WATER QUALITY.

A. Policy Background.

1. Camas' water quality is adversely affected primarily dumping of pollutants and drainage-related sewage overflows into its lakes, streams, creeks, and other systems draining into the Washougal and Columbia Rivers.
2. Camas' water quality is also adversely affected by storm drainage runoff; nonpoint source discharges from streets, parking lots and other impervious surfaces; and construction site runoff.
3. Federal, state and regional water quality regulations and programs cannot always anticipate or eliminate adverse impacts to water quality.

B. Policies.

1. It is the city's policy to minimize or prevent adverse water quality impacts.
2. For any project proposal which poses a potential threat to water quality in Camas, the responsible official shall assess the probable effect of the impact and the need for mitigating measures. The assessment shall be completed in consultation with appropriate agencies with water quality expertise.
3. If the responsible official makes a written finding that the applicable federal, state and regional regulations did not anticipate or are inadequate to address the particular impact(s) of the project, the responsible official may condition or deny the project to mitigate its adverse impacts.

4. Mitigating measures may include, but are not limited to:
  - a. Use of an alternative technology;
  - b. Reduction in the size or scope of the project or operation;
  - c. Landscaping; and
  - d. Limits on the time and duration of the project or operation.

#### 16.33.040 - PUBLIC FACILITIES.

##### A. Policy Background.

1. A single development though otherwise consistent with zoning regulations, may create excessive demands upon existing public services and facilities. "Public services and facilities" in this context includes facilities such as sewers, storm drains, solid waste disposal facilities, parks, schools, police and fire facilities, and streets and services such as transit, solid waste collection, public health services, and police and fire protection, provided by either a public or private entity.

##### B. Policies.

1. It is the city's policy to minimize or prevent adverse impacts to existing public services and facilities.
2. The responsible official may require as part of the environmental review of a project, a reasonable assessment present and planned condition and capacity of public services and facilities to serve the area affected by the proposal.
3. Based upon such analyses, a project which would result adverse impacts on existing public services and facilities may be conditioned or denied to lessen its demand for services and facilities, or required to improve or add services and/or facilities to meet demand caused by the project.

## CHAPTER 16.35 - HISTORIC PRESERVATION

### Sections:

#### 16.35.010 - PURPOSE.

The purpose of this chapter is to provide for the identification, evaluation and protection of cultural and historic resources in the city and to encourage the preservation, restoration and rehabilitation of these resources for future generations in order to:

- A. Safeguard the heritage of Camas as represented by those buildings, districts, objects, sites and structures which reflect significant elements of the city's history;
- B. Increase recognition of Camas' cultural and historic resources;
- C. Foster a sense of identity based upon the city's history;
- D. Assist, encourage and provide incentives to property owners for preservation, restoration and reuse of significant buildings, districts, objects, sites and structures; and
- E. Promote and facilitate the early identification and resolution of conflicts between preservation of cultural and historic resources and alternative land uses.



#### 16.35.020 - APPLICABILITY.

This chapter applies to:

- A. Property(ies) within the city listed or eligible to be listed on any historic or cultural resource inventory for Clark County;
- B. Property(ies) within the city listed or eligible to be listed on the National Register of Historic Places, Washington State Heritage Register, Clark County Heritage Register or other local register for Clark County.

#### 16.35.030 - DEFINITIONS.

In addition to those definitions listed in CMC Chapter 18.03, the following terms when used in this chapter shall mean as follows, unless a different meaning clearly appears from the context:

"Board" shall refer to the Clark County board of commissioners, except where reference is made to the "local review board" for purposes of the special valuation tax incentive program.

"Clark County cultural resources inventory" or "inventory" means a comprehensive inventory of historic resources within the boundaries of Clark County including resources identified in the Clark County cultural resources inventory and other inventories by local jurisdictions within Clark County.

"Commission" means the "Clark County historic preservation commission."

"Contributing" means a property which dates to the historic period and retains sufficient physical integrity so as to convey its historic character.

"Cultural resources" consist of historic or prehistoric or archaeological sites and standing structures, cemeteries, burial grounds and funerary objects and distributions of cultural remains and artifacts.

"Emergency repair" means work necessary to prevent destruction or dilapidation to real property or structural appurtenances thereto immediately threatened or damaged by fire, flood, earthquake or other disaster.

"Historic district" is a geographically definable area possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development.

"National Register of Historic Places" means the national listing of properties significant to our cultural history because of their documented importance to our history, architectural history, engineering or cultural heritage.

"Noncontributing" means a property which either does not date to the historic period or has not retained sufficient physical integrity so as to convey its historic character.

"Ordinary repair and maintenance" means work for which a permit issued by the city is not required by law, and where the purpose and effect of such work is to correct any deterioration or decay of or damage to the real property or structure appurtenance therein and to restore the same, as nearly as may be practicable, to the condition prior to the occurrence of such deterioration, decay or damage.

"Qualified archaeologist" means a person who has had formal training and/or experience in archaeology over a period of at least three years, and has been certified in writing to be a qualified archaeologist by two professional archaeologists, as defined in RCW 27.53.030.

"Significance" shall refer to a quality of a property which helps one understand the history of the local area, state, or nation by illuminating the local, statewide or nationwide impact of the events or persons

associated with the property, or its architectural type or style in information potential. The local area may be as large as Clark County or Southwest Washington, or as small as a neighborhood. Local significance may apply to a property that illustrates a theme that is important to one or more localities; state significance to a theme important to the history of the state; and national significance to property of exceptional value in representing or illustrating an important theme in the history of the nation.

"Special valuation tax incentive program" or "special valuation" means the local option program makes available to property owners a special tax valuation for rehabilitation of historic property(ies) under which the assessed value of an eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation.

"Washington Heritage Register" means the state listing of properties significant to the community, state or nation but which do not meet the criteria of the National Register of Historic Places.

#### 16.35.040 - CLARK COUNTY HISTORIC PRESERVATION COMMISSION.

- A. Authority. The Clark County historic preservation commission shall serve as the review authority on matters of historic preservation as outlined in subsection C of this section for properties within the city of Camas.
- B. Composition of the Commission. Appointments to the commission shall be made by the Clark County board of commissioners. All members shall be selected based on the professional or demonstrated expertise criteria (CCC Section 18.328.040(B)), rather than by geographic distribution.
- C. Powers and Duties. The major responsibilities of the commission are to identify and actively encourage the conservation of the county's historic and cultural resources by initiating and maintaining a register of historic places and reviewing proposed changes to register property(ies); to raise community awareness of the county's historic and cultural resources; and to serve as the county's primary resource in matters of historic preservation. In carrying out these responsibilities, the commission shall engage in the following activities:
  - 1. Maintain a comprehensive inventory of historic and cultural resources within the boundaries of the city of Camas to be included in the Clark County cultural resources inventory; publicize and periodically update inventory results;
  - 2. Maintain the Clark County heritage register. This official register shall be comprised of buildings, structures, sites, objects and districts identified by the commission as having historic significance worthy of recognition by the county and encouragement of efforts by owners to maintain, rehabilitate and preserve properties;
  - 3. Review nominations to the Clark County heritage register and National Register of Historic Places according to criteria in Sections 16.31.050 and 16.31.060 of this title. Make designations to the Clark County heritage register;
  - 4. Review proposals as required in Section 16.35.060(B) and (C) for historic districts on the Clark County heritage or National Registers;
  - 5. Submit nominations to the Washington State Heritage Register and National Register of Historic Places;
  - 6. Provide for comment by the commission on all applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to identified historic or cultural resources or adjacent property(ies) upon staff request;
  - 7. Provide information, comment and support to the public and agencies on matters related to historic preservation;
  - 8. Encourage recognition of noteworthy efforts in the rehabilitation or maintenance of historic buildings, structures, sites and districts, and new construction in historic areas;

9. Serve as the local review board for special valuation pursuant to RCW 84.26.
- D. Rules and Officers.
1. The commission shall establish and adopt its rules and procedures not inconsistent with this chapter.
  2. The commission shall select from among its membership a chairperson and vice chair to conduct the commission's business.
- E. Commission Staff. Staff for the commission shall be provided by the Clark County department of community development with additional assistance and information to be provided by other county or city departments as may be necessary to aid the commission in carrying out its duties and responsibilities under this chapter.
- F. Interlocal Agreement Required. An interlocal agreement shall be established between the city and Clark County implementing the provisions of this chapter.

#### 16.35.050 - NATIONAL REGISTER OF HISTORIC PLACES.

- A. Nominations to the National Register of Historic Places shall be reviewed as established in the Code of Federal Regulations (36 CFR 60).
- B. The commission shall hold a duly advertised public hearing at a regularly scheduled meeting at which the applicable criteria are reviewed and a recommendation forwarded to the State Department of Archaeology and Historic Preservation (DAHP) within sixty days of the date of application. The OAHF shall complete the designation process and notify the applicant of the designation decision.

#### 16.35.060 - CLARK COUNTY HERITAGE REGISTER.

- A. Criteria for Determining Eligibility for Designation in the Register. Any building, structure, site, object or district may be designated for inclusion in the Clark County heritage register if it:
  1. Has integrity of location, design, setting, materials, workmanship, feeling and association; and
  2. Is at least fifty years old, or is of lesser age and has exceptional importance; and
  3. Is significantly associated with the history, architecture, archaeology, engineering or cultural heritage of the community; and
  4. Meets at least one of the following criteria:
    - a. Is associated with events that have made a significant contribution to the broad patterns of national, state or local history; or
    - b. Embodies the distinctive architectural characteristics of a type, period, style or method of design or construction, or represents a significant and distinguishable entity whose components may lack individual distinction; or
    - c. Is an outstanding work of a designer, builder or architect who has made a substantial contribution to their field; or
    - d. Exemplifies or reflects special elements of the county's history; or
    - e. Is associated with the lives of persons significant in national, state or local history; or
    - f. Has yielded or may be likely to yield important archaeological information related to history or prehistory; or

- g. Is an historic building or cultural resource removed from its original location but which is significant for architectural value, or association with an historic person or event, or prehistory; or
- h. Is a birthplace or grave of a prehistoric or historical figure of outstanding importance and is the only surviving structure or site associated with that person; or
- i. Is a cemetery or burial site which derives its primary significance from age, from distinctive design features, or from association with historic events, or cultural patterns; or
- j. Is a reconstructed building that has been executed in an historically accurate manner on the original site; or
- k. Is a creative and unique example of folk architecture and design created by persons not formally trained in the architectural or design professions, and which does not fit into formal architectural or historical categories.

B. Nominating, Designating and Listing Property(ies) or Districts to the Clark County Heritage Register.

- 1. Any person may nominate a building, structure, site, object, or district for inclusion in the Clark County heritage register. The owner must consent to placement of the nominated resource prior to consideration for designation by the commission. In its designation decision, the commission shall consider the Clark County cultural resources inventory and the Camas urban area comprehensive plan.
- 2. The commission shall consider the merits of the nomination, according to the criteria in subsection A of this section and according to the nomination review standards established in its rules and procedures, at a public hearing. Adequate notice will be given to the public, the owner(s) and the author(s) of the nomination, if different, and lessees, if any, of the subject property prior to the public meeting according to standards for public meetings established in rules and in compliance with RCW 42.30, Open Public Meetings Act. Such notice shall include publication in a newspaper of general circulation in Clark County and posting of the property per CCC Section 18.600.080. If the commission finds that the nominated property is eligible for the Clark County heritage register, the commission shall list the property in the register with the owner's consent.
- 3. In the case of individual property(ies), the designation shall include all exterior features, interior features, and outbuildings which directly contribute to the significance of the historic or architectural character.
- 4. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district which justifies its designation; and a list of all property(ies) including features, structures, sites and objects which contribute to the designation of the district.
- 5. The public, property owner(s) and author(s) of the nomination, if different, and lessees, if any, shall be notified of the listing by mailed notice.

C. Designating Historic Districts.

- 1. Historic districts may be identified and nominations made in conformance with the criteria in this chapter. A simple majority of property owners within the proposed historic district must consent, in writing, to nomination of properties prior to designation. Design guidelines shall be adopted as an integral part of each historic district designation.
- 2. Commission staff together with city staff shall:
  - a. Review the proposal for land use impacts, consistent with the comprehensive plan, neighborhood action plan, and other related plans and codes. The designation of a historic district should not have the effect of significantly hampering redevelopment in commercial areas. Staff shall submit its analysis of these issues to the commission;
  - b. Draft design guidelines for the proposed historic district and submit them to the commission.
- 3. The commission shall hold a duly advertised public hearing to review the proposal. It shall make findings concerning the proposed district's historic significance; the appropriate boundaries of

such a district; land use impacts, consistency and compatibility issues; and appropriate design guidelines. Contributing structures and features as well as noncontributing structures shall be identified. The commission shall issue a final determination designating the historic district or denying the proposal following the public hearing.

4. Designated historic districts shall be recorded on the official zoning maps of the city and the county.
  5. A decision of the commission designating a building, structure, site, object or district or denying such a proposal may be appealed to the city council.
- D. Removal of Property(ies) or Historic Districts from the Clark County Heritage Register.
1. A property owner may request a review of a property for possible removal from the Clark County heritage register. A written request may be submitted to the commission and considered at a public meeting. However, there is no automatic right to have a property removed from the register.
  2. In the event that any property or historic district no longer meets the criteria for designation to the Clark County heritage register, the commission may initiate removal from such designation by the same procedure as provided for in establishing the designation, except that a property or historic district may be removed from the Clark County heritage register without owner consent. The decision to remove a property or district from the Clark County heritage register may be appealed to the city council.
- E. Effects of Designation and Listing on the Register.
1. Designation and listing on the Clark County heritage register is an honorary designation denoting significant association with the historic, architectural, archaeological, engineering or cultural heritage of the community. Property(ies) is(are) listed individually or as contributing property(ies) to an historic district.
  2. Prior to the commencement of any work associated with the significant features as defined in the designation of the register property or historic district, excluding ordinary repair, maintenance and emergency measures defined in Section 16.35.070, the owner must request and receive a certificate of appropriateness from the commission for the proposed work.
  3. Prior to whole or partial demolition of a register property or historic district, the owner must request and receive a waiver of a certificate of appropriateness.
  4. After demolition of a structure the commission may initiate removal of the property from the Clark County heritage register.
  5. While Clark County is certified as certified local government (CLG), all properties and historic districts designated on the Clark County heritage register and the National Register of Historic Places may be eligible for a special tax valuation on their rehabilitation pursuant to CMC Section 16.07.090.
- F. Recording Designations and Listings. All properties which are designated and listed on the Clark County heritage register shall have a copy of the listing recorded with the county auditor's office. A copy of the designation and listing letter for recording shall be forwarded to the auditor's office by commission staff.

#### 16.35.070 - REVIEW OF CHANGES TO CLARK COUNTY HERITAGE REGISTER PROPERTY(IES)—DESIGN REVIEW.

- A. Review Required. No person shall construct any new building or structure, or reconstruct, alter, restore, remodel, repair, move, demolish or make any material change affecting significant historic features as listed in the designation application to any existing property on the Clark County heritage register or within an historic district on the Clark County heritage register, whether the property is

contributing or noncontributing, without review by the commission and without receipt of a certificate of appropriateness, or in the case of demolition, a waiver of certificate of appropriateness, as a result of the review.

1. For individual or contributing properties, the review shall apply to all features of the property, interior and exterior, that contribute to its designation and are listed on the designation.
2. For noncontributing properties, the review shall apply to exterior changes. The purpose of the review in this case is to ensure that the proposed changes do not further detract from the property's compatibility with the historic district, and to encourage changes which would enhance its compatibility with the historic district.
3. For new construction or redevelopment, the review shall apply to the exterior of the structure(s). The purpose of the review is to ensure that the exterior design of the proposed structure enhances the historic district through conformance with the adopted design guidelines.

This requirement shall apply whether or not the proposed alteration also requires a building or other permit, except as noted under subsection B of this section. Information required by the commission to review the proposed changes are established in its rules and procedures. A pre-application conference is recommended but must be requested by the applicant.

B. Exemptions. The following activities do not require a certificate of appropriateness or review by the commission:

1. Ordinary repair and maintenance activities, including painting and emergency measures as defined in Section 16.35.030, which do not affect significant historic features;
2. Ordinary repairs and maintenance which do not alter the appearance of a significant feature and do not utilize substitute materials do not require a certificate of appropriateness;
3. If there are no interior features of significance, repairs to or replacement of utility systems do not require a certificate of appropriateness if such work does not alter a significant feature.

C. Review Process.

1. Requests for Review and Issuance of a Certificate of Appropriateness or Waiver. The building or zoning official shall report any application for a permit to work on a designated Clark County heritage register property or in a Clark County heritage historic district to the commission. If the activity is not exempt from review, the commission or staff shall notify the applicant of the review requirements. The building or zoning official shall not issue any such permit until a certificate of appropriateness or a waiver is received from the commission but shall work with the commission in considering building and fire code requirements.
2. There shall be two types of reviews for issuance of a certificate of appropriateness:
  - a. An administrative review by commission staff for repairs and replacements-in-kind as listed below, but not limited to, the following:
    - i. Repairs (other than ordinary repair and maintenance) using the same materials and design as the original,
    - ii. Re-roofing using the same type and color of material,
    - iii. Replacement of sidewalks and driveways using the same type and color of materials,
    - iv. Replacement of foundations or major portions thereof, using the same type and color of materials,
    - v. Replacement of utility systems if contributing interior features of significance are present,
    - vi. Structural or seismic upgrades which do not alter or affect significant features.
  - b. A public hearing review by the commission for alterations in appearance, replacement of historic materials, new construction or additions, or demolition or removal of a Clark County

heritage register building or cultural resource. Demolition of structures or facilities with recognized historical significance is also subject to the State Environmental Policy Act.

3. When a certificate of appropriateness is required, the following procedures shall govern according to the type of review required:
  - a. Applications requiring administrative review for certificates of appropriateness shall be reviewed by the commission staff.
  - b. Applications for the certificate shall be submitted to the commission staff on forms provided by the commission and must include a clear photograph or photographs of the building, object, site or structure, a brief description of the intended work, and samples of replacement material for comparison with the existing or the original building or structure.
  - c. Decision of the commission staff on the application shall be made within fifteen days from the date on which the commission staff receives a technically complete application.
  - d. The commission staff may, on his or her own motion, refer the application to the commission for a decision in accordance with the procedures set forth for a public hearing review. The time for a decision of the commission on the application shall run from the date that the application is referred to the commission by the staff.
  - e. Appeals from the decision of the commission staff regarding the issuance of a certificate of appropriateness under administrative review may be appealed to the commission (not the hearing examiner).
4. Public Hearing Review. Alterations in appearance, replacement of historic material (other than in-kind), new construction or additions. Alteration in the appearance of a significant contributing feature, the replacement of historic material (other than in-kind) in a significant feature, additions to a Clark County heritage register (CCHR) or new construction on a CCHR property or in an historic district, or any excavation on an archaeological site requires a public hearing review for a certificate of appropriateness. The owner or his/her agent (architect, contractor, lessee, etc.) shall apply to the commission for a review of proposed changes on a Clark County heritage register property or within a Clark County heritage register historic district and request a certificate of appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by information as required by the commission in its rules and procedures for the review of the proposed project. The commission staff shall meet with the applicant and review the proposed work according to the design review criteria established in rules. Notice of the design review shall be published in a newspaper of general circulation with the agenda for a public hearing and the property posted. The commission shall complete its review and make its recommendations decision within the timelines established in CCC Section 17.600.080, unless an extension of time is necessary. The commission's decision shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. If the owner agrees to the commission's decision, a certificate of appropriateness shall be awarded by the commission according to standards established in its rules and procedures. The commission's recommendations and decision, and, if awarded, the certificate of appropriateness shall be transmitted to the building or zoning official. If a certificate of appropriateness is awarded, the building or zoning official may then issue the permit.
5. Demolition. A waiver of certificate of appropriateness is required before a permit may be issued to allow whole or partial demolition of a designated Clark County heritage register property or in a Clark County heritage register historic district. Demolition is subject to review under the State Environmental Policy Act.
  - a. The owner or his/her agent shall attend a pre-application conference with staff to review demolition or alternative plans.
  - b. After the pre-application conference, the owner or agent may apply to the commission for review of the proposed demolition and request a waiver of certificate of appropriateness through a public hearing. With the application, the applicant shall provide a bona fide list of alternatives to demolition (which includes, but is not limited to, economic analysis; offers to

- lease, sell or dedicate site to a private, public or nonprofit entity, and outcome of the offer; relocation of building, etc.)
- c. Such review shall last no longer than forty-five days from the date of application, unless the commission finds that an extension of time is necessary. In no case shall the commission extend the review period beyond an additional forty-five days.
  - d. If no alternative to demolition is agreed upon, the commission shall issue a waiver of certificate of appropriateness. The commission may attach to the waiver, pursuant to the public hearing, conditions mitigating the loss of the Clark County heritage register property. Mitigation measures may include, but are not limited to, an identification plaque, use of an architectural element in new construction, moving the building, and/or buffering of the historic or cultural resource. The waiver and any attached mitigation conditions shall be transmitted to the official in charge of issuing demolition permits. Any attached mitigation conditions shall become conditions of approval should a demolition permit be granted.
  - e. After demolition of a property, the commission may initiate its removal from the Clark County heritage register.
6. Appeal of Approval or Denial of a Waiver of a Certificate of Appropriateness. The commission's decision regarding a waiver of a certificate of appropriateness may be appealed to the city council. Appeal of the city council's decision regarding a waiver of a certificate of appropriateness may be appealed to superior court.

#### 16.35.080 - RELATIONSHIP TO ZONING.

- A. Property(ies) designated to the Clark County heritage register shall be subject to the provisions set forth herein, as well as the bulk, use, setback and other controls of the zoning district in which they are located. Nothing contained herein shall be construed to be repealing, modifying, or waiving any zoning provisions.
  - 1. Property(ies) on any historic register or the Clark County cultural resources inventory shall be so noted in the city's manual or electronic permit tracking system or other database to alert staff and public as to the presence of an historic site, structure, object or building. Archaeological sites are exempt from this requirement.
  - 2. An official county map shall indicate an "HR-C" for "Historic or Heritage Register - Camas" for any property listed on the national, state or local registers, with the exception of specific archaeological sites.
  - 3. Property(ies) within the city listed on the Clark County cultural resource inventory shall be indicated on an official map(s) with an "HI-C" for "Historic Inventory—Camas" with the exception of specific archaeological sites.
  - 4. Historic district boundaries approved by the commission shall be indicated on the city's official zoning maps.
  - 5. Any application for development of building permit review on a property designated HR-C or HI-C shall be routed to commission and city staff for review or action pursuant to this title and the commission's rules and procedures prior to permit approval.
- B. The Clark County planning division with assistance from city staff is responsible for review of impacts to potential or existing historic resources. All applications for approval, permits, environmental assessments or impact statements, and other similar documents pertaining to property(ies) on the Clark County cultural resource inventory or adjacent property(ies) shall be reviewed by appropriate staff or a qualified consultant.



Comments shall be forwarded to the responsible staff for the application under consideration. If a property or historic district is on the National Register of Historic Places or the Clark County heritage register, the commission staff shall contact the property owner(s) or agent(s) in writing and advise them of the register status and applicable requirements.

#### 16.35.090 - REVIEW AND MONITORING OF PROPERTY(IES) FOR SPECIAL PROPERTY TAX VALUATION.

This section implements the local option special valuation tax incentive program as established in RCW 84.26.

A. Time Lines.

1. Applications must be filed by the first day of October with the county assessor's office and shall be forwarded to the commission by the assessor within ten days of filing.
2. For applications filed at least thirty days prior to the next regularly scheduled meeting of the commission, the case may be put on the agenda for that meeting. If there are not thirty days, the case will be scheduled for the next regularly scheduled meeting of the commission.
3. Applications shall be reviewed by the commission before December 31st of the calendar year in which the application is made.
4. Commission decisions regarding the applications shall be certified in writing and filed with the assessor within ten days of the decision.

B. Procedure.

1. The applicant files an application for special valuation with the county assessor's office no later than October 1st preceding the tax assessment year for which they wish to apply. A fee is required as established in CCC Chapter 17.60 and is payable to the Clark County department of community development.
2. The assessor forwards the application(s) to the commission within ten days of receipt of the completed application.
3. The commission reviews the application(s), consistent with its rules and procedures, and determines if the application(s) are complete and if the property(ies) meet the criteria set forth in WAC 254-17-070(1) and listed in subsection (C)(3) of this section.
  - a. If the commission finds the property(ies) meet all the criteria, then it shall approve the application(s).
  - b. If the commission determines the property(ies) do not meet all the criteria, then it shall deny the application(s).
4. The commission certifies its decisions in writing and states the facts upon which the approvals or denials are based and files copies of the certifications with the assessor.
5. For approved applications:
  - a. The commission staff forwards copies of the agreements, applications, and supporting documentation (as required by WAC 254-17-090(4) and identified in subsection C of this section) to the assessor;
  - b. The commission staff forwards the signed agreement and application documents to the county auditor for recording. The applicant shall be assessed fees for recording as provided for in CCC Chapter 17.60 and other applicable county codes;

- c. Notifies the Washington State Advisory Council that the property(ies) have been approved for special valuation; and
    - d. Monitors the property(ies) for continued compliance with the agreements throughout the ten-year special valuation period. Monitoring may include an annual site visit by staff or commission members.
  - 6. The commission determines in a manner consistent with its rules of procedure, whether or not property(ies) are disqualified from special valuation either because of:
    - a. The owner's failure to comply with the terms of the agreement; or
    - b. A loss of historic value resulting from physical changes to the building or site.
  - 7. For disqualified property(ies) pursuant to RCW 84.26.080, the commission shall notify the owner, assessor, and Washington State Advisory Council in writing and state the facts supporting its findings.
- C. Criteria.
- 1. Historic Property Criteria. The class of property eligible to apply for special valuation in Clark County shall mean all property(ies) listed on the National Register of Historic Places, Clark County heritage register or property(ies) certified as contributing to local and/or National Register Historic Districts which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in RCW Chapter 84.26.
  - 2. Application Criteria. Complete applications shall consist of the following documentation:
    - a. A legal description of the historic property;
    - b. A copy of the nomination form to the National Register of Historic Places or Clark County heritage register for the subject property(ies);
    - c. Comprehensive exterior and interior photographs of the historic property before and after rehabilitation. Photographs should be four inches by six inches or five inches by seven inches minimum format either black and white or color, with negatives and must be clearly labeled to identify case, location, subjects and the direction the photograph was taken:
      - i. Photos taken prior to construction,
      - ii. Historic photos or other source materials of replicated features,
      - iii. If in an historic district, a current streetscape;
    - d. Architectural plans or other legible drawings depicting the completed rehabilitation work signed by the architect or drafts-person; and
    - e. Notarized affidavit(s):
      - i. Attesting to the actual itemized cost of the rehabilitation work completed prior to the date of application, and
      - ii. Indicating rehabilitation work was completed within the twenty-four month period of time prior to application for special valuation.

Documentation of both must be made available to the commission;
    - f. Samples of utilized materials may be required by the commission;
    - g. Other information as required by staff or the commission at a pre-application meeting.
  - 3. Property Review Criteria. In its review the commission shall determine if the property(ies) meet all the following criteria:
    - a. The property is historic property which is designated to the local and/or national registers;

- b. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.017(2) within twenty-four months prior to the date of application; and
  - c. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-17-100(1) and listed in subsection (C)(4) of this section).
- 4. Rehabilitation and Maintenance Criteria. The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-17-100 shall be used by the commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.
- D. Agreement. The historic preservation special valuation agreement in WAC 254-17-117 shall be used by the commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).
- E. Appeals. Any decision of the commission acting on any application for classification as historic property, eligible for special valuation, may be appealed to superior court under RCW 34.04.130 in addition to any other remedy of law. Any decision on the disqualification of historic property eligible for special valuation, or any other dispute, may be appealed to the county board of equalization.

#### 16.35.100 - CLARK COUNTY CULTURAL RESOURCES INVENTORY.

- A. Purpose of the Inventory. The Clark County cultural resources inventory is a tool for planning and research, and includes those resources believed to have cultural or historic significance for Clark County, the region, or the nation, regardless of current ownership.
- B. Effect of Listing on the Inventory. Listing on the Clark County cultural resources inventory does not result in any regulatory requirements pursuant to this chapter.
- C. Application for Listing on the Inventory.
  - 1. A property owner may make application for listing on the inventory by completing an inventory form available from the Clark County department of community development and submitting it to the commission staff, if the building, structure, site, object, or district is at least fifty years old, or is of lesser age and has exceptional architectural, historical or cultural importance.
  - 2. The city of Camas or Clark County may conduct an historic and cultural resource inventory and make application for listing on the inventory.
- D. Listing on the Inventory.
  - 1. New listings of buildings, structures, sites, objects or districts to the inventory is subject to review by the department of community development together with staff from the city. Consideration of listing shall be based upon development of a comprehensive inventory methodology which determines a rank order.
  - 2. Property(ies) which are demolished shall be maintained in the inventory records for historical research purposes.

#### 16.35.110 - VIOLATIONS AND ENFORCEMENT.

Violations of this chapter shall be grounds for the commission to review the property for removal from the register. The property owner may also be subject to special valuation disqualifications as stated in WAC 458-15-070 and all applicable laws.

#### CRITICAL AREAS

#### Chapter 16.51 - GENERAL PROVISIONS

#### Sections:

#### 16.51.010 - PURPOSE.

- A. The purpose of this chapter is to designate and classify ecologically sensitive and hazardous areas, and to protect these areas, their functions and values, while allowing for some reasonable use of property.
- B. The city finds that critical areas provide a variety of valuable and beneficial biological and physical functions that benefit the city of Camas and its residents, and/or may pose a threat to human safety, or to public and private property.
- C. Goals. By managing development and alteration of critical areas, this chapter seeks to:
  - 1. Protect members of the public and public resources and facilities from injury, loss of life, or property damage due to landslides and steep slope failures, erosion, seismic events, or flooding;
  - 2. Protect unique, fragile, and valuable elements of the environment, including ground and surface waters;
  - 3. Direct activities not dependent on critical area resources to less ecologically sensitive sites, and mitigate necessary impacts to critical areas by regulating alterations in and adjacent to critical areas; and
  - 4. Prevent cumulative adverse environmental impacts to critical aquifer recharge and frequently flooded areas.
- D. The regulations of this chapter are intended to protect critical areas in accordance with the Growth Management Act, and through the application of best available science, as determined according to WAC 365-195-900 through 365-195-925, and in consultation with state and federal agencies and other qualified professionals.
- E. This chapter is to be administered with flexibility and attention to site-specific characteristics. It is not the intent of this chapter to make a parcel of property unusable by denying its owner reasonable economic use of the property.
- F. The city's enactment or enforcement of this chapter shall not be construed for the benefit of any individual person or group of persons other than the general public.

#### 16.51.020 - AUTHORITY.

As provided herein, the director shall mean the community development director or designee. The director is given the authority to interpret and apply, and the responsibility to enforce this chapter to accomplish the stated purpose.

#### 16.51.030 - RELATIONSHIP TO OTHER REGULATIONS.

- A. These critical area regulations shall apply as an overlay and in addition to zoning and other regulations, including the city of Camas Design Standards Manual, adopted by the city.
- B. These critical area regulations may be applied concurrently with review conducted under the State Environmental Policy Act (SEPA), or other development review as adopted.
- C. In the event of a conflict with any other provisions of this chapter, that which provides more protection to the critical areas shall apply.
- D. Compliance with the provisions of this chapter does not constitute compliance with other federal, state and local regulations and permit requirements that may be required (for example, shoreline substantial development permits, HPA permits, Army Corps of Engineers Section 404 permits, NPDES permits). The applicant is responsible for complying with all requirements, apart from the process established in this chapter.

#### 16.51.040 - SEVERABILITY.

If any clause, sentence, paragraph, section, or part of this chapter, or the application thereof to any person or circumstances shall be judged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered. The decision shall not affect or invalidate the remainder of any part thereof, and to this end the provisions of each clause, sentence, paragraph, section, or part of this law are declared to be severable.

#### 16.51.050 - ADMINISTRATIVE RULES.

Applicable departments within the city of Camas are authorized to adopt such administrative rules and regulations as necessary and appropriate to implement these chapters, and to prepare and require the use of such forms as necessary for its administration. The applicant shall be responsible for the initiation, preparation, submission, and expense of all required reports, assessment(s), studies, plans, reconnaissance(s), peer review(s) by qualified consultants, and other work prepared in support of or necessary to review the application.

#### 16.51.060 - INTERPRETATION.

In the interpretation and application of the ordinance codified in this chapter, the provisions of this chapter shall be considered to be the minimum requirements necessary, shall be liberally construed to serve the purpose of the ordinance codified in this chapter, and shall be deemed to neither limit nor repeal any other provisions under state statute.

#### 16.51.070 - CRITICAL AREAS—REGULATED.

- A. Critical areas regulated by this chapter include wetlands (CMC Chapter 16.53), critical aquifer recharge areas (CMC Chapter 16.55), frequently flooded areas (CMC Chapter 16.57), geologically hazardous areas (CMC Chapter 16.59), and fish and wildlife habitat conservation areas (CMC Chapter 16.61).
- B. All areas within the city meeting the definition of one or more critical area, platted natural open space area, and conservation covenant areas, regardless of any formal identification, are designated critical areas and are subject to these provisions.

#### 16.51.080 - BEST AVAILABLE SCIENCE.

- A. Best Available Science to be Used Must be Consistent with Criteria. The best available science is that scientific information applicable to the critical area prepared by local, state, or federal natural resource agencies, a qualified scientific professional, or team of qualified scientific professionals, that is consistent with criteria established in WAC 365-195-900 through WAC 365-195-925.
- B. Absence of Valid Scientific Information. Where there is an absence of valid scientific information, or incomplete scientific information relating to a critical area, leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the director shall:
  - 1. Limit development and land use activities until the uncertainty is sufficiently resolved; and
  - 2. Require an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:
    - a. Address funding for the research component of the adaptive management program,
    - b. Change course based on the results and interpretation of new information that resolves uncertainties, and
    - c. Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas and anadromous fisheries.

#### 16.51.090 - APPLICABILITY.

Land proposals below are subject to the criteria, guidelines, report requirements, conditions, and performance standards in this title:

- A. Binding site plan;
- B. Blasting permits;
- C. Commercial development;
- D. Conditional use permit;
- E. Light industrial or industrial development;
- F. Planned residential development;
- G. Short plat;

- H. Subdivision;
- I. Shoreline substantial development permit;
- J. Any grading, filling, or clearing of land, or logging or removal of timber on land characterized in a critical area described in CMC Section 16.51.070(A); and
- K. Other activities as specified within this title.

#### 16.51.100 - EXEMPTIONS.

- A. Exempt Activities. The following developments, activities, and associated uses shall be exempt from the provisions of this title; provided, that they are otherwise consistent with the provisions of other local, state and federal laws and requirements:
  - 1. Emergencies. Emergency activities are those activities necessary to prevent an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property, and that require remedial or preventative action in a timeframe too short to allow for compliance with the requirements of these provisions.
 

An emergency response shall utilize reasonable methods to address the emergency considering the applicable critical area(s); in addition, they must have the least possible impact to the critical area or its management zone. The person or agency undertaking such action shall notify the city within four days following commencement of the emergency activity. If the director determines that the action taken, or any part of the action taken, was beyond the scope of an allowed emergency action, then enforcement will commence;
  - 2. After the emergency, the person or agency undertaking the action shall fully restore and/or mitigate any impacts to the critical area and management zones resulting from the emergency action in accordance with an approved critical area report and mitigation plan. Restoration and/or mitigation activities must be initiated within one year of the date of the emergency, and completed in a timely manner;
  - 3. Operation, Maintenance or Repair. Operation, maintenance or repair of existing structures, infrastructure improvements, utilities, public or private roads, dikes, levees or drainage systems that do not further alter or increase the impact to, or encroach further within, the critical area or management;
  - 4. Passive Outdoor Activities. Recreation, education, and scientific research activities that do not degrade the critical area, including fishing, hiking, and bird watching. Trails must be constructed pursuant to CMC Section 16.51.120(C)(4); and
  - 5. Forest Practices. Forest practices regulated and conducted in accordance with the provisions of Chapter 76.09 RCW and forest practices regulations, Title 222 WAC, and those that are exempt from city of Camas' jurisdiction, provided that forest practice conversions are not exempt.
- B. Exempt Activities Shall Avoid Impacts to Critical Areas. All exempted activities shall use reasonable methods to avoid potential impacts to critical areas. To be exempt from these provisions does not give permission to degrade a critical area or ignore risk from natural hazards. Any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempted activity shall be restored, rehabilitated, or replaced at the responsible party's expense.

#### 16.51.110 - EXCEPTION—REASONABLE USE.

- A. If the application of this title would deny all reasonable use of the subject property, the property owner may apply for an exception pursuant to this section.
- B. Exception Request and Review Process. An application for a reasonable use exception shall be made to the city and shall include a critical area application and fee; critical area report, including mitigation plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy Act (Chapter 43.21C RCW) (SEPA documents). A staff report shall be prepared to include a recommendation to the approval authority based on review of the submitted information, a site inspection, and the proposal's ability to comply with reasonable use exception criteria in subsection D of this section.
- C. Public Hearing Required. A request for an exception under this section shall be considered through a Type III hearing process in accordance with CMC Chapter 18.55.
- D. Reasonable Use Review Criteria. The criteria for review and approval of reasonable use exceptions is:
  - 1. The application of these provisions would deny all reasonable use of the property;
  - 2. No other reasonable use of the property has less impact on the critical area;
  - 3. Any alteration is the minimum necessary to allow for reasonable use of the property; and
  - 4. The inability of the applicant to derive reasonable use of the property is not the result of actions by the applicant after the effective date of these provisions or its predecessor.
- E. Burden of Proof. The burden of proof shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.

#### 16.51.120 - ALLOWED ACTIVITIES.

- A. Critical Area Report not Required. Activities which have been reviewed and permitted or approved by the city, or other agency with jurisdiction, for impacts to critical or sensitive areas, do not require submittal of a new critical area report or application under this chapter, unless such submittal was required previously for the underlying permit.
- B. Required Use of Best Management Practices. All allowed activities shall be conducted using the best management practices, adopted pursuant to other provisions contained in this code, that result in the least amount of impact to the critical areas. Best management practices shall be used for tree and vegetation protection, construction management, erosion and sedimentation control, water quality protection, and regulation of chemical applications. The city shall monitor the use of best management practices to ensure that the activity does not result in degradation to the critical area. Any incidental damage to, or alteration of, a critical area shall be restored, rehabilitated, or replaced at the responsible party's expense.
- C. Allowed Activities. The following activities are allowed:
  - 1. Permit Requests Subsequent to Previous Critical Area Review. Development permits and approvals that involve both discretionary land use approvals (such as subdivisions, rezones, or conditional use permits) and construction approvals (such as building permits) if all of the following conditions have been met:
    - a. There have been no material changes in the potential impact to the critical area or management zone since the prior review,



- b. There is no new information available that is applicable to any critical area review of the site or particular critical area,
  - c. The permit or approval has not expired or, if no expiration date, no more than five years has elapsed since the issuance of that permit or approval, and
  - d. Compliance with any standards or conditions placed upon the prior permit or approval has been achieved or secured;
- 2. **Modification to Existing Structures.** Structural modifications, additions to, or replacement of an existing legally constructed structure that does not further alter or increase the impact to the critical area or management zone, and where there is no increased risk to life or property as a result of the proposed modification or replacement, provided that restoration of structures substantially damaged by fire, flood, or act of nature must be initiated within one year of the date of such damage, as evidenced by the issuance of a valid building permit, and diligently pursued to completion;
- 3. **Activities Within the Improved Right-of-Way.** Replacement, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the improved portion of the public right-of-way or a city-authorized private roadway, except those activities that alter a wetland or watercourse, such as culverts or bridges, or results in the transport of sediment or increased stormwater;
- 4. **Public and Private Pedestrian Trails.**
  - a. Existing public and private trails established consistent with the city of Camas parks and open space plan may be maintained, replaced, or extended, provided there is no increase in the impact to the critical area or management zone.
  - b. Other public and private pedestrian trails, except in wetlands, fish and wildlife habitat conservation areas, or their management zones, subject to the following:
    - i. The trail surface shall meet all other requirements including water quality standards set forth in the city of Camas Design Standards Manual,
    - ii. Critical area and/or management zone widths shall be increased, where possible, equal to the width of the trail corridor, including disturbed areas, and
    - iii. Trails proposed to be located in landslide or erosion hazard areas shall be constructed in a manner that does not increase the risk of landslide or erosion, and in accordance with an approved geotechnical report;
- 5. **Selective Vegetation Removal Activities.** The following vegetation removal activities, provided that no vegetation shall be removed from a critical area or its management zone without approval from the director, are allowed:
  - a. The removal of invasive plant species including Himalayan blackberry (*Rubus discolor*, *R. procerus*), Evergreen blackberry (*Rubus laciniatus*), English Ivy as well as any other noxious weed or invasive plant species acknowledged by the city, with hand labor and light equipment (e.g., push mowers, powered trimmers, etc.),
  - b. The removal of trees that are hazardous, posing a threat to public safety, or posing an imminent risk of damage to private property, from critical areas and management zones, provided that:
    - i. The applicant submits a report from a certified arborist, registered landscape architect, or professional forester that documents the hazard and provides a replanting schedule for the replacement trees,
    - ii. Tree cutting shall be limited to limbing and crown thinning, unless otherwise justified by a qualified professional. Where limbing or crown thinning is not sufficient to address the hazard, trees should be topped to remove the hazard rather than cut at or near the base of the tree,

- iii. The landowner shall replace any trees that are felled or topped with new trees at a ratio of two replacement trees for each tree felled or topped within one year in accordance with an approved restoration plan. Tree species that are native and indigenous to the site and a minimum caliper of two inches shall be used,
  - iv. If a tree to be removed provides critical habitat, such as an eagle perch, a qualified wildlife biologist shall be consulted to determine timing and methods of removal that will minimize impacts, and
  - v. Hazard trees determined to pose an imminent threat or danger to public health or safety, or to public or private property, or serious environmental degradation, may be removed or topped by the landowner prior to receiving written approval from the city; provided, that within fourteen days following such action, the landowner shall submit a restoration plan that demonstrates compliance with these provisions,
- c. Measures to control a fire or halt the spread of disease or damaging insects consistent with the State Forest Practices Act; Chapter 76.09 RCW, and Camas fire department requirements; provided, that the removed vegetation shall be replaced in-kind or with similar native species within one year in accordance with an approved restoration plan;
- 6. Chemical Applications. The application of herbicides, pesticides, organic or mineral-derived fertilizers, or other hazardous substances, provided that their use shall be restricted in accordance with Department of Fish and Wildlife Management Recommendations, and the regulations of the Department of Agriculture and the U.S. Environmental Protection Agency;\*
- 7. Minor Site Investigative Work. Work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads or significant amounts of excavation. In every case, impacts to the critical area shall be minimized and disturbed areas shall be immediately restored; and
- 8. Navigational Aids and Boundary Markers. Construction or modification of navigational aids and boundary markers.

\* More information on commercial and residential use of chemicals can be found in Department of Ecology "Critical Aquifer Recharge Areas: Guidance Document," Publication #05-10-028.

#### 16.51.130 - REVIEW REQUIRED.

Mapping. The approximate location and extent of critical areas are shown on the adopted critical area maps. These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continually updated as new critical areas are identified. They are a reference and do not provide a final critical area designation or delineation. If the proposed activity is within, adjacent to, or is likely to impact a critical area, the city shall require a critical area report from the applicant that has been prepared by a qualified professional. If the report concludes that there is a critical area present then the city of Camas shall:

- A. Review and evaluate the critical area report;
- B. Determine whether the development proposal conforms to the purposes and performance standards of these provisions;
- C. Assess potential impacts to the critical area and determine if they are necessary and unavoidable; and
- D. Determine if any mitigation proposed by the applicant is sufficient to protect the functions and values of the critical area and public health, safety, and welfare concerns consistent with the goals, purposes, objectives, and requirements of these provisions.

#### 16.51.140 - CRITICAL AREA REPORTING EVALUATION—REQUIREMENTS.

- A. Incorporating Best Available Science. The critical area report shall use scientifically valid methods and studies in the analysis of critical area data and field reconnaissance, and reference the source of science used. The critical area report shall evaluate the proposal and the likelihood of all probable adverse impacts to critical areas in accordance with these provisions.
- B. Minimum Report Contents. At a minimum, the report shall contain the following:
  - 1. The name and contact information of the applicant, a description of the proposal, and identification of the permit requested;
  - 2. A copy of the site plan for the development proposal showing identified critical areas, management zones, property lines, limits of any areas to be cleared, and a description of the proposed stormwater management plan for the development and consideration of impacts to drainage alterations;
  - 3. The dates, names, and qualifications of the persons preparing the report, and documentation of any fieldwork performed on the site;
  - 4. Identification and characterization of critical areas, wetlands, water bodies, and management zones within the proposed project area;
  - 5. A description of reasonable efforts made to avoid, minimize, and mitigate impacts to critical areas;
  - 6. A proposal for financial guarantees to ensure compliance; and
  - 7. Any additional information required for the critical area, as specified in the corresponding chapter.
- C. Unless otherwise provided, a critical area report may be supplemented by or composed, in whole or in part, of any reports or studies required by other laws and regulations, or previously prepared for and applicable to the development proposal site, as approved by the director.

#### 16.51.150 - CRITICAL AREA REPORT—MODIFICATIONS TO REQUIREMENTS.

- A. Limitations to Study Area. The director may limit or extend the required geographic area of the critical area report as deemed appropriate, so long as it is within the proposed site.
- B. Modifications to Required Contents. The applicant may consult with the director prior to or during preparation of the critical area report to obtain city written approval for modifications to the required contents of the report where, in the judgment of a qualified professional, more or less information is required to adequately address the probable critical area impacts and required mitigation.
- C. Additional Information May be Required. The director may require additional information to be included in the critical area report when determined to be necessary to the review of the proposed activity in accordance with these provisions. Additional information that may be required, includes, but is not limited to:
  - 1. Historical data, including original and subsequent mapping, aerial photographs, data compilations and summaries, and available reports and records relating to the site or past operations at the site;
  - 2. Grading and drainage plans; and
  - 3. Information specific to the type, location, and nature of the critical area.

#### 16.51.160 - MITIGATION REQUIREMENTS.

- A. The applicant shall avoid all impacts that degrade the functions and values of a critical area or areas. Unless otherwise provided in these provisions, if alteration to the critical area is necessary, all adverse impacts to or from critical areas and management zones resulting from a development proposal or alteration shall be mitigated in accordance with an approved critical area report and SEPA documents.
- B. Mitigation should be in-kind and on-site, when possible, and sufficient to maintain the functions and values of the critical area, and to prevent risk from a hazard posed by a critical area.
- C. Mitigation shall only be implemented after city approval of a critical area report that includes a mitigation plan; and mitigation shall be in accordance with the provisions of the approved critical area report.

#### 16.51.170 - MITIGATION SEQUENCING.

Applicants shall demonstrate that reasonable efforts have been examined with the intent to mitigate impacts to critical areas. When an alteration to a critical area is proposed, mitigation can be accomplished through a variety of methods. Generally, avoiding the impact altogether is the preferred option. Methods to reduce impacts and mitigate for them should follow a series of steps taken in sequential order:

- A. Avoiding the impact altogether by not taking a certain action or parts of an action (usually by either finding another site or changing the location on the site);
- B. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps, such as project design, developable area configuration, relocation, or timing, to avoid or reduce impacts;
- C. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;
- D. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;
- E. Compensating for the impact to critical areas by replacing, enhancing, or providing substitute resources or environments;
- F. Monitoring the hazard or other required mitigation and taking remedial action when necessary; and
- G. Rectifying the impact to critical areas by repairing, rehabilitating, or restoring the affected environment to the historical conditions, or the conditions existing at the time of the initiation of the project.

Following this process is referred to as mitigation sequencing, and mitigation for individual actions may include a combination of the measures provided in this section.

#### 16.51.180 - MITIGATION PLAN REQUIREMENTS.

When mitigation is required, the applicant shall submit to the city a mitigation plan as part of the critical area report. The mitigation plan shall include:

- A. Environmental Goals and Objectives. The mitigation plan shall include a written report identifying environmental goals and objectives of the compensation proposed and including:

1. A description of the anticipated impacts to the critical areas, the mitigating actions proposed, and the purposes of the compensation measures, including the site selection criteria, identification of compensation goals, identification of resource functions, and dates for beginning and completion of site compensation construction activities. The goals and objectives shall be related to the functions and values of the impacted critical area; and
  2. An analysis of the likelihood of success of the mitigation project.
- B. Performance Standards. The mitigation plan shall include measurable specific criteria for evaluating whether or not the goals and objectives of the mitigation project have been successfully attained, and whether or not the requirements of these provisions have been met.
- C. Detailed Construction Plans. The mitigation plan shall include written specifications and descriptions of the mitigation proposed, including but not limited to, the proposed construction sequence, timing and duration; grading and excavation details; erosion and sediment control features; a planting plan specifying plant species, quantities, locations, size, spacing and density; and, measures to protect and maintain plants until established.
- These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.
- D. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the compensation project and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring (for example, monitoring shall occur in years one, three, and five after site construction), and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the compensation project. The compensation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than five years.
- E. Contingency Plan. The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.
- F. Financial Guarantees. The mitigation plan shall include financial guarantees, as determined by the approval authority, to ensure that the mitigation plan is fully implemented. Financial guarantees ensuring fulfillment of the compensation project, monitoring program, and any contingency measures shall be posted consistent with these provisions.

#### 16.51.190 - INNOVATIVE MITIGATION.

The city may encourage, facilitate, and approve innovative mitigation projects. Advance mitigation or mitigation banking are examples of alternative mitigation projects allowed under the provisions of this section wherein one or more applicants, or an organization with demonstrated capability, may undertake a mitigation project together if it is demonstrated that all of the following circumstances exist:

- A. Creation or enhancement of a larger system of critical areas and open space is preferable to the preservation of many individual habitat areas;
- B. The group demonstrates the organizational and fiscal capability to act cooperatively;
- C. The group demonstrates that long-term management of the habitat area will be provided;
- D. There is a clear potential for success of the proposed mitigation at the identified mitigation site; and
- E. Conducting mitigation as part of a cooperative process does not reduce or eliminate the required replacement ratios.

#### 16.51.200 - UNAUTHORIZED CRITICAL AREA ALTERATIONS AND ENFORCEMENT.

- A. When a critical area or its management zone has been altered in violation of these provisions, all ongoing development work shall stop and the critical area shall be restored. The city shall have the authority to issue a stop work order to cease all ongoing development work, and order restoration, rehabilitation, or replacement measures at the owner's or other responsible party's expense to compensate for violation of these provisions.
- B. Restoration Plan Required. Where a violation has occurred, all development work shall remain stopped until a restoration plan is submitted by the property owner and/or violator (applicant) and approved by the city. Such a plan shall be prepared by a qualified professional and shall describe how the actions proposed meet the intent of requirements described in subsection C of this section. The director may, at the applicant's expense, seek expert advice in determining the adequacy of the plan and may impose additional requirements to mitigate critical areas issues.
- C. Minimum Performance Standards for Restoration.
  - 1. For alterations to critical aquifer recharge areas and frequently flooded areas, the following minimum performance standards shall be met for the restoration of a critical area, provided that if the violator can demonstrate that greater functional and habitat values can be obtained, these standards may be modified:
    - a. The historic structural and functional values shall be restored, including water quality and habitat functions;
    - b. The historic soil types and configuration shall be replicated;
    - c. The critical area and management zones shall be replanted with native vegetation that replicates the vegetation historically found on the site in species types, sizes, and densities; and
    - d. The historic functions and values should be replicated at the location of the alteration.
  - 2. For alterations to frequently flooded and geological hazardous areas, the following minimum performance standards shall be met for the restoration of a critical area, provided that, if the violator can demonstrate that greater safety can be obtained, these standards may be modified:
    - a. The hazard shall be reduced to a level equal to, or less than, the predevelopment hazard;
    - b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and
    - c. The hazard area and management zones shall be replanted with native vegetation sufficient to minimize the hazard.
- D. Enforcement. Violations and compliance issues under these provisions are subject to enforcement under CMC Chapter 18.55.

#### 16.51.210 - CRITICAL AREA MARKERS, SIGNS AND FENCING.

- A. Temporary Markers. The outer perimeter of the management zones and/or critical areas may be required to be marked in the field in such a way as to ensure that no unauthorized intrusion will occur, and verified by the director prior to the commencement of permitted activities. This temporary marking, if required, shall be maintained throughout construction, and shall not be removed until permanent signs, if required, are in place.

- B. Permanent Signs. The city may require, as a condition of any permit or authorization issued pursuant to this chapter, that the applicant install permanent signs along the boundary of a critical area or management zone to city standards.
- C. Fencing.
  - 1. The director may condition any permit or authorization issued pursuant to this chapter to require the applicant to install a permanent fence to city specifications at the edge of the habitat conservation area or management zone, when, in the opinion of the city, fencing will reasonably minimize or prevent future impacts to the habitat conservation area.
  - 2. Fencing installed as part of a proposed activity, or as required in this subsection, shall be designed so as to not interfere with species migration, including fish runs, and shall be constructed in a manner that minimizes habitat impacts.

#### 16.51.220 - NOTICE ON TITLE.

- A. The proponent of any new development proposal which involves a critical area or management zone may be required to file a notice with the Clark County recording division of the county auditor's office. The notice, if required, shall state the presence of the critical area or management zone on the property, of the application of these provisions to the property, and the fact that limitations on actions in or affecting the critical area or management zone may exist. The notice shall run with the land.
- B. This notice on title shall not be required for a development proposal by a public agency, or public or private utility:
  - 1. Within a recorded easement or right-of-way;
  - 2. Where the agency or utility has been adjudicated the right to an easement or right-of-way; or
  - 3. On the site of a permanent public facility.
- C. The applicant shall submit proof that the notice has been filed for public record before the city approves any development proposal for the property or, in the case of subdivisions, short subdivisions, planned unit developments, and binding site plans, at or before recording.

#### 16.51.230 - NATIVE GROWTH PROTECTION AREAS (RESERVED).

#### 16.51.240 - CRITICAL AREA PROTECTIVE MECHANISM.

- A. Identified critical areas and their associated buffer or management zones shall be protected and preserved through a permanent protective mechanism acceptable to the city. This may include placing the critical area and its associated buffer or management zone in a separate tract; executing a protective easement; or dedicating the critical area and its associated buffer or management zone to a public agency, or public or private land trust. The mechanism shall provide for maintenance of the critical area and its associated buffer or management zone.
- B. If the protective mechanism includes placing the critical area and its associated buffer or management zone in a separate tract, then the critical area tract(s) shall:
  - 1. Be recorded on all documents of title of record for all affected lots;

2. Be designated on the face of the plat or recorded drawing in a format approved by the city. The designation shall include the following restriction:
  - a. An assurance that native vegetation will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability, management zoning, and protecting plants and animal habitat; and
  - b. The right of the city to enforce the terms of the restriction.
- C. The city may require that any required critical area tract be dedicated to the city, or held by an incorporated homeowner's association or other legal entity.

#### 16.51.250 - BONDS TO ENSURE MITIGATION, MAINTENANCE, AND MONITORING.

- A. When mitigation required pursuant to a development proposal is not completed prior to the city final permit approval, such as final plat approval, the city shall require the applicant to post a performance bond or other security in a form and amount deemed acceptable by the city. If the development proposal is subject to mitigation, the applicant shall post a mitigation bond or other security in a form and amount deemed acceptable by the city to ensure mitigation is fully functional.
- B. The bond shall be in the amount of one hundred twenty-five percent of the estimated cost of the uncompleted actions, or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater.
- C. The bond may be in the form of a surety bond, performance bond, assignment of savings account, or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the city attorney.
- D. Bonds or other security authorized by this section shall remain in effect until the city determines, in writing, that the standards bonded for have been met.
- E. Depletion, failure, or collection of bond funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring, or restoration.
- F. Public development proposals may be relieved from having to comply with the bonding requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration.
- G. Any failure to satisfy critical area requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within thirty days after it is due, or comply with other provisions of an approved mitigation plan, shall constitute a default, and the city may demand payment of any financial guarantees or require other action authorized by the city code or any other law.
- H. Any funds recovered pursuant to this section shall be used to complete the required mitigation.

### CHAPTER 16.53 - WETLANDS

#### Sections:

#### 16.53.010 - PURPOSE, APPLICABILITY AND EXEMPTIONS.

- A. Purpose.



1. Wetlands constitute important natural resources which provide significant environmental functions including: the control of floodwaters, maintenance of summer stream flows, filtration of pollutants, recharge of ground water, and provision of significant habitat areas for fish and wildlife. Uncontrolled urban-density development in and adjacent to wetlands and designated buffers can eliminate or significantly reduce the ability of wetlands to provide these important functions, thereby detrimentally affecting public health, safety, and general welfare.
  2. It is the purpose of this chapter to provide balanced wetland protection measures which:
    - a. Further the goal of no net loss of wetland acreage and functions;
    - b. Encourage restoration and enhancement of degraded and low quality wetlands;
    - c. Provide a greater level of protection for higher-quality wetlands;
    - d. Maintain consistency with federal wetland protective measures; and
    - e. Respect the rights of property owners by allowing reasonable use of property.
- B. Applicability.
1. The provisions of this chapter apply to all lands, all land uses and development activity, and all structures and facilities in the city, whether or not a permit or permit authorization is required, and shall apply to every person, firm, partnership, corporation, group, governmental agency, or other entity that owns, leases, or administers land within the city. No person, company, agency, or applicant shall alter a wetland or wetland buffer except as consistent with this chapter.
  2. The city will not approve any permit or otherwise issue any authorization to alter the condition of any land, water, or vegetation, or to construct or alter any structure or improvement in, over, or on a wetland or wetland buffer, without first ensuring compliance with the requirements of this chapter, including, but not limited to, the following development permits:
    - a. Building permit;
    - b. Grading permit;
    - c. Forest practices conversion permit;
    - d. Conditional use permit;
    - e. Shoreline conditional use permit;
    - f. Shoreline substantial development permit;
    - g. Shoreline variance;
    - h. Short subdivision;
    - i. Subdivision;
    - j. Planned residential development;
    - k. Master plan;
    - l. Binding site plan; or
    - m. Site plan or site plan review.
  3. Reasonable Use Exceptions. The following exceptions shall apply in implementing the standards of this chapter, although the standards shall be applied to the maximum extent practicable to avoid and minimize impacts on wetland functions and values. Mitigation for unavoidable adverse impacts shall be required. The standards of this chapter shall not be used to preclude the following activities in wetland areas:
    - a. The placement of a single-family residence and normal accessory structures on an otherwise legally buildable lot of record. Standards may be applied on established properties to limit the proposed location and size of structures, and proposed removal of vegetation.

- i. The expansion of a home on a lot that does not show building or development envelopes, wetlands or wetland buffers on the recorded plat, not to exceed twenty-five percent of the existing building footprint,
    - ii. The replacement of single-wide mobile home with another dwelling and normal accessory structures, and
    - iii. Fire hazard clearing recommended by the fire marshal, or consistent with written fire marshal or fire chief guidelines;
  - b. The standards of this chapter shall not be used to deny all reasonable economic use of private property. The following criteria must be met in order to verify that all reasonable economic use of the property has been denied:
    - i. The application of this chapter would deny all reasonable economic use of the property,
    - ii. No other reasonable economic use of the property has less impact on the wetland and buffer area,
    - iii. Any wetland or buffer alteration is the minimum necessary to allow for reasonable economic use of the property, and
    - iv. The inability of the applicant to derive reasonable economic use of the property is not the result of actions by the applicant after the date of adoption of the ordinance codified in this chapter;
  - c. The application of this chapter shall not be used to deny a development proposal for a linear facility from a public agency or public utility, provided the agency or utility meets the following criteria:
    - i. There is no practical alternative to the proposed project with less impact on the wetland and buffer area, and
    - ii. The application of this chapter would unreasonably restrict the ability to provide public utility services to the public.
4. Approval of a development permit application pursuant to the provisions of this chapter does not discharge the obligation of the applicant to comply with the provisions of this chapter.

C. Exemptions.

- 1. Exempt Activities and Impacts to Wetlands. All exempted activities shall use reasonable methods to avoid potential impacts to wetlands and buffers. Exemptions from permits are not exemptions from wetland stewardship responsibilities. The following developments, activities, and associated uses shall be exempt from the provisions of this chapter; provided, that they are otherwise consistent with the provisions of other local, state, and federal laws and requirements:
  - a. Reconstruction of damaged or destroyed structures within the same building footprint. Expansion or reconstruction within a new or expanded footprint that affects a nonexempt wetland or wetland buffer is subject to the provisions of this title.
  - b. The harvesting or normal maintenance of vegetation in a manner that is not injurious to the natural reproduction of such vegetation.
  - c. Existing agricultural activities and structures:
    - i. Agricultural activities and structures in operation at the time of adoption of the ordinance codified in this chapter that are affecting wetlands not associated with a riparian corridor are exempt from regulation under this chapter,
    - ii. Changes in agricultural practices within the same "footprint" as the existing agricultural activities in subsection (C)(1)(c)(i) of this section, including reconstruction of existing agricultural structures, or construction of new agricultural structures, are exempt from regulation under this chapter,

- iii. Agricultural activities and structures in operation at the time of adoption of the ordinance codified in this chapter that are affecting wetlands associated with riparian corridors shall be regulated through CMC Chapter 16.61.
  - d. The removal or eradication of noxious weeds so designated in Title 8 of this code or other exotic nuisance plants including nonnative blackberries; provided, that ground disturbing heavy machinery (scraping, ripping, etc.,) is not used. Cutting, mowing, and ground disturbance with hand tools is allowed.
  - e. Site investigative work necessary for land use application submittals such as surveys, soil logs, and percolation tests.
  - f. Emergency clearing to abate immediate danger to persons or property. For emergency clearing of hazard trees, remove only that portion of the hazard tree as necessary to remediate the hazard.
  - g. Clearing necessary for the emergency repair of utility or public facilities. Notification of emergency work that causes substantial degradation to functions and values must be reported in a timely manner.
  - h. Clearing for operation, maintenance, or repair of existing utilities or public facilities that does not further increase the impact to, or encroach further within, the wetland or wetland buffer.
  - i. Clearing, as minimally necessary, for placement of fencing, private wells, septic systems, or individual lot sewer, water, electrical, or utility connections in wetland buffers, where practical alternatives do not exist.
  - j. Clearing, as minimally necessary, for stream bank restoration, for native replanting, or enhancements in wetlands and wetland buffers.
  - k. Clearing, as minimally necessary, for soil, water, vegetation, and resource conservation projects having received an environmental permit from a public agency in wetlands and wetland buffers.
  - l. Clearing, as minimally necessary, for creating a four-foot or narrower path using natural, wood-based, or vegetated pervious surfacing in wetlands and wetland buffers.
  - m. Land disturbance in wetlands and wetland buffers cumulatively less than five cubic yards in volume and three hundred square feet in area; provided, that the wetland hydroperiod is not significantly affected.
2. Exempted Wetlands. This chapter shall not apply to the following wetlands:
- a. Small. Isolated Category III wetlands less than two thousand five hundred square feet in area, and isolated Category IV wetlands less than four thousand three hundred fifty square feet in area;
  - b. Artificial. Wetlands created from nonwetland sites including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, stormwater facilities, farm ponds, and landscape amenities; provided, that wetlands created as mitigation shall not be exempted;
  - c. Riparian. Wetlands fully within five feet, measured horizontally, of bank-full width for streams and the ordinary high water mark for lakes which are regulated under the State Shorelines Management Act (Chapter 90.58 RCW) or under CMC Chapter 16.61, are exempt.

D. Interpretation.

- 1. This chapter shall apply in addition to zoning and other regulations adopted by the city.
- 2. When there is a conflict between any provisions of this chapter or any other regulations adopted by the city of Camas, that providing the most protection to affected critical areas shall apply.

3. Compliance with this chapter does not constitute compliance with other federal, state and local regulations and permit requirements (for example, shoreline substantial development permits, hydraulic project approval (HPA) permits, Section 106 of the National Historic Preservation Act, U.S. Army Corps of Engineers Section 404 permits, National Pollutant Discharge Elimination System (NPDES) permits, or DOE Section 401 Water Quality Certification). The applicant is responsible for complying with all requirements, apart from the provisions of this chapter.

#### 16.53.020 - RATING SYSTEM.

- A. Designating Wetlands. Wetlands are those areas, designated in accordance with the approved federal wetland delineation manual and applicable regional supplements, that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. All areas within the city of Camas meeting the wetland designation criteria in the approved federal wetland delineation manual and applicable regional supplements, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this title.
- B. Wetland Rating System. Wetlands shall be rated according to the Washington State Department of Ecology (ecology) wetland rating system found in *Washington State Wetland Rating System for Western Washington—2014 Update* (Revised, Ecology Publication #14-06-029, October 2014) or most current edition. The rating system document contains the definitions and methods for determining if the criteria below are met:

1. Wetland Rating Categories.

- a. Category I. Category I wetlands are those that meet one or more of the following criteria:
  - i. Wetlands that are identified by scientists of the Washington Natural Heritage Program, Department of Natural Resources (DNR) as wetlands with high conservation value;
  - ii. Bogs;
  - iii. Mature and old growth forested wetlands larger than one acre;
  - iv. Wetlands that perform many functions well, as indicated by scoring twenty-three points or more in the rating system.

Category I wetlands represent a unique or rare wetland type, are more sensitive to disturbance than most wetlands, are relatively undisturbed and contain some ecological attributes that are impossible to replace within a human lifetime, or provide a very high level of functions.

- b. Category II. Category II wetlands are those with a moderately high level of function, as indicated by scoring between twenty and twenty-two points in the ecology rating system.

Category II wetlands are difficult, though not impossible, to replace, and provide high levels of some functions. These wetlands occur more commonly than Category I wetlands, but they still need a relatively high level of protection.

- c. Category III. Category III wetlands are those with a moderate level of functions, as indicated by scoring between sixteen and nineteen points in the ecology rating system. Generally, wetlands in this category have been disturbed in some way and are often less diverse or more isolated from other natural resources in the landscape than Category II wetlands.
- d. Category IV. Category IV wetlands have the lowest levels of functions and are often heavily disturbed. They are characterized by a score of fewer than sixteen points in the rating system. These are wetlands that should be replaceable, and in some cases may be improved. However, experience has shown that replacement cannot be guaranteed in any specific case. These wetlands may provide some important functions, and should be protected to some degree.

2. Date of Wetland Rating. Wetland rating categories shall be applied as the wetland exists on the date of adoption of the rating system by the local government, as the wetland naturally changes thereafter, or as the wetland changes in accordance with permitted activities. Wetland rating categories shall not change due to illegal modifications.

#### 16.53.030 - CRITICAL AREA REPORT—ADDITIONAL REQUIREMENTS FOR WETLANDS.

- A. Prepared by a Qualified Professional. A critical areas report for wetlands shall be prepared by a qualified professional who is a wetland biologist with experience preparing wetland reports.
- B. Area Addressed in Critical Area Report. In addition to the requirements of Chapter 16.51, the following areas shall be addressed in a critical area report for wetlands:
  1. Within a subject parcel or parcels, the project area of the proposed activity;
  2. All wetlands and recommended buffer zones within three hundred feet of the project area within the subject parcel or parcels;
  3. All shoreline areas, water features, floodplains, and other critical areas, and related buffers within three hundred feet of the project area within the subject parcel or parcels;
  4. The project design and the applicability of the buffers based on the proposed layout and the level of land use intensity; and
  5. Written documentation from the qualified professional demonstrating compliance with the requirements of this chapter.
- C. Wetland Determination. In conjunction with the submittal of a development permit application, the responsible official shall determine the probable existence of a wetland on the subject parcel. If wetland or wetland buffers are found to be likely to exist on the parcel, wetland delineation is required.
- D. Wetland Delineation.
  1. Methodology. Wetland delineation shall be determined in accordance with the approved federal wetland delineation manual and applicable regional supplements.
  2. Information Requirements. Wetland boundaries shall be staked and flagged in the field and a delineation report shall be submitted to the department. The report shall include the following information:
    - a. USGS quadrangle map with site clearly defined;
    - b. Topographic map of area;
    - c. National wetland inventory map showing site;
    - d. Soil conservation service soils map showing site;
    - e. Site map, at a scale no smaller than one inch equals one hundred feet (a scaling ratio of one is to one thousand two hundred), if practical, showing the following information:
      - i. Wetland boundaries;
      - ii. Sample sites and sample transects;
      - iii. Boundaries of forested areas;
      - iv. Boundaries of wetland classes if multiple classes exist;
    - f. Discussion of methods and results with special emphasis on technique used from the approved federal wetland delineation manual and applicable regional supplements;

- g. Acreage of each wetland on the site based on the survey if the acreage will impact the buffer size determination or the project design;
  - h. All completed field data sheets per the approved federal wetland delineation manual and applicable regional supplements, numbered to correspond to each sample site.
- E. Wetland Analysis. In addition to the minimum required contents of subsection D of this section, and in addition to Section 16.51.140, a critical area report for wetlands shall contain an analysis of the wetlands including the following site- and proposal-related information at a minimum:
- 1. A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing wetlands and restore any wetlands that were degraded prior to the current proposed land use activity.
  - 2. Proposed mitigation, if needed, including a written assessment and accompanying maps of the mitigation area, including the following information at a minimum:
    - a. Existing and proposed wetland acreage;
    - b. Vegetative, faunal, and hydrologic conditions;
    - c. Relationship within watershed, and to existing water bodies;
    - d. Soil and substrate conditions, topographic elevations;
    - e. Existing and proposed adjacent site conditions;
    - f. Required wetland buffers; and
    - g. Property ownership.
  - 3. A discussion of ongoing management practices that will protect wetlands after the project site has been developed; including proposed monitoring and maintenance programs.

When deemed appropriate, the director may also require the critical area report to include an evaluation by the Department of Ecology or an independent qualified expert regarding the applicant's analysis, and the effectiveness of any proposed mitigating measures or programs, and to include any recommendations as appropriate.

#### 16.53.040 - STANDARDS.

- A. Activities and uses shall be prohibited from wetlands and wetland buffers, except as provided for in this chapter.
- B. Wetland Buffers.

Buffers. Wetland buffer widths shall be determined by the responsible official in accordance with the standards below:

- 1. All buffers shall be measured horizontally outward from the delineated wetland boundary or, in the case of a stream with no adjacent wetlands, the ordinary high water mark as surveyed in the field.
- 2. Buffer widths are established by comparing the wetland rating category and the intensity of land uses proposed on development sites per Tables 16.53.040-1, 16.53.040-2, 16.53.040-3 and 16.53.040-4. For Category IV wetlands, the required water quality buffers, per Table 16.53.040-1, are adequate to protect habitat functions.

TABLE 16.53.040-1. BUFFERS REQUIRED TO PROTECT WATER QUALITY FUNCTIONS

Wetland Rating	Low Intensity Use	Moderate Intensity Use	High Intensity Use
Category I	50 ft.	75 ft.	100 ft.
Category II	50 ft.	75 ft.	100 ft.
Category III	40 ft.	60 ft.	80 ft.
Category IV	25 ft.	40 ft.	50 ft.

TABLE 16.53.040-2. BUFFERS REQUIRED TO PROTECT HABITAT FUNCTIONS IN CATEGORY I AND II WETLANDS

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
4 points or less	See Table 16.53.040-1	See Table 16.53.040-1	See Table 16.53.040-1
5	70 ft.	105 ft.	140 ft.
6	90 ft.	135 ft.	180 ft.
7	110 ft.	165 ft.	220 ft.
8	130 ft.	195 ft.	260 ft.
9 points or greater	150 ft.	225 ft.	300 ft.

TABLE 16.53.040-3. BUFFERS REQUIRED TO PROTECT HABITAT FUNCTIONS IN CATEGORY III WETLANDS

Habitat Score in the Rating Form	Low Intensity Use	Moderate Intensity Use	High Intensity Use
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4 points or less	See Table 16.53.040-1	See Table 16.53.040-1	See Table 16.53.040-1
5	60 ft.	90 ft.	120 ft.
6	65 ft.	100 ft.	135 ft.
7	75 ft.	110 ft.	150 ft.
8	130 ft.	195 ft.	260 ft.
9	150 ft.	225 ft.	300 ft.

TABLE 16.53.040-4. LAND USE INTENSITY MATRIX<sup>1</sup>

	Parks and Recreation	Streets and Roads	Stormwater Facilities	Utilities	Commercial/Industrial	Residential <sup>2</sup>
Low	Natural fields and grass areas, viewing areas, split rail fencing	NA	Outfalls, spreaders, constructed wetlands, bioswales, vegetated detention basins, overflows	Underground and overhead utility lines, manholes, power poles (without footings)	NA	Density at or lower than 1 unit per 5 acres
Moderate	Impervious trails, engineered fields, fairways	Residential driveways and access roads	Wet ponds	Maintenance access roads	NA	Density between 1 unit per acre and higher than 1 unit per 5 acres
High	Greens, tees, structures, parking, lighting, concrete or gravel pads,	Public and private streets, security fencing,	Maintenance access roads, retaining walls, vaults, infiltration basins, sedimentation fore	Paved or concrete surfaces, structures, facilities, pump stations, towers,	All site development	Density higher than 1 unit per acre



	security fencing	retaining walls	bays and structures, security fencing	vaults, security fencing, etc.		
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<sup>1</sup> The responsible official shall determine the intensity categories applicable to proposals should characteristics not be specifically listed in Table 16.53.060-4.

<sup>2</sup> Measured as density averaged over a site, not individual lot sizes.

3. Where a residential plats and subdivisions is proposed within shoreline jurisdiction, wetlands and wetland buffers shall be placed within a non-buildable tract unless creation of a tract would result in violation of minimum lot depth standards.
4. Adjusted Buffer Width in Shoreline Jurisdiction.
  - a. Adjustments Authorized by Wetland Permits. Adjustments to the required buffer width are authorized by Section 16.53.050(D) of this section upon issuance of a wetland permit.
  - b. Functionally Isolated Buffer Areas. Areas which are functionally separated from a wetland and do not protect the wetland from adverse impacts shall be treated as follows:
    - i. Preexisting roads, structures, or vertical separation shall be excluded from buffers otherwise required by this chapter;
    - ii. Distinct portions of wetlands with reduced habitat functions that are components of wetlands with an overall habitat rating score greater than five points shall not be subject to the habitat function buffers designated in Tables 16.53.040-2 and 16.53.040-3 if all of the following criteria are met:
      - (A) The area of reduced habitat function is at least one acre in size;
      - (B) The area does not meet any WDFW priority habitat or species criteria; and
      - (C) The required habitat function buffer is provided for all portions of the wetland that do not have reduced habitat function.
      - (D) The buffer reduction afforded by this subsection shall not exceed seventy-five percent of the required buffer width of Category I and II wetlands.
- C. Standard Requirements. Any action granting or approving a development permit application shall be conditioned on all the following:
  1. Marking Buffer During Construction. The location of the outer extent of the wetland buffer shall be marked in the field and such markings shall be maintained throughout the duration of the permit.
  2. Permanent Marking of Buffer Area. A permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official. In addition, small signs shall be posted at an interval of one per lot or every one hundred feet, whichever is less, and perpetually maintained at locations along the outer perimeter of the wetland buffer as approved by the responsible official, and worded substantially as follows:

**Wetland and Buffer—Please retain in a natural state.**

3. A conservation covenant shall be recorded in a form approved by the city as adequate to incorporate the other restrictions of this section and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer.
  4. In the case of plats, short plats, and recorded site plans, include on the face of such instrument the boundary of the wetland and its buffer, and a reference to the separately recorded conservation covenant provided for in subsection (C)(3) of this section.
- D. Standard Requirements—Waivers. The responsible official shall waive the requirements of Section 16.53.030(D) and subsection B of this section in certain cases described below if the applicant designates development envelopes which are clearly outside of any wetland or buffer. The responsible official may require partial wetland delineation to the extent necessary to ensure eligibility for this waiver:
1. Residential building permits and home businesses;
  2. Site plan reviews where the responsible official determines that all development is clearly separated from the wetlands and wetland buffers:
    - a. Development envelopes shall be required for a fully complete preliminary application;
    - b. Development envelopes shall be shown on the final site plan; and
    - c. A note referencing the development envelopes shall be placed on the final site plan.

#### 16.53.050 - WETLAND PERMITS.

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##### A. GENERAL.

1. A wetland permit is required for any development activity that is not exempt pursuant to Section 16.53.010(C) within wetlands and wetland buffers.
2. Standards for wetland permits are provided in subsections B, C and D of this section.
3. All wetland permits require approval of a preliminary and final enhancement/mitigation plan in accordance with the provisions of subsection E of this section unless the preliminary enhancement/mitigation plan requirement is waived under the provisions of subsection (E)(2) of this section.
4. Wetland permit application, processing, preliminary approval, and final approval procedures are set out in subsections F through I of this section.
5. Provisions for programmatic permits are provided by subsection K of this section.
6. Provisions for emergency wetland permits are provided by subsection L of this section.

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##### B. STANDARDS—GENERAL. WETLAND PERMIT APPLICATIONS SHALL BE BASED UPON A MITIGATION PLAN AND SHALL SATISFY THE FOLLOWING GENERAL REQUIREMENTS:

1. The proposed activity shall not cause significant degradation of wetland functions;
2. The proposed activity shall comply with all state, local, and federal laws, including those related to sediment control, pollution control, floodplain restrictions, stormwater management, and on-site wastewater disposal.

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C. BUFFER STANDARDS AND AUTHORIZED ACTIVITIES. THE FOLLOWING ADDITIONAL STANDARDS APPLY FOR REGULATED ACTIVITIES IN A WETLAND BUFFER TO ENSURE NO NET LOSS OF ECOLOGICAL FUNCTIONS AND VALUES:

1. Buffer Reduction Incentives. Standard buffer widths may be reduced under the following conditions, provided that functions of the post-project wetland are equal to or greater after use of these incentives.
  - a. Lower Impact Land Uses. The buffer widths recommended for proposed land uses with high-intensity impacts to wetlands can be reduced to those recommended for moderate-intensity impacts if both of the following criteria are met:
    - i. A relatively undisturbed, vegetated corridor at least one hundred feet wide is protected between the wetland and any other priority habitats that are present as defined by the Washington State Department of Fish and Wildlife [W](#); and
    - ii. Measures to minimize the impacts of the land use adjacent to the wetlands are applied, such as infiltration of stormwater, retention of as much native vegetation and soils as possible, direction of noise and light away from the wetland, and other measures that may be suggested by a qualified wetland professional.
  - b. Restoration. Buffer widths may be reduced up to twenty-five percent if the buffer is restored or enhanced from a pre-project condition that is disturbed (e.g., dominated by invasive species), so that functions of the post-project wetland and buffer are equal or greater. To the extent possible, restoration should provide a vegetated corridor of a minimum one hundred feet wide between the wetland and any other priority habitat areas as defined by the Washington State Department of Fish and Wildlife. The habitat corridor must be protected for the entire distance between the wetland and the priority habitat area by some type of permanent legal protection such as a covenant or easement. The restoration plan must meet requirements in subsection D of this section for a mitigation plan, and this section for a critical area report.
  - c. Combined Reductions. Buffer width reductions allowed under subsections (C)(1)(a) and (C)(1)(b) of this section may be added provided that minimum buffer widths shall never be less than seventy-five percent of required buffer width for all Categories I and II, or less than fifty feet for Category III wetlands, and twenty-five feet for all Category IV wetlands.
2. Buffer Averaging. Averaging buffers is allowed in conjunction with any of the other provisions for reductions in buffer width (listed in subsection (C)(1) of this section) provided that minimum buffer widths listed in subsection (C)(1)(c) of this section are adhered to. The community development department shall have the authority to average buffer widths on a case-by-case basis, where a qualified wetlands professional demonstrates, as part of a critical area report, that all of the following criteria are met:
  - a. The total area contained in the buffer after averaging is no less than that contained within the buffer prior to averaging;
  - b. Decreases in width are generally located where wetland functions may be less sensitive to adjacent land uses, and increases are generally located where wetland functions may be more sensitive to adjacent land uses, to achieve no net loss or a net gain in functions;
  - c. The averaged buffer, at its narrowest point, shall not result in a width less than seventy-five percent of the required width, provided that minimum buffer widths shall never be less than fifty feet for all Category I, Category II, and Category III wetlands, and twenty-five feet for all Category IV wetlands; and
  - d. Effect of Mitigation. If wetland mitigation occurs such that the rating of the wetland changes, the requirements for the category of the wetland after mitigation shall apply.
3. Stormwater Facilities. Stormwater facilities are only allowed in buffers of wetlands with low habitat function (less than four points on the habitat section of the rating system form); provided, the

facilities shall be built on the outer edge of the buffer and not degrade the existing buffer function, and are designed to blend with the natural landscape. Unless determined otherwise by the responsible official, the following activities shall be considered to degrade a wetland buffer when they are associated with the construction of a stormwater facility:

- a. Removal of trees greater than four inches diameter at four and one-half feet above the ground or greater than twenty feet in height;
  - b. Disturbance of plant species that are listed as rare, threatened, or endangered by the city, county, or any state or federal management agency;
  - c. The construction of concrete structures, other than manholes, inlets, and outlets that are exposed above the normal water surface elevation of the facility;
  - d. The construction of maintenance and access roads;
  - e. Slope grading steeper than four to one horizontal to vertical above the normal water surface elevation of the stormwater facility;
  - f. The construction of pre-treatment facilities such as fore bays, sediment traps, and pollution control manholes;
  - g. The construction of trench drain collection and conveyance facilities;
  - h. The placement of fencing; and
  - i. The placement of rock and/or riprap, except for the construction of flow spreaders, or the protection of pipe outfalls and overflow spillways; provided that buffer functions for areas covered in rock and/or riprap are replaced.
4. Road and Utility Crossings. Crossing buffers with new roads and utilities is allowed provided all the following conditions are met:
- a. Buffer functions, as they pertain to protection of the adjacent wetland and its functions, are replaced; and
  - b. Impacts to the buffer and wetland are minimized.
5. Other Activities in a Buffer. Regulated activities not involving stormwater management, road and utility crossings, or a buffer reduction via enhancement are allowed in the buffer if all the following conditions are met:
- a. The activity is temporary and will cease or be completed within three months of the date the activity begins;
  - b. The activity will not result in a permanent structure in or under the buffer;
  - c. The activity will not result in a reduction of buffer acreage or function;
  - d. The activity will not result in a reduction of wetland acreage or function.

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**D. STANDARDS—WETLAND ACTIVITIES. THE FOLLOWING ADDITIONAL STANDARDS APPLY TO THE APPROVAL OF ALL ACTIVITIES PERMITTED WITHIN WETLANDS UNDER THIS SECTION:**

1. Sequencing. Applicants shall demonstrate that a range of project alternatives have been given substantive consideration with the intent to avoid or minimize impacts to wetlands. Documentation must demonstrate that the following hierarchy of avoidance and minimization has been pursued:
  - a. Avoid impacts to wetlands unless the responsible official finds that:
    - i. For Categories I and II wetlands, avoiding all impact is not in the public interest or will deny all reasonable economic use of the site;
    - ii. For Categories III and IV wetlands, avoiding all impact will result in a project that is either:

- (A) Inconsistent with the city of Camas comprehensive plan;
    - (B) Inconsistent with critical area conservation goals; or
    - (C) Not feasible to construct.
  - b. Minimize impacts to wetlands if complete avoidance is infeasible. The responsible official must find that the applicant has limited the degree or magnitude of impact to wetlands by using appropriate technology and by taking affirmative steps to reduce impact through efforts such as:
    - i. Seeking easements or agreements with adjacent land owners or project proponents where appropriate;
    - ii. Seeking reasonable relief that may be provided through application of other city zoning and design standards;
    - iii. Site design; and
    - iv. Construction techniques and timing.
  - c. Compensate for wetland impacts that will occur, after efforts to minimize have been exhausted. The responsible official must find that:
    - i. The affected wetlands are restored to the conditions existing at the time of the initiation of the project;
    - ii. Unavoidable impacts are mitigated in accordance with this subsection; and
    - iii. The required mitigation is monitored and remedial action is taken when necessary to ensure the success of mitigation activities.
2. Location of Wetland Mitigation. Wetland mitigation for unavoidable impacts shall be located using the following prioritization:
- a. On-Site. Locate mitigation according to the following priority:
    - i. Within or adjacent to the same wetland as the impact;
    - ii. Within or adjacent to a different wetland on the same site;
  - b. Off-Site. Locate mitigation within the same watershed or use an established wetland mitigation bank; the service area determined by the mitigation bank review team and identified in the executed mitigation bank instrument;
  - c. In-Kind. Locate or create wetlands with similar landscape position and the same hydro-geomorphic (HGM) classification based on a reference to a naturally occurring wetland system; and
  - d. Out-of-Kind. Mitigate in a different landscape position and/or HGM classification based on a reference to a naturally occurring wetland system.
3. Types of Wetland Mitigation. The various types of wetland mitigation allowed are listed below in the general order of preference.
- a. Restoration. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former or degraded wetland. For the purpose of tracking net gains in wetland acres, restoration is divided into:
    - i. Re-Establishment. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a former wetland. Re-establishment results in a gain in wetland acres (and functions). Activities could include removing fill material, plugging ditches, or breaking drain tiles.
    - ii. Rehabilitation. The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural or historic functions to a degraded wetland.

Re-establishment results in a gain in wetland function, but does not result in a gain in wetland acres. Activities could involve breaching a dike to reconnect wetlands to a floodplain or return tidal influence to a wetland.

- b. **Creation (Establishment).** The manipulation of the physical, chemical, or biological characteristics of a site with the goal of developing a wetland on an upland or deepwater site where a wetland did not previously exist. Establishment results in a gain in wetland acres. Activities typically involve excavation of upland soils to elevations that will produce a wetland hydroperiod, create hydric soils, and support the growth of hydrophytic plant species.
- c. **Enhancement.** The manipulation of the physical, chemical, or biological characteristics of a wetland site to heighten, intensify, or improve the specific function(s), or to change the growth stage or composition of the vegetation present. Enhancement is undertaken for specified purposes such as water quality improvement, floodwater retention, or wildlife habitat. Enhancement results in a change in some wetland functions and can lead to a decline in other wetland functions, but does not result in a gain in wetland acres. Activities typically consist of planting vegetation, controlling non-native or invasive species, modifying site elevations, or the proportion of open water to influence hydroperiods, or some combination of these activities.
- d. **Protection/Maintenance (Preservation).** Removing a threat to, or preventing the decline of, wetland conditions by an action in or near a wetland. This includes the purchase of land or easements, repairing water control structures or fences, or structural protection such as repairing a barrier island. This term also includes activities commonly associated with the term preservation.

Preservation does not result in a gain of wetland acres, but may result in improved wetland functions.

#### 4. Wetland Mitigation Ratios.

- a. **Standard Wetland Mitigation Ratios.** The following mitigation ratios for each of the mitigation types described in subsections (D)(3)(a) through (D)(3)(c) of this section apply:

**TABLE 16.53.050-1. STANDARD WETLAND MITIGATION RATIOS (IN AREA)**

Wetland to be Replaced	Reestablishment or Creation	Rehabilitation	Reestablishment or Creation and Rehabilitation	Reestablishment or Creation and Enhancement	Enhancement
Category IV	1.5:1	3:1	1:1 R/C and 1:1 RH	1:1 R/C and 2:1 E	6:1
Category III	2:1	4:1	1:1 R/C and 2:1 RH	1:1 R/C and 4:1 E	8:1
Category II	3:1	6:1	1:1 R/C and 4:1 RH	1:1 R/C and 8:1 E	12:1
Category I, Forested	6:1	12:1	1:1 R/C and 10:1 RH	1:1 R/C and 20:1 E	24:1
Category I, Based on	4:1	8:1	1:1 R/C and 6:1 RH	1:1 R/C and 12:1 E	16:1

Score for Functions					
Category I, Natural Heritage Site	Not considered possible	6:1 Rehabilitate a natural heritage site	N/A	N/A	Case-by-case

- b. Preservation. The responsible official has the authority to approve preservation of existing wetlands as wetland mitigation under the following conditions:
- The wetland area being preserved is a Category I or II wetland, or is within a WDFW priority habitat or species area;
  - The preservation area is at least one acre in size;
  - The preservation area is protected in perpetuity by a covenant or easement that gives the city clear regulatory and enforcement authority to protect existing wetland and wetland buffer functions with standards that exceed the protection standards of this chapter;
  - The preservation area is not an existing or proposed wetland mitigation site; and
  - The following preservation/mitigation ratios apply:

TABLE 16.53.050-2. WETLAND PRESERVATION RATIOS FOR CATEGORIES I AND II WETLANDS (IN AREA)

Habitat Function of Wetland to be Replaced	In addition to Standard Mitigation		As the Only Means of Mitigation	
	Full and Functioning Buffer	Reduced and/or Degraded Buffer	Full and Functioning Buffer	Reduced and/or Degraded Buffer
Low (3—4 points)	10:1	14:1	20:1	30:1
Moderate (5—7 points)	13:1	17:1	30:1	40:1
High (8—9 points)	16:1	20:1	40:1	50:1

- c. The responsible official has the authority to reduce wetland mitigation ratios under any of the following circumstances:
- Documentation by a qualified wetland specialist demonstrates that the proposed mitigation actions have a very high likelihood of success based on prior experience;

- ii. Documentation by a qualified wetland specialist demonstrates that the proposed actions for compensation will provide functions and values that are significantly greater than the wetland being affected;
  - iii. The proposed actions for compensation are conducted in advance of the impact and are shown to be successful;
  - iv. In wetlands where several HGM classifications are found within one delineated wetland boundary, the areas of the wetlands within each HGM classification can be scored and rated separately and the mitigation ratios adjusted accordingly, if all the following apply:
    - (A) The wetland does not meet any of the criteria for wetlands with "Special Characteristics," as defined in the rating system;
    - (B) The rating and score for the entire wetland is provided, as well as the scores and ratings for each area with a different HGM classification;
    - (C) Impacts to the wetland are all within an area that has a different HGM classification from the one used to establish the initial category; and
    - (D) The proponents provide adequate hydrologic and geomorphic data to establish that the boundary between HGM classifications lies at least fifty feet outside of the footprint of the impacts.
- 5. Alternate Wetland Mitigation.
  - a. Wetland Mitigation Banks.
    - i. Credits from a wetland mitigation bank may be approved for use as compensation for unavoidable impacts to wetlands when:
      - (A) The bank is certified under state rules;
      - (B) The administrator determines that the wetland mitigation bank provides appropriate compensation for the authorized impacts; and
      - (C) The proposed use of credits is consistent with the terms and conditions of the certified bank instrument.
    - ii. Replacement ratios for projects using bank credits shall be consistent with replacement ratios specified in the certified bank instrument.
    - iii. Credits from a certified wetland mitigation bank may be used to compensate for impacts located within the service area specified in the certified bank instrument. In some cases, the service area of the bank may include portions of more than one adjacent drainage basin for specific wetland functions.
  - b. In-Lieu Fee. To aid in the implementation of off-site mitigation, the city may develop an in-lieu fee program. This program shall be developed and approved through a public process and be consistent with federal rules, state policy on in-lieu fee mitigation, and state water quality regulations. An approved in-lieu-fee program sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is then transferred to the in-lieu program sponsor, a governmental or nonprofit natural resource management entity. Credits from an approved in-lieu-fee program may be used when subsections i through vi below apply:
    - i. The approval authority determines that it would provide environmentally appropriate compensation for the proposed impacts.
    - ii. The mitigation will occur on a site identified using the site selection and prioritization process in the approved in-lieu-fee program instrument.
    - iii. The proposed use of credits is consistent with the terms and conditions of the approved in-lieu-fee program instrument.



- iv. Land acquisition and initial physical and biological improvements of the mitigation site must be completed within three years of the credit sale.
- v. Projects using in-lieu-fee credits shall have debits associated with the proposed impacts calculated by the applicant's qualified wetland scientist using the method consistent with the credit assessment method specified in the approved instrument for the in-lieu-fee program.
- vi. Credits from an approved in-lieu-fee program may be used to compensate for impacts located within the service area specified in the approved in-lieu-fee instrument.
- c. Compensatory mitigation credits may be issued for unavoidable impacts in the following cases:
  - i. Residential building permits where on-site enhancement and/or preservation is not adequate to meet the requirements of subsection (D)(4) of this section;
  - ii. Approved reasonable use exceptions where sufficient on-site wetland and wetland buffer mitigation is not practical;
  - iii. Small impacts affecting less than 0.10 acre of wetland where on-site enhancement and/or preservation is not adequate to meet the requirements of subsection (D)(4) of this section; or
  - iv. As an additional mitigation measure when all other mitigation options have been applied to the greatest extent practicable.
- 6. Stormwater Facilities in Shoreline Jurisdiction. Stormwater facilities shall follow the specific criteria in the [Shoreline Master] Program, Chapter 6 at Section 6.3.15, Utilities Uses.
- 7. Utility Crossings. Crossing wetlands by utilities is allowed, provided the activity is not prohibited by subsection (D)(1) of this section, and provided all the following conditions are met:
  - a. The activity does not result in a decrease in wetland acreage or classification;
  - b. The activity results in no more than a short-term six-month decrease in wetland functions; and
  - c. Impacts to the wetland are minimized.
- 8. Other Activities Allowed in a Wetland. Activities not involving stormwater management, utility crossings, or wetland mitigation are allowed in a wetland, provided the activity is not prohibited by subsection (D)(1) of this section and if it is not subject to a shoreline permit as listed in Chapter 2 of the [Shoreline Master] Program, and provided all the following conditions are met:
  - a. The activity shall not result in a reduction of wetland acreage or function; and
  - b. The activity is temporary and shall cease or be completed within three months of the date the activity begins.

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#### E. MITIGATION PLANS.

- 1. General. Mitigation plans are required for activities in a buffer or wetland. Content requirements which are inappropriate and inapplicable to a project may be waived by the responsible official upon request of the applicant at or subsequent to the pre-application consultation provided for in subsection (F)(1) of this section.
- 2. Preliminary Mitigation Plan. The purpose of the preliminary plan is to determine the feasibility of the project before extensive resources are devoted to the project. The responsible official may waive the requirement for a preliminary mitigation plan when a wetland permit is not associated with a development permit application (listed in Section 16.53.010(B)). The preliminary mitigation plan consists of two parts: baseline information for the site and a conceptual plan. If off-site

wetland mitigation is proposed, baseline information for both the project site and mitigation site is required.

- a. Baseline information shall include:
  - i. Wetland delineation report as described in Section 16.53.030(D)(2);
  - ii. Copies of relevant wetland jurisdiction determination letters, if available, such as determinations of prior converted crop lands, correspondence from state and federal agencies regarding prior wetland delineations, etc.;
  - iii. Description and maps of vegetative conditions at the site;
  - iv. Description and maps of hydrological conditions at the site;
  - v. Description of soil conditions at the site based on a preliminary on-site analysis;
  - vi. A topographic map of the site; and
  - vii. A functional assessment of the existing wetland and buffer.
    - (A) Application of the rating system in Section 16.53.020(B) will generally be considered sufficient for functional assessment;
    - (B) The responsible official may accept or request an alternate functional assessment methodology when the applicant's proposal requires detailed consideration of specific wetland functions;
    - (C) Alternate functional assessment methodologies used shall be scientifically valid and reliable.
- b. The contents of the conceptual mitigation plan shall include:
  - i. Goals and objectives of the proposed project;
  - ii. A wetland buffer width reduction plan, if width reductions are proposed, that includes:
    - (A) The land use intensity, per Table 16.53.040-4, of the various elements of the development adjacent to the wetlands;
    - (B) The wetland buffer width(s) required by Tables 16.53.040-1, 16.53.040-2 and 16.53.040-3;
    - (C) The proposed buffer width reductions, including documentation that proposed buffer width reductions fully protect the functions of the wetland in compliance with subsection C of this section;
  - iii. A wetland mitigation plan that includes:
    - (A) A sequencing analysis for all wetland impacts;
    - (B) A description of all wetland impacts that require mitigation under this chapter; and
    - (C) Proposed mitigation measures and mitigation ratios;
  - iv. Map showing proposed wetland and buffer. This map should include the existing and proposed buffers and all proposed wetland impacts regulated under this chapter;
  - v. Site plan;
  - vi. Discussion and map of plant material to be planted and planting densities;
  - vii. Preliminary drainage plan identifying location of proposed drainage facilities, including detention structures and water quality features (e.g., swales);
  - viii. Discussion of water sources for all wetlands on the site;
  - ix. Project schedule;

- x. Discussion of how the completed project will be managed and monitored; and
  - xi. A discussion of contingency plans in case the project does not meet the goals initially set for the project.
3. Final Mitigation Plan. The contents of the final mitigation plan shall include:
- a. The approved preliminary mitigation plan and all conditions imposed on that plan. If the preliminary mitigation plan requirement is waived, the final plan shall include the content normally required for the preliminary plan listed in this section.
  - b. Performance Standards. Specific criteria shall be provided for evaluating whether or not the goals and objectives of the mitigation project are being met. Such criteria may include water quality standards, survival rates of planted vegetation, species abundance and diversity targets, habitat diversity indices, or other ecological, geological, or hydrological criteria.
  - c. Detailed Construction Plans. Written specifications for the mitigation project shall be provided. The specifications shall include: the proposed construction sequence, grading and excavation details, water and nutrient requirements for planting, specification of substrate stockpiling techniques, and planting instructions, as appropriate. These written specifications shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.
  - d. Monitoring Program. The mitigation plan shall include a description of a detailed program for monitoring the success of the mitigation project.
    - i. The mitigation project shall be monitored for a period necessary to establish that the mitigation is successful, but not for a period of less than five years. Creation of forested wetland mitigation projects shall be monitored for a period of at least ten years;
    - ii. Monitoring shall be designed to measure the performance standards outlined in the mitigation plan and may include but not be limited to:
      - (A) Establishing vegetation plots to track changes in plant species composition and density over time;
      - (B) Using photo stations to evaluate vegetation community response;
      - (C) Sampling surface and subsurface waters to determine pollutant loading, and changes from the natural variability of background conditions (pH, nutrients, heavy metals);
      - (D) Measuring base flow rates and stormwater runoff to model and evaluate water quality predictions, if appropriate;
      - (E) Measuring sedimentation rates, if applicable; and
      - (F) Sampling fish and wildlife populations to determine habitat utilization, species abundance and diversity;
    - iii. A monitoring protocol shall be included outlining how the monitoring data will be evaluated by agencies that are tracking the progress of the project;
    - iv. Monitoring reports shall be submitted annually, or on a pre-arranged alternate schedule, for the duration of monitoring period;
    - v. Monitoring reports shall analyze the results of monitoring, documenting milestones, successes, problems, and recommendations for corrective and/or contingency actions to ensure success of the mitigation project.
  - e. Associated Plans and Other Permits. To ensure consistency with the final mitigation plan, associated plans and permits shall be submitted, including, but not limited to:
    - i. Engineering construction plans;

- ii. Final site plan or proposed plat;
  - iii. Final landscaping plan;
  - iv. Habitat permit;
  - v. WDFW HPA;
  - vi. USACE Section 404 permit; and
  - vii. WDOE Administrative Order or Section 401 certification.
- f. Evidence of Financial and Scientific Proficiency. A description of how the mitigation project will be managed during construction and the scientific capability of the designer to successfully implement the proposed project. In addition, a demonstration of the financial capability of the applicant to successfully complete the project and ensure it functions properly at the end of the specific monitoring period.
  - g. Contingency Plan. Identification of potential courses of action, and any corrective measures to be taken when monitoring or evaluation indicates project performance standards are not being met.

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#### F. WETLAND PERMIT—APPLICATION.

- 1. Pre-Permit Consultation. Any person intending to apply for a wetland permit is encouraged, but not required, to meet with the department during the earliest possible stages of project planning in order to discuss wetland impact avoidance, minimization, compensatory mitigation, and the required contents of a mitigation plan before significant commitments have been made to a particular project design. Effort put into pre-permit consultations and planning will help applicants create projects which will be more quickly and easily processed.
- 2. Applications. Applications for wetland permits shall be made to the department on forms furnished by the department and in conformance with Section 16.53.030.
- 3. Fees. At the time of application, the applicant shall pay a filing fee in accordance with the most current fee schedule adopted by the city.

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#### G. WETLAND PERMIT—PROCESSING.

- 1. Procedures. Wetland permit applications within shoreline jurisdiction shall be processed using the application procedures in the [Shoreline Master] Program, Appendix B—Administration and Enforcement, unless specifically modified herein:
  - a. Type I Wetland Permit. The following wetland permits shall be reviewed under the Type I review process in accordance with CMC Chapter 18.55:
    - i. Buffer modification only;
    - ii. Wetland permits associated with single-family building permits, regardless of impact;
    - iii. Re-authorization of approved wetland permits;
    - iv. Programmatic wetland permits that are SEPA exempt.
    - v. Programmatic wetland permits that are exempt from a shoreline substantial development permit.
- 2. Consolidation. The department shall, to the extent practicable and feasible, consolidate the processing of wetland permits with other city regulatory programs which affect activities in wetlands, such as SEPA review, subdivision, grading, and site plan approval, so as to provide a timely and coordinated permit process. Where no other city permit or approval is required for the wetland activity, the wetland permit shall be processed in accordance with a Type II process under CMC Chapter 18.55, Administration.

3. Notification. In addition to notices otherwise required, notice of application shall be given to federal and state agencies that have jurisdiction over, or an interest in, the affected wetlands. This notice may be incorporated into a SEPA comment period.

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#### H. WETLAND PERMIT—PRELIMINARY APPROVAL.

1. Decision Maker. A wetland permit application which has been consolidated with another permit or approval request which requires a public hearing (e.g., preliminary plat) shall be heard and decided in accordance with the procedures applicable to such other request. Any other wetland permit application shall be acted on by the responsible official within the timeline specified in Appendix B [of the Shoreline Master Plan] or CMC Chapter 18.55 for the required permit type.
2. Findings. A decision preliminarily approving or denying a wetland permit shall be supported by findings of fact relating to the standards and requirements of this chapter.
3. Conditions. A decision preliminarily approving a wetland permit shall incorporate at least the following as conditions:
  - a. The approved preliminary mitigation plan;
  - b. Applicable conditions provided for in subsection (E)(3) of this section;
  - c. Posting of a performance assurance pursuant to subsection J of this section; and
  - d. Posting of a maintenance assurance pursuant to subsection J of this section.
4. Duration. Wetland permit preliminary approval shall be valid for a period of three years from the date of issuance or termination of administrative appeals or court challenges, whichever occurs later, unless:
  - a. A longer period is specified in the permit; or
  - b. The applicant demonstrates good cause to the responsible official's satisfaction for an extension not to exceed an additional one year.

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#### I. WETLAND PERMIT—FINAL APPROVAL.

1. Issuance. The responsible official shall issue final approval of the wetland permit authorizing commencement of the activity permitted thereby upon:
  - a. Submittal and approval of a final mitigation plan pursuant to subsection (E)(3) of this section;
  - b. Installation and approval of field markings as required by Section 16.53.040(C)(2);
  - c. The recording of a conservation covenant as required by Section 16.53.040(C)(3) and included on the plat, short plat, or site plan as required by Section 16.53.040(C)(4);
  - d. The posting of a performance assurance as required by subsection (H)(3) of this section.
2. Duration.
  - a. Wetland or Wetland Buffer Impacts. Final approval shall be valid for the period specified in the final wetland permit, or the associated development approval. Extension of the permit shall only be granted in conjunction with extension of an associated permit.
  - b. Compensatory Mitigation. The compensatory mitigation requirements of the permit shall remain in effect for the duration of the monitoring and maintenance period specified in the approval.

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#### J. WETLAND PERMIT FINANCIAL ASSURANCES.

1. Types of Financial Assurances. The responsible official shall accept the following forms of financial assurances:

- a. An escrow account secured with an agreement approved by the responsible official;
  - b. A bond provided by a surety for estimates that exceed five thousand dollars;
  - c. A deposit account with a financial institution secured with an agreement approved by the responsible official;
  - d. A letter of commitment from a public agency; and
  - e. Other forms of financial assurance determined to be acceptable by the responsible official.
2. Financial Assurance Estimates. The applicant shall submit itemized cost estimates for the required financial assurances. The responsible official may adjust the estimates to ensure that adequate funds will be available to complete the specified compensatory mitigation upon forfeiture. In addition, the cost estimates must include a contingency as follows:
  - a. Estimates for bonds shall be multiplied by one hundred fifty percent;
  - b. All other estimates shall be multiplied by one hundred ten percent.
3. Waiver of Financial Assurances. For Type I wetland permits, the responsible official may waive the requirement for one or both financial assurances if the applicant can demonstrate to the responsible official's satisfaction that posting the required financial assurances will constitute a significant hardship.
4. Acceptance of Work and Release of Financial Assurances.
  - a. Release of Performance Assurance. Upon request, the responsible official shall release the performance assurance when the following conditions are met:
    - i. Completion of construction and planting specified in the approved compensatory mitigation plan;
    - ii. Submittal of an as-built report documenting changes to the compensatory mitigation plan that occurred during construction;
    - iii. Field inspection of the completed site(s); and
    - iv. Provision of the required maintenance assurance.
  - b. Release of Maintenance Assurance. Upon request, the responsible official shall release the maintenance assurance when the following conditions are met:
    - i. Completion of the specified monitoring and maintenance program;
    - ii. Submittal of a final monitoring report demonstrating that the goals and objectives of the compensatory mitigation plan have been met as demonstrated through:
      - (A) Compliance with the specific performance standards established in the wetland permit; or
      - (B) Functional assessment of the mitigation site(s); and
      - (C) Field inspection of the mitigation site(s).
  - c. Incremental Release of Financial Assurances. The responsible official may release financial assurances incrementally only if specific milestones and associated costs are specified in the compensatory mitigation plan and the document legally establishing the financial assurance.
5. Transfer of Financial Assurances. The responsible official may release financial assurances at any time if equivalent assurances are provided by the original or a new permit holder.
6. Forfeiture. If the permit holder fails to perform or maintain compensatory mitigation in accordance with the approved wetland permit, the responsible official may declare the corresponding financial assurance forfeit pursuant to the following process:

- a. The responsible official shall, by registered mail, notify the wetland permit holder/agent that is signatory to the financial assurance, and the financial assurance holder of nonperformance with the terms of the approved wetlands permit;
- b. The written notification shall cite a reasonable time for the permit holder, or legal successor, to comply with provisions of the permit and state the city's intent to forfeit the financial assurance should the required work not be completed in a timely manner;
- c. Should the required work not be completed timely, the city shall declare the assurance forfeit;
- d. Upon forfeiture of a financial assurance, the proceeds thereof shall be utilized either to correct the deficiencies which resulted in forfeiture or, if such correction is deemed by the responsible official to be impractical or ineffective, to enhance other wetlands in the same watershed or contribute to an established cumulative effects fund for watershed scale habitat and wetland conservation.

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**K. PROGRAMMATIC PERMITS FOR ROUTINE MAINTENANCE AND OPERATIONS OF UTILITIES AND PUBLIC FACILITIES.**

The responsible official may issue programmatic wetland permits for routine maintenance and operations of utilities and public facilities within wetlands and wetland buffers, and for wetland enhancement programs. It is not the intent of the programmatic permit process to deny or unreasonably restrict a public agency or utility's ability to provide services to the public. Programmatic permits only authorize activities specifically identified in and limited to the permit approval and conditions.

1. Application Submittal Requirements. Unless waived by the responsible official with specific findings in the approval document in accordance with subsection (K)(2) of this section, applications for programmatic wetland permits shall include a programmatic permit plan that includes the following:
  - a. A discussion of the purpose and need for the permit;
  - b. A description of the scope of activities in wetlands and wetland buffers;
  - c. Identification of the geographical area to be covered by the permit;
  - d. The range of functions and values of wetlands potentially affected by the permit;
  - e. Specific measures and performance standards to be taken to avoid, minimize, and mitigate impacts on wetland functions and values, including:
    - i. Procedures for identification of wetlands and wetland buffers;
    - ii. Maintenance practices proposed to be used;
    - iii. Restoration measures;
    - iv. Mitigation measures and assurances;
    - v. Annual reporting to the responsible official that documents compliance with permit conditions and proposes any additional measures or adjustments to the approved programmatic permit plan;
    - vi. Reporting to the responsible official any specific wetland or wetland buffer degradations resulting from maintenance activities when the degradation occurs or within a timely manner;
    - vii. Responding to any department requests for information about specific work or projects;
    - viii. Procedures for reporting and/or addressing activities outside the scope of the approved permit; and
    - ix. Training all employees, contractors and individuals under the supervision of the applicant who are involved in permitted work.

2. Findings. A decision preliminarily approving or denying a programmatic wetland permit shall be supported by findings of fact relating to the standards and requirements of this chapter.
3. Approval Conditions. Approval of a programmatic wetland permit shall incorporate at least the following as conditions:
  - a. The approved programmatic permit plan;
  - b. Annual reporting requirements; and
  - c. A provision stating the duration of the permit.
4. Duration and Re-authorization.
  - a. The duration of a programmatic permit is for five years, unless:
    - i. An annual performance based re-authorization program is approved within the permit; or
    - ii. A shorter duration is supported by findings.
  - b. Requests for re-authorization of a programmatic permit must be received prior to the expiration of the original permit.
    - i. Re-authorization is reviewed and approved through the process described in subsection (K)(1) of this section.
    - ii. Permit conditions and performance standards may be modified through the re-authorization process.
    - iii. The responsible official may temporarily extend the original permit if the review of the re-authorization request extends beyond the expiration date.

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L. WETLAND PERMIT—EMERGENCY.

1. Authorization. Notwithstanding the provisions of this chapter or any other laws to the contrary, the responsible official may issue prospectively or, in the case of imminent threats, retroactively a temporary emergency wetlands permit if:
  - a. The responsible official determines that an unacceptable threat to life or loss of property will occur if an emergency permit is not granted; and
  - b. The anticipated threat or loss may occur before a permit can be issued or modified under the procedures otherwise required by this act and other applicable laws.
2. Conditions. Any emergency permit granted shall incorporate, to the greatest extent practicable and feasible, but not inconsistent with the emergency situation, the standards and criteria required for nonemergency activities under this act and shall:
  - a. Be limited in duration to the time required to complete the authorized emergency activity, not to exceed ninety days; and
  - b. Require, within this ninety-day period, the restoration of any wetland altered as a result of the emergency activity, except that if more than the ninety days from the issuance of the emergency permit is required to complete restoration, the emergency permit may be extended to complete this restoration.
3. Notice. Notice of issuance of an emergency permit shall be published in a newspaper having general circulation in the city of Camas not later than ten days after issuance of such permit.
4. Termination. The emergency permit may be terminated at any time without process upon a determination by the responsible official that the action was not or is no longer necessary to protect human health or the environment.



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#### M. REVOCATION

In addition to other remedies provided for elsewhere in this chapter, the responsible official may suspend or revoke wetland permit(s) issued in accordance with this chapter and associated development permits, pursuant to the provisions of [the Shoreline Master Program], Appendix B, Administration and Enforcement, if the applicant or permittee has not complied with any or all of the conditions or limitations set forth in the permit, has exceeded the scope of work set forth in the permit, or has failed to undertake the project in the manner set forth in the permit.

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#### N. ENFORCEMENT.

At such time as a violation of this chapter has been determined, enforcement action shall be commenced in accordance with the enforcement provisions of Appendix B — Administration and Enforcement, and may also include the following:

1. Applications for city land use permits on sites that have been cited or issued an administrative notice of correction or order under Title 18, or have been otherwise documented by the city for activities in violation of this chapter, shall not be processed for a period of six years provided:
  - a. The city has the authority to apply the permit moratorium to the property;
  - b. The city records the permit moratorium; and
  - c. The responsible official may reduce or wave the permit moratorium duration upon approval of a wetland permit under this section.
2. Compensatory mitigation requirements under subsections C and D of this section may be increased by the responsible official as follows:
  - a. All or some portion of the wetland or wetland buffer impact cannot be permitted or restored in place; and
  - b. Compensatory mitigation for the impact is delayed more than one year from the time of the original citation or documentation of the violation.

Footnotes:

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If priority habitats are not present in the vicinity of the proposed land use, criterion (ii) is sufficient for buffer width reductions. The development of these measures and their review by the city, which may include referral to independent qualified professionals, shall be at the applicant's expense. If proposed future land uses are more intense, they are not eligible to maintain this reduction.

## CHAPTER 16.55 - CRITICAL AQUIFER RECHARGE AREAS

### Sections:

#### 16.55.010 - CRITICAL AQUIFER RECHARGE AREAS DESIGNATION.

Critical aquifer recharge areas (CARA) are those areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2). CARA have prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water. These areas include the following:

- A. Wellhead Protection Areas. Wellhead protection areas shall be defined by the boundaries of the ten-year time of ground water travel, or boundaries established using alternate criteria approved

by the Department of Health in those settings where ground water time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135.

- B. Sole Source Aquifers. Sole source aquifers are areas that have been designated by the U.S. Environmental Protection Agency pursuant to the Federal Safe Drinking Water Act.
- C. Susceptible Ground Water Management Areas. Susceptible ground water management areas are areas that have been designated as moderately or highly vulnerable or susceptible in an adopted ground water management program developed pursuant to Chapter 173-100 WAC.
- D. Special Protection Areas. Special protection areas are those areas defined by WAC 173-200-090.
- E. Moderately or Highly Vulnerable Aquifer Recharge Areas. Aquifer recharge areas that are moderately or highly vulnerable to degradation or depletion because of hydrogeologic characteristics are those areas delineated by a hydrogeologic study prepared in accordance with the state Department of Ecology guidelines.
- F. Moderately or Highly Susceptible Aquifer Recharge Areas. Aquifer recharge areas moderately or highly susceptible to degradation or depletion because of hydrogeologic characteristics are those areas meeting the criteria established by the state Department of Ecology.

#### 16.55.020 - AQUIFER RECHARGE AREA SUSCEPTIBILITY RATINGS.

Aquifer recharge areas shall be rated as having high, moderate, or low susceptibility based on soil permeability, geologic matrix, infiltration, and depth to water as determined by the criteria established by the state Department of Ecology.

#### 16.55.030 - MAPPING OF CRITICAL AQUIFER RECHARGE AREAS.

- A. The approximate location and extent of critical aquifer recharge areas are shown on the adopted critical area maps.
- B. These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

#### 16.55.040 - ACTIVITIES ALLOWED IN CRITICAL AQUIFER RECHARGE AREAS.

The following activities are allowed in critical aquifer recharge areas in addition to those pursuant to allowed activities (Section 16.51.120), and do not require submission of a critical area report:

- A. Construction of structures and improvements, including additions, resulting in less than five percent or two thousand five hundred square feet (whichever is greater) total site impervious surface area that do not result in a change of use or increase the use of a hazardous substance.
- B. Development and improvement of parks, recreation facilities, open space, or conservation areas resulting in less than five percent total site impervious surface area and that does not increase the use of a hazardous substance.
- C. Development within CARA's shall not result in the loss of more than forty percent of the total pervious surface of the site.

16.55.050 - CRITICAL AREA REPORT—REQUIREMENTS FOR CRITICAL AQUIFER RECHARGE AREAS.

- A. Prepared by a Qualified Professional. An aquifer recharge area critical area report shall be prepared by a qualified professional who is a hydrogeologist, geologist, or engineer, who is licensed in the state of Washington, and has experience in preparing hydrogeologic assessments.
- B. Hydrogeologic Assessment Required. For all proposed activities to be located in a critical aquifer recharge area, a critical area report shall contain a level one hydrogeological assessment. A Level One hydrogeologic assessment shall be required for any of the following proposed activities:
  - 1. Activities that result in five percent or more, or two thousand five hundred square feet of impervious site area;
  - 2. Activities that divert, alter, or reduce the flow of surface or ground waters, or otherwise reduce the recharging of the aquifer;
  - 3. The use of hazardous substances, other than household chemicals used according to the directions specified on the packaging for domestic applications;
  - 4. The use of injection wells; or
  - 5. Any other activity determined by the director likely to have an adverse impact on ground water quality or quantity, or on the recharge of the aquifer.
- C. Level One Hydrogeologic Assessment. A Level One hydrogeologic assessment shall include the following site- and proposal-related information at a minimum:
  - 1. Available information regarding geologic and hydrogeologic characteristics of the site, including the surface location of all critical aquifer recharge areas located on site or immediately adjacent to the site, and permeability of the unsaturated zone;
  - 2. Ground water depth, flow direction and gradient based on available information;
  - 3. Currently available data on wells and springs within one thousand three hundred feet of the project area;
  - 4. Location of other critical areas, including surface waters, within one thousand three hundred feet of the project area;
  - 5. Available historic water quality data for the area to be affected by the proposed activity; and
  - 6. Best management practices proposed to be utilized.
- D. Level Two Hydrogeologic Assessment. A Level Two hydrogeologic assessment shall include the following site- and proposal-related information at a minimum, in addition to the requirements for a Level One hydrogeological assessment:
  - 1. Historic water quality data for the area to be affected by the proposed activity compiled for at least the previous five-year period;
  - 2. Ground water monitoring plan provisions;
  - 3. Discussion of the effects of the proposed project on the ground water quality and quantity, including:
    - a. Predictive evaluation of ground water withdrawal effects; and
    - b. Predictive evaluation of contaminant transport based on potential releases to ground water; and
  - 4. A spill plan that identifies equipment and/or structures that could fail, resulting in an impact. Spill plans shall include provisions for regular inspection, repair, and replacement of structures and equipment that could fail.

#### 16.55.060 - PERFORMANCE STANDARDS—GENERAL REQUIREMENTS.

- A. Activities may only be permitted in a critical aquifer recharge area if the applicant can show that the proposed activity will not cause contaminants to enter the aquifer, and that the proposed activity will not adversely effect the recharging of the aquifer.
- B. The critical areas report shall identify and demonstrate that measures will be taken to prevent aquifer contamination from vehicular repair, residential use of pesticides and nutrients, spreading or injection of reclaimed water, and storage tanks.
- C. The proposed activity must comply with the water source protection requirements and recommendations of the Federal Environmental Protection Agency, State Department of Health, and the local health district.
- D. The proposed activity must be designed and constructed in accordance with the city of Camas Design Standards Manual.

#### 16.55.070 - PERFORMANCE STANDARDS—SPECIFIC USES.

- A. Storage Tanks. All storage tanks proposed to be located in a critical aquifer recharge area must comply with local building code requirements and must conform to the following requirements:
  - 1. Underground Tanks. All new underground storage facilities proposed for use shall be designed and constructed so as to:
    - a. Prevent releases due to corrosion or structural failure for the operational life of the tank;
    - b. Be protected against corrosion, constructed of noncorrosive material, steel clad with a noncorrosive material, or designed to include a secondary containment system to prevent the release or threatened release of any stored substances; and
    - c. Use material in the construction or lining of the tank that is compatible with the substance to be stored.
  - 2. Aboveground Tanks. All new aboveground storage facilities proposed for use in the storage of hazardous substances or hazardous wastes shall be designed and constructed so as to:
    - a. Not allow the release of a hazardous substance to the ground, ground waters, or surface waters;
    - b. Have a primary containment area enclosing or underlying the tank or part thereof; and
    - c. A secondary containment system either built into the tank structure, or a dike system built outside the tank. This applies to all tanks.
- B. No Dry Wells Shall be Allowed in Critical Aquifer Recharge Areas. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by the state Department of Ecology prior to commencement of the proposed activity.
- C. Residential Use of Pesticides and Nutrients. Application of household pesticides, herbicides, and fertilizers shall not exceed times and rates specified on the packaging.
- D. Spreading or Injection of Reclaimed Water. Water reuse projects for reclaimed water must be in accordance with the adopted water or sewer comprehensive plans that have been approved by the departments of Ecology and Health.
  - 1. Surface spreading must meet the ground water recharge criteria given in Chapter 90.46.080 RCW and Chapter 90.46.010(9); and
  - 2. Direct injection must be in accordance with the standards developed by authority of Chapter 90.46.042 RCW.

- E. State and Federal Regulations. The uses listed below shall be conditioned as necessary to protect critical aquifer recharge areas in accordance with the applicable state and federal regulations.

**STATUTES, REGULATIONS AND GUIDANCE PERTAINING TO GROUND WATER IMPACTING ACTIVITIES**

<b>Activity</b>	<b>Statute—Regulation—Guidance*</b>
<b>Aboveground storage tanks</b>	Chapter 173-303-640 WAC
<b>Animal feedlots</b>	Chapter 173-216 -240 WAC, Chapter 173-220 (NPDES) WAC
<b>Automobile washers</b>	Chapter 173-216 WAC, Best Management Practices for Vehicle and Equipment Discharges (WDOE WQ-R-95-56)
<b>Below ground storage tanks</b>	Chapter 173-360 WAC
<b>Chemical treatment storage and disposal facilities</b>	Chapter 173-303 WAC
<b>Hazardous waste generator (boat repair shops, biological research facility, dry cleaners, furniture stripping, motor vehicle service garages, photographic processing, printing and publishing shops, etc.)</b>	Chapter 173-303 WAC
<b>Injection wells</b>	Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC
<b>Junk yards and salvage yards</b>	Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Vehicles Recycler Facilities (WDOE 94-146)
<b>Oil and gas drilling</b>	Chapter 332-12-450 WAC, Chapter 344-12 WAC
<b>On-site sewage systems (large scale)</b>	Chapter 173-240 WAC
<b>On-site sewage systems (&lt;14,500 gal/day)</b>	Chapter 246-272 WAC, Local Health Ordinances
<b>Pesticide storage and use</b>	Chapter 15.54 RCW, Chapter 17.21 RCW
<b>Sawmills</b>	Chapter 173-303 WAC, 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (WDOE 95-53)
<b>Solid waste handling and recycling facilities</b>	Chapter 173-304 WAC
<b>Surface mining</b>	Chapter 332-18 WAC
<b>Waste water application to land surface</b>	Chapter 173-216 WAC, Chapter 173-200 WAC, WDOE Land Application Guidelines, Best Management Practices for Irrigated Agriculture
<b>* as amended.</b>	

#### 16.55.080 - USES PROHIBITED FROM CRITICAL AQUIFER RECHARGE AREAS.

The following activities and uses are prohibited in critical aquifer recharge areas:\*

- A. Landfills. Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills;
- B. Underground Injection Wells. Classes I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells;
- C. Mining.
  - 1. Metals and hard rock mining, and
  - 2. Sand and gravel mining;
- D. Wood Treatment Facilities. Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and man-made);
- E. Storage, Processing, or Disposal of Radioactive Substances. Facilities that store, process, or dispose of radioactive substances;
- F. Fuel and/or gas stations;
- G. Vehicle repair and servicing;
- H. Oil and lubricant centers; and
- I. Other.
  - 1. Activities that would significantly reduce the recharge to aquifers currently or potentially used as a potable water source,
  - 2. Activities that would significantly reduce the recharge to aquifers that are a source of significant baseflow to a regulated stream,
  - 3. Activities that are not connected to an available sanitary sewer system are prohibited from critical aquifer recharge areas associated with sole source aquifers, and
  - 4. Underground storage tanks for the use and storage of hazardous substances or hazardous materials.

\* Prohibited uses are based on "Guidance Document for the Establishment of Critical Aquifer Recharge Area Ordinances," by Ecology, July 2000, publication #97-30, and local concerns.

#### CHAPTER 16.57 - FREQUENTLY FLOODED AREAS

##### Sections:

#### 16.57.010 - APPLICABILITY.

- A. Frequently Flooded Areas. Frequently flooded areas include: The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Clark County, Washington, and incorporated areas" dated September 5, 2012, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRM). The study is the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Maps, and the water surface elevation of the base flood. The study and FIRM are on file at the City of Camas. The best available information for flood hazard area identification as outline in Section 16.57.050(C) shall be the basis for regulation until a new FIRM is issued that incorporates data utilized. The flood insurance study and accompanying rate maps are hereby adopted by reference, and declared part of this chapter. These are minimum designations; the director may identify additional areas.

- B. Use of Additional Information. The director may use additional flood information that is more restrictive than that provided in the flood insurance study conducted by the Federal Emergency Management Agency (FEMA) to designate frequently flooded areas, including data on channel migration, historical data, high water marks, photographs of past flooding, location of restrictive floodways, maps showing future build-out conditions, maps that show riparian habitat areas, or similar information.
- C. Flood Elevation Data. When base flood elevation data is not available (Zone A), the director shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, in order to administer this chapter.
- D. For the purposes of this chapter, definitions are generally found in CMC Section 18.03.

#### 16.57.020 - USES AND ACTIVITIES PROHIBITED.

- A. Critical Facilities. Construction of new critical facilities shall be permissible within frequently flooded areas if no feasible alternative site is available. Critical facilities constructed within frequently flooded areas shall have the lowest floor elevated three feet or more above the level of the base flood elevation (one hundred year flood), or to the height of the five hundred-year flood, whichever is higher. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. Certification by a registered professional engineer is required.
- B. Wells.
- C. On-site sewage or waste disposal systems.
- D. Lots (Includes residential and non-residential). There shall be no increase in lots within frequently flooded areas. No additional lots shall be created within a frequently flooded area. Divisions of land shall have the frequently flooded areas designated as separate tract(s) and not included within any additional lot.
- E. Development in Floodways.
  - 1. New Development Requires Certification by an Engineer. Encroachments, including new construction, substantial improvements, fill, and other development, are prohibited within designated floodways unless certified by a registered professional engineer. Such certification shall demonstrate through hydrologic and hydraulic analyses, performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels during the occurrence of the base flood discharge. Small projects that are solely to protect or create fish habitat, and designed by a qualified professional, may be allowed without certification if the director determines that the project will not obstruct flood flows. Fish protection projects shall be reviewed on behalf of the City by a qualified professional in the field of hydraulics.
  - 2. Residential Construction and Reconstruction Prohibited. Construction and reconstruction of residential structures is prohibited within floodways, except for:
    - a. Maintenance or repairs to a structure that do not increase the ground floor area; and
    - b. Repairs, reconstruction, or improvements to a structure for which the cost does not exceed fifty percent of the market value of the structure either:
      - i. Before the repair or reconstruction is started; or
      - ii. If the structure has been damaged and is being restored, before the damage occurred.
    - c. Improvement to a building to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the City, and that are the minimum necessary to assure safe living conditions, or to structures identified as historic places shall not be included in the fifty percent.
  - 3. If Section E(1) above is satisfied, all new construction and substantial improvements must also comply with all applicable flood hazard reduction provisions.



#### 16.57.030 - CRITICAL AREA REPORT—ADDITIONAL REQUIREMENTS.

In addition to the items listed in CMC 16.51.140 Critical Area Reporting, the following is required:

- A. Prepared by a Qualified Professional. A frequently flooded areas report shall be prepared by a qualified professional who is a hydrologist, or engineer, who is licensed in the state of Washington, with experience in preparing flood hazard assessments.
- B. Area Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for frequently flooded areas:
  - 1. The site area of the proposed activity;
  - 2. All areas of a special flood hazard area, as indicated on the flood insurance rate map(s), within three hundred feet of the project area; and
  - 3. All other flood areas indicated on the flood insurance rate map(s) within three hundred feet of the project area.
- C. Flood Hazard Assessment Required. A critical area report for a proposed activity within a frequently flooded area shall contain a flood hazard assessment, including the following site- and proposal-related information at a minimum:
  - 1. Site and Construction Plans. A copy of the site and construction plans for the development proposal showing:
    - a. Floodplain (one hundred-year flood elevation), ten- and fifty-year flood elevations, floodway, other critical areas, management zones, and shoreline areas;
    - b. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and drainage facilities, with dimensions indicating distances to the floodplain;
    - c. Clearing limits; and
    - d. Elevation of the lowest floor (including basement) of all buildings, and the level to which any building has been floodproofed;
  - 2. Floodproofing Certificate (FEMA Form 81-65, most current edition). When floodproofing is proposed for a non-residential building, a certification by a registered professional engineer or architect that the floodproofing methods meet the requirements in CMC Section 16.57.050(F); and
  - 3. Watercourse Alteration. When watercourse alteration is proposed, the critical area report shall include:
    - a. Extent of Watercourse Alteration. A description of and plan showing the extent to which a watercourse will be altered or relocated as a result of proposal, and
    - b. Maintenance Program Required for Watercourse Alterations. A maintenance program that provides maintenance practices for the altered or relocated portion of the watercourse to ensure that the flood carrying capacity is not diminished.
- D. Information Regarding Other Critical Areas. Potential impacts to wetlands, fish and wildlife habitat, and other critical areas shall be addressed in accordance with the applicable sections of these provisions.

#### 16.57.040 - WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this chapter is considered reasonable for regulatory purpose and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by human or natural causes. This chapter does not imply that land outside frequently flooded areas, or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of City of Camas, any officer or employee thereof,



or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter, or any administrative decision lawfully made hereunder.

#### 16.57.050 - PERFORMANCE STANDARDS—GENERAL REQUIREMENTS.

All Elevation Certificates (FEMA Form 81-31), Floodproofing Certificates for non-residential structures (FEMA Form 81-65), documents, and records pertaining to the provisions of this ordinance shall be maintained by the City for public inspection.

- A. All Necessary Permits Shall be Obtained. A development permit shall be obtained before construction or development begins within any frequently flooded area established in Section 16.57.010. The permit shall be for all structures, including manufactured homes, as set forth in the "Definitions," and for all development, including fill and other activities, also as set forth in the "Definitions."
- B. Area of Special Flood Hazards with Base Flood Elevation. When the base flood elevation is provided, but a regulatory floodway has not been designated, new construction, substantial improvements, or other development, including fill, shall not be permitted within frequently flooded areas, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one inch at any point within the City limits.
- C. Areas Without Base Flood Elevation Data. Where base flood elevation data is not available (Zone A), and there is insufficient data then a report shall be submitted by a qualified professional that includes analysis of historical data and field surveys. The reports shall include reasonable mapping to ensure proposed buildings are safe from flooding and to demonstrate that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one inch at any point within the City limits.
- D. Construction Materials and Methods.
  1. Methods that Minimize Flood Damage. All new construction and substantial improvements shall be constructed using flood resistant materials and utility equipment, and with methods and practices that minimize flood damage.
  2. Buildings shall be located outside the floodplain. For sites with no buildable area out of the floodplain, buildings may be allowed provided they are placed on the highest land on the site, oriented parallel to flow rather than perpendicular, and sited as far from the watercourse and other critical areas as possible. If the City detects any evidence of active hyporheic exchange on a site, the development shall be located to minimize disruption of such exchange.
  3. Utilities Shall be Protected. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- E. Elevation Certificate Required Following Construction. Following construction of a building within the floodplain where the base flood elevation is provided, the applicant shall obtain a "finished construction" elevation certificate (FEMA Form 81-31, most current edition) from a registered professional engineer or architect that records the elevation of the lowest floor.
- F. Floodproofing (Non-Residential Only).
  1. When a building is to be floodproofed, it shall be designed and constructed using methods that meet the following requirements:
    - a. Watertight Building. The building shall be watertight with walls substantially impermeable to the passage of water below one foot above the base flood level;

- b. Hydrostatic and Hydrodynamic Resistance. Structural components shall be capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
  - c. Certified by a Registered Professional Engineer or Architect. The building shall be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications, and plans.
- 2. Floodproofing Certificate Required Following Construction. Following construction of the building, the applicant shall obtain a floodproofing certificate (FEMA Form 81-65, most current edition) from a registered professional engineer or architect that records the actual (as-built) elevation to which the building was floodproofed.
- G. Anchoring. All new construction and substantial improvements within the floodplain shall be anchored to prevent flotation, collapse, or lateral movement of the building. All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frames tied to ground anchors.
- H. Fill and Grading. Fill and grading within the floodplain shall only occur upon a determination from a registered professional engineer that the fill or grading will not block side channels, inhibit channel migration, increase flood hazards to others, or be placed within a channel migration zone, whether or not the City has delineated such zones as of the time of the application. If fill or grading is located in a floodway, CMC Section 16.57.020 applies.

#### 16.57.060 - PERFORMANCE STANDARDS—SPECIFIC USES.

In all special flood hazard areas the following provisions are required:

##### A. Residential Units.

- 1. Must be Above Base Flood Elevation. New construction or placement of residential units and substantial improvement of any residential building shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation.
- 2. Areas Below the Lowest Floor. Fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:
  - a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
  - b. The bottom of all openings shall be no higher than one foot above grade; and
  - c. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- 3. Manufactured Homes. All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured homes is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement. All manufactured homes shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frames tied to ground anchors. If the manufactured home is placed on a permanent footing/foundation with stem walls, CMC Section 16.57.060(A)(2) applies.

B. Nonresidential Construction.

1. Must be Above Base Flood Elevation. New construction and substantial improvement of any commercial, industrial, or other nonresidential building shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation or, together with attendant utility and sanitary facilities, shall be floodproofed in accordance with floodproofing (Section 16.57.050(F)). Unavoidable impacts to flooded areas (from fill) need to be mitigated.
2. Areas Below the Lowest Floor. If floodproofed, areas shall be in accordance with floodproofing (Section 16.57.050(F)). If elevated and not floodproofed, fully enclosed areas below the lowest floor shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:
  - a. A minimum of three openings having a total net area of no less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
  - b. The bottom of all openings shall be no higher than one foot above grade; and
  - c. Openings may be equipped with screens, louvers, or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

C. Utilities.

1. Shall be Designed to Minimize Infiltration of Floodwaters. All new and replacement water supply systems shall be designed to preclude infiltration of floodwaters into the systems.
2. Sanitary Sewage Systems. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
3. On-site Waste Disposal Systems. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. New on-site sewage disposal systems are prohibited for uses and activities prohibited from frequently flooded areas.

D. Subdivision/Land Division Proposals.

1. All land division proposals shall:
  - a. Minimize Flood Damage. Subdivisions, short subdivisions, planned developments, and binding site plans shall be designed to minimize or eliminate flood damage to proposed buildings; and public utilities and facilities that are installed as part of such subdivisions. Sewer, gas, electrical, and water systems shall be located and constructed to minimize flood damage. Subdivisions should be designed using natural features of the landscape, and should not incorporate "flood protection" changes.
  - b. Have Adequate Drainage. Subdivisions, short subdivisions, planned developments, and binding site plans shall have adequate natural surface water drainage in accordance with City requirements to reduce exposure to flood hazards; and
  - c. Show Flood Areas on Plat Maps. Subdivisions, short subdivisions, planned developments, and binding site plans shall show the one hundred-year floodplain, floodway, and channel migration zone on the preliminary and final plat maps.
2. Lots. No lot or portion of lot after the effective date of the ordinance codified in this title shall be established within the boundaries of a frequently flooded area.

E. Alteration of Watercourses.

1. Shall be in Accordance with Habitat Regulations. Watercourse alterations shall only be allowed in accordance with the fish and wildlife habitat conservation areas (Chapter 16.61).

2. Shall Not Result in Blockage. Watercourse alteration projects shall not result in blockage of side channels.
3. Notification Required. The City shall notify adjacent communities, the Washington State Department of Ecology, and the Federal Insurance Administration of a proposed watercourse alteration at least fifteen days prior to permit issuance.
4. Maintenance of Alterations. The applicant shall maintain the altered or relocated portion of the watercourse to ensure that the flood carrying capacity is not diminished. Maintenance shall be bonded for a period of five years, and be in accordance with an approved maintenance program.

#### 16.57.070 - RECREATIONAL VEHICLES.

Recreational vehicles placed on sites are required to either:

- A. Be on the site for fewer than one hundred eighty consecutive days; or
- B. Be fully licensed and ready for highway use on its wheels, or the jacking system is attached to the site only by quick disconnect type utilities and securities devices, and has no permanently attached additions; or
- C. Meet the requirements of CMC Section 16.57.060(A)(3) and the elevation and anchoring requirements for manufactured homes.

#### 16.57.080 - VARIATIONS—ADDITIONAL CONSIDERATIONS FOR FREQUENTLY FLOODED AREAS.

- A. Additional Variation Considerations. In review of variation requests for activities within frequently flooded areas, the City shall consider all technical evaluations, relevant factors, standards specified in this chapter, and:
  1. The danger to life and property due to flooding, erosion damage, or materials swept onto other lands during flood events;
  2. The susceptibility of the proposed facility and its contents to flood damage, and the effect of such damage on the proposed use;
  3. The importance of the services provided by the proposed use to the community;
  4. The necessity of a waterfront location and the availability of alternative locations for the proposed use that are not subject to flooding or erosion damage;
  5. The safety of access to the property for ordinary and emergency vehicles;
  6. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters, and the effects of wave action, if applicable, expected at the site; and
  7. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- B. Variations shall only be issued upon a determination that the granting of a variation will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or ordinances.
- C. Variations shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

## CHAPTER 16.59 - GEOLOGICALLY HAZARDOUS AREAS

### Sections:

#### 16.59.010 - DESIGNATION OF GEOLOGICALLY HAZARDOUS AREAS.

Geologically hazardous areas include areas susceptible to erosion hazard, landslide hazard, seismic hazard, mine hazard and other geologic events. These areas pose a threat to the health and safety of citizens when incompatible development is sited in areas of significant hazard. Areas susceptible to one or more of the following types of hazards shall be designated as a geologically hazardous area:

- A. Erosion hazard;
- B. Landslide hazard;
- C. Seismic hazard; or
- D. Other geological events including, mass wasting, debris flows, rock falls and differential settlement.

#### 16.59.020 - DESIGNATION OF SPECIFIC HAZARD AREAS.

- A. Erosion Hazard Areas. Erosion hazard areas are areas where there is not a mapped or designated landslide hazard, but where there are steep slopes equal to or greater than forty percent slope. Steep slopes which are less than ten feet in vertical height and not part of a larger steep slope system, and steep slopes created through previous legal grading activity are not regulated steep slope hazard areas.
- B. Landslide Hazard Areas. Landslide hazard areas are areas potentially subject to landslides based on a combination of geologic, topographic, and hydrologic factors. They include areas susceptible because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors. Examples of these may include, but are not limited to the following:
  - 1. Areas of previous slope failures including areas of unstable old or recent landslides;
  - 2. Areas with all three of the following characteristics:
    - a. Slopes steeper than fifteen percent,
    - b. Hillsides intersecting geologic contacts with permeable sediment overlying a low permeability sediment or bedrock, and
    - c. Any springs or ground water seepage;
  - 3. Slopes that are parallel or sub-parallel to planes of weakness, such as bedding planes, joint systems and fault planes in subsurface materials;
  - 4. Areas mapped by:
    - a. Washington Department of Natural Resources Open File Report: Slope Stability of Clark County, 1975, as having potential instability, historical or active landslides, or as older landslide debris, and
    - b. The Washington Department of Natural Resources Open File Report Geologic Map of the Vancouver Quadrangle, Washington and Oregon, 1987, as landslides;
  - 5. Slopes greater than eighty percent, subject to rock fall during earthquake shaking;

6. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and stream undercutting the toe of a slope;
  7. Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows, debris torrents or catastrophic flooding.
- C. "Seismic hazard area" means an area subject to severe risk of damage as a result of earthquake-induced soil liquefaction, ground shaking amplification, slope failure, settlement, or surface faulting. Relative seismic hazard is mapped on the NEHRP site class map of Clark County, published by the Washington Department of Natural Resources.
- D. Other Hazard Areas. Geologically hazardous areas shall also include areas determined by the city to be susceptible to other geological events, including mass wasting, debris flows, rock falls, and differential settlement.

#### 16.59.030 - CLASSIFICATION OF GEOLOGICALLY HAZARDOUS AREAS.

All geologic hazard areas should be classified according to the following categories for each geologic hazard type:

- A. Known or Suspected Risk. Documentation of projection of the hazard by a qualified professional exists.
- B. Risk Unknown. Documentation, or projection of the lack of hazard, by a qualified professional exists, or data is not available to determine the presence or absence of a geologic hazard.

#### 16.59.040 - MAPPING OF GEOLOGICALLY HAZARDOUS AREAS.

- A. The approximate location and extent of geologically hazardous areas are shown on the adopted critical area maps as revised or superseded. The adopted critical area maps may include:
  1. U.S. Geological Survey landslide hazard and seismic hazard maps;
  2. Department of Natural Resources seismic hazard maps for western Washington;
  3. Department of Natural Resources slope stability maps;
  4. Federal Emergency Management Administration flood insurance maps; and
  5. Locally adopted maps.
- B. These maps are to be used as a guide for the city, project applicants, and/or property owners, and may be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

#### 16.59.050 - ACTIVITIES ALLOWED IN GEOLOGICALLY HAZARDOUS AREAS.

The following activities are allowed in geologically hazardous areas, provided that the activity will not increase the risk of the hazard, pursuant to allowed activities under general provisions (CMC Section 16.51.120), and do not require submission of a critical area report:

- A. Construction of new buildings with less than two thousand five hundred square feet of floor area or roof area, whichever is greater, and which are not residential structures or used as places of employment or public assembly;
- B. Additions to the ground floor of existing single-family residences that are two hundred fifty square feet or less; and
- C. Installation of fences.

#### 16.59.060 - CRITICAL AREA REPORT REQUIREMENTS FOR GEOLOGICALLY HAZARDOUS AREAS.

- A. Prepared by a Qualified Professional. A critical areas report for a geologically hazardous area shall be prepared by a qualified professional who is either a civil engineer with a geotechnical background, or a geologist, licensed in the state of Washington, with experience analyzing geologic, and where applicable, hydrologic and ground water flow systems.
- B. Area Addressed in Critical Area Report. The project area of the proposed activity shall be addressed in a critical area report for geologically hazardous areas.
- C. Geotechnical Evaluation and Assessment. Except as provided for in subsections D and E of this section, a critical area report for geologically hazardous areas shall first contain a site evaluation and, if required, an assessment of geological hazards.
  - 1. Site Evaluation. A site evaluation shall include:
    - a. Identification of the geologically hazardous area including the type and extent of the geological hazard, and the reason the area is or is not likely to be impacted by the proposed development plan.
    - b. A description of the project including, where applicable:
      - i. Proposed structures;
      - ii. Proposed grading;
      - iii. Areas proposed for storage of materials;
      - iv. Proposed storm drainage areas;
      - v. Related project impacts which have a potential to adversely affect the geological hazard; and
      - vi. If available for the proposed activity, a site development plan may be included to illustrate proposed project impacts. The development plan when provided will show the geological hazard area, proposed site improvements, two-foot contours, proposed storm water treatment facilities, proposed or known existing septic drain fields, proposed stockpile areas, or proposed areas of mass grading.
    - c. Identification of proportionate and appropriate mitigation measures and a description of how they will adequately protect the proposed development, adjacent developments, and the subject geologically hazardous area.
    - d. A recommendation based on the proposed site activities of the level of study, construction monitoring, or site design changes which may be needed during the final design process.
  - 2. Geotechnical Assessment. If recommended by the site evaluation, or determined necessary by the city, a geotechnical assessment for geologically hazardous areas shall include the following site- and proposal-related information at a minimum:
    - a. Site Plans. The report shall include a copy of the site plans for the proposal showing:

- i. The type and extent of geologic hazard areas, and any other critical areas, and management zones on, adjacent to, within three hundred feet of, or that are likely to impact the proposal;
  - ii. Proposed development, including the location of existing and proposed structures, fill, storage of materials, and storm drainage facilities, with dimensions indicating distances to hazard areas; and
  - iii. The topography, in two-foot contours, of the project area and all hazard areas addressed in the report.
- 3. **Assessment of Geological Characteristics.** The report shall include an assessment of the geologic characteristics and engineering properties of the soils, sediments, and/or rock of the project area and potentially affected adjacent properties, and a review of the site history regarding landslides, erosion and prior grading. Soils analysis shall be accomplished in accordance with accepted taxonomic classification systems in use in the region.
 

The assessment shall include, but not be limited to:

  - a. A description of the surface and subsurface geology, hydrology, soils, and vegetation found in the project area, and in generally all hazard areas addressed in the report;
  - b. A detailed overview of the field investigations, published data, and references; data and conclusions from past assessments of the site; and site specific measurements, test, investigations, or studies that support the identification of geologically hazardous areas; and
  - c. A description of the vulnerability of the site to seismic and other geologic events.
- 4. **Analysis of Proposal.** The report shall contain a geotechnical analysis, including a detailed description of the project, its relationship to the geologic hazard(s), and its potential impact upon the hazard area, the subject property, and affected adjacent properties.
- 5. **Summary and Recommendation.** The report shall make a recommendation for the minimum no disturbance management zone, or minimum building setback from any geologic hazard, or other appropriate mitigation measures based upon the geotechnical analysis.
- D. **Incorporation or Acceptance of Previous Study.** Where a valid geotechnical report has been prepared within the last five years for a specific site, and where the proposed land use activity and surrounding site conditions are unchanged, such report may be incorporated into or accepted as the required critical area report. The applicant shall submit a geotechnical assessment detailing any changed environmental conditions associated with the site.
- E. Where the applicant can demonstrate that the proposed project or activity has no direct impact on the identified geologically hazardous area, or that the site evaluation requirements above are not applicable to the proposed project or activity, the city may not require additional site assessment work or may limit the scoping of the site evaluation based on identified site specific geologic hazards.
- F. **Mitigation of Long-Term Impacts.** When hazard mitigation is required the mitigation plan shall specifically address how the activity maintains or reduces the pre-existing level of risk to the site and adjacent properties on a long-term basis (equal to or exceeding the projected lifespan of the activity or occupation). Proposed mitigation techniques shall be considered to provide long-term hazard reduction only if they do not require regular maintenance or other actions to maintain their function. Mitigation may also be required to avoid any increase in risk above the pre-existing conditions following abandonment of the activity.



#### 16.59.070 - CRITICAL AREA REPORT REQUIREMENTS FOR SPECIFIC HAZARDS.

- A. Erosion and Landslide Hazard Areas. In addition to the basic geological hazard area report requirements, a report for an erosion hazard or landslide hazard area shall include the following information at a minimum:
1. Site Plan. The report shall include a copy of the site plan for the proposal showing:
    - a. The height of slope, slope gradient, and cross section of the project area,
    - b. The location of springs, seeps, or other surface expressions of ground water on or within three hundred feet of the project area, or that have potential to be affected by the proposal, and
    - c. The location and description of surface water runoff;
  2. Geotechnical Analysis. The geotechnical analysis shall specifically include:
    - a. A description of the extent and type of vegetative cover,
    - b. An estimate of load capacity, including surface and ground water conditions, public and private sewage disposal systems, fills and excavations, and all structural development,
    - c. An estimate of slope stability and the effect construction and placement of structures will have on the slope over the estimated life of the structure,
    - d. An estimate of the bluff retreat rate that recognizes and reflects potential catastrophic events such as seismic activity or a one hundred year storm event,
    - e. Consideration of the run-out hazard of landslide debris and/or the impacts of landslide run-out on down slope properties,
    - f. A study of slope stability, including an analysis of proposed angles of cut and fill, and site grading,
    - g. Recommendations for building limitations, structural foundations, and an estimate of foundation settlement, and
    - h. An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion;
  3. Erosion and Sediment Control Plan. For any development proposal on a site containing an erosion hazard area, an erosion and sediment control plan shall be required. The erosion and sediment control plan shall be prepared in compliance with requirements set forth in CMC Chapter 15.32, CMC Chapter 17.21 and the city of Camas Design Standard Manual;
  4. Drainage Plan. The report shall include a drainage plan for the collection, transport, treatment, discharge, and/or recycle of water prepared in accordance with CMC Chapter 17.21 and the city of Camas Design Standard Manual;
  5. Mitigation Plans. Hazard and environmental mitigation plans for erosion and landslide hazard areas shall include the location and methods of drainage, surface water management, locations and methods of erosion control, a vegetation management and/or replanting plan, and/or other means for maintaining long-term soil stability;
  6. Monitoring Surface Waters. If the city determines that there is a significant risk of damage to downstream waters due to potential erosion from the site, based on the size of the project, the proximity to the receiving waters, or the sensitivity of the receiving waters, the critical area report shall include a plan to monitor the surface water discharge from the site. The monitoring plan shall include a recommended schedule for submitting monitoring reports to the city.
- B. Seismic Hazard Areas. In addition to the basic report requirements, a critical area report for a seismic hazard area shall also meet the following requirements:

1. The site map shall show all known and mapped faults within three hundred feet of the project area, or that have potential to be affected by the proposal.
  2. The geotechnical analysis shall include a complete discussion of the potential impacts of seismic activity on the site (for example, forces generated and fault displacement).
- C. Other Geologically Hazardous Areas. In addition to the basic report requirements, the city may require additional information to be included in the critical area report when determined to be necessary to review the proposed activity and the subject hazard. Additional information that may be required, includes, but is not limited to:
1. Site Plan. The site plan shall show all known hazard areas located within three hundred feet of the project area, or that have potential to be affected by the proposal; and
  2. Geotechnical Analysis. The geotechnical analysis shall include a complete discussion of the potential impacts of the hazard on the project area and of the proposal on the hazard.

#### 16.59.080 - PERFORMANCE STANDARDS—GENERAL REQUIREMENTS.

Alterations of geologically hazardous areas or associated management zones may only occur for activities that will not adversely impact or pose a threat to adjacent properties or critical areas, and are designed so that the hazard to the project is eliminated or mitigated to a level equal to or less than pre-development conditions.

#### 16.59.090 - PERFORMANCE STANDARDS—SPECIFIC HAZARDS.

- A. Erosion and Landslide Hazard Areas. Activities on sites containing erosion or landslide hazards shall meet the following requirements:
1. Management Zone Required. A management zone shall be established from all edges of erosion or landslide hazard areas. The size of the management zone shall be determined by the city to eliminate or minimize the risk of property damage, death, or injury resulting from erosion and landslides caused in whole or part by the development, based upon review of and concurrence with a critical area report prepared by a qualified professional.
    - a. Management Zone Established. A management zone shall be established from the edges of areas characterized by steep slopes, potentially unstable soils, erosion potential, or seismic activity. The management zone will be established by a qualified professional and shall adequately protect the proposed development, adjacent developments, and subject critical area. The management zone shall generally be equal to the height of the slope, or fifty feet, whichever is greater. A management zone less than fifty feet may be established if a qualified professional determines that such reduction will adequately protect the proposed development, adjacent developments, and subject critical area.
    - b. Increased Management Zone. The management zone may be increased where the city determines a larger management zone is necessary to prevent risk of damage to proposed and existing development(s);
  2. Design Standards. Development under this section shall be designed to meet the following basic requirements. The requirement for long-term slope stability shall exclude designs that require periodic maintenance or other actions to maintain their level of function. The basic development design standards are:
    - a. The proposed development shall not decrease the factor of safety for landslide occurrences below the limits of 1.5 for static conditions, and 1.2 for dynamic conditions. Analysis of

dynamic conditions shall be based on a minimum horizontal acceleration as established by the current version of the International Building Code,

- b. Structures and improvements shall be clustered to avoid geologically hazardous areas and other critical areas,
  - c. Structures and improvements should minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography,
  - d. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation,
  - e. The proposed development shall not result in greater risk or a need for increased management zones on neighboring properties,
  - f. The use of retaining walls that allow the maintenance of existing natural slope area is preferred over graded artificial slopes, and
  - g. Development shall be designed to minimize impervious lot coverage;
3. Vegetation Removal. Within a geologically hazardous area and related management zone, removal of vegetation shall be limited to the following:
- a. Selective vegetation removal as provided under CMC Section 16.51.130, or
  - b. The city may authorize, as part of a critical area review, vegetation removal that has been determined to have no greater adverse impact on the geologically hazardous area, and is not necessary for mitigating any other impact under this code. The determination of no greater adverse impact will take into consideration a vegetation removal plan prepared by a certified landscape architect or arborist, and reviewed by a geotechnical engineer;
4. Seasonal Restriction. Clearing and grading under a city permit shall be allowed only from May 1st to October 1st of each year, provided that the city may extend or shorten the dry season on a case-by-case basis depending on actual weather conditions;
5. Utility Lines and Pipes. Utility lines and pipes shall be permitted in erosion and landslide hazard areas only when the applicant demonstrates that no other practical alternative is likely. The line or pipe shall be appropriately located and designed so that it will continue to function in the event of an underlying failure;
6. Point Discharges. Point discharges from surface water facilities and roof drains onto or upstream from an erosion or landslide hazard area shall be prohibited except as follows:
- a. Conveyed via continuous storm pipe downslope to a point where there are no erosion hazards areas downstream from the discharge,
  - b. Discharged at flow durations matching predeveloped conditions, with adequate energy dissipation, into existing channels that previously conveyed stormwater runoff in the predeveloped state, or
  - c. Dispersed discharge upslope of the steep slope onto a low-gradient undisturbed management zone demonstrated to be adequate to infiltrate all surface and stormwater runoff;
7. Roads and utilities (see subsection (A)(5) of this section) may be permitted within a geologic hazard area or management zone if the city determines that no other reasonable alternative exists which could avoid or minimize impacts to a greater extent.
- B. Seismic Hazard Areas. Activities proposed to be located in seismic hazard areas shall meet the standards of CMC Section 16.59.080.
- C. Other Hazard Areas. Activities on sites containing or adjacent to geologically hazardous areas, shall meet the standards of CMC Section 16.59.080.

## CHAPTER 16.61 - FISH AND WILDLIFE HABITAT CONSERVATION AREAS

### Sections:

#### 16.61.010 - DESIGNATION OF FISH AND WILDLIFE HABITAT CONSERVATION AREAS.

##### A. Fish and wildlife habitat conservation areas include:

1. Areas with Which State or Federally Designated Endangered, Threatened, and Sensitive Species Have a Primary Association. The presence or absence of such species shall be determined by the field studies required by this section. Lists, categories and definitions of species promulgated by National Marine Fisheries Service (NMFS) and Washington Department of Fish and Wildlife (WDFW) are provided to the city to be used for guidance only.
2. State Priority Habitats and Areas Associated with State Priority Species. Priority habitats and species are considered to be priorities for conservation and management. Priority species require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance. Priority habitats are those habitat types or elements with unique or significant value to a diverse assemblage of species. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element. Priority habitats and species are identified by the state Department of Fish and Wildlife.
3. Habitats of local importance as identified by the city's parks and open space plan as natural open space, or as listed below:
  - a. Oregon White Oaks.
    - i. Individual Oregon White Oak trees with a twenty-inch diameter at breast height (twenty inches dbh).
    - ii. Stands of Oregon White Oak trees greater than one acre, when they are found to be valuable to fish and wildlife (i.e., may include trees with cavities, large diameter breast height (twelve inches dbh), are used by priority species, or have a large canopy.
    - iii. All Oregon White Oak snags unless determined by an arborist to be a hazard.
  - b. Camas Lily. To the extent practicable, Camas lily fields of a significant concentration (one-fourth acre) shall be preserved. If impacts or removal of significant concentrations of Camas lily are proposed, the proposal must include an evidence that the exploration of development options has included:
    - i. Maintaining Camas lily concentrations as they currently exist on site; and
    - ii. The option of transplanting Camas lily concentrations to other portions of the property. The proposal may be approved as proposed provided a finding is made based upon evidence that subsection (A)(3)(b)(i) and this subsection have been explored, that it is not possible to maintain significant concentrations of Camas lily on-site.
4. Naturally Occurring Ponds Under Twenty Acres. Naturally occurring ponds are those ponds under twenty acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds. Naturally occurring ponds do not include ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds, and landscape amenities, unless such artificial ponds were intentionally created for mitigation.
5. Waters of the State. Waters of the state includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the

jurisdiction of the state of Washington, as classified in WAC 222-16-031, or its successor. This does not include man-made ditches or bio-swales that have been created from areas not meeting the definition of waters of the state. Furthermore, wetlands designation and protection are regulated under CMC Chapter 16.53.

6. Bodies of water planted with game fish by a governmental or tribal entity.
7. State Natural Area Preserves and Natural Resource Conservation Areas. Natural area preserves and natural resource conservation areas are defined, established, and managed by the State Department of Natural Resources.

All areas within the city of Camas meeting one or more of these criteria, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this title.

- B. Mapping. The approximate location and extent of habitat conservation areas are shown on the critical area maps adopted by the city of Camas, as most recently updated. Existing and updated Washington Department of Fish and Wildlife (WDFW) and Department of Natural Resources (DNR) mapping of priority habitat, water types, shore zones, salmonoid distribution, and State Natural Resources Preserves is hereby adopted by reference. WDFW and DNR mapping is to be used for guidance purposes only. In addition, the mapping included within the Camas parks and open space plan identifies areas of potential natural open spaces.

These maps are to be used as a guide for the city of Camas, project applicants, and/or property owners, and should be continuously updated as new critical areas are identified. They are a reference and do not provide a final critical area designation.

#### 16.61.020 - CRITICAL AREA REPORT—REQUIREMENTS FOR HABITAT CONSERVATION AREAS.

- A. Prepared by a Qualified Professional. A critical areas report for a habitat conservation area shall be prepared by a qualified professional who is a biologist with experience preparing reports for the relevant type of habitat.
- B. Areas Addressed in Critical Area Report. The following areas shall be addressed in a critical area report for habitat conservation areas:
  1. Within a subject parcel or parcels, the project area of the proposed activity;
  2. All wetlands and recommended buffer zones within three hundred feet of the project area within the subject parcel or parcels;
  3. All shoreline areas, water features, floodplains, and other critical areas, and related buffers within three hundred feet of the project area of the subject parcel or parcels; and
  4. The project design and the applicability of the buffers based on the proposed layout and the level of land use intensity.
- C. Habitat Assessment. A habitat assessment is an investigation of the project area to evaluate the presence or absence of a potential critical fish or wildlife species or habitat. A critical area report for a habitat conservation area shall contain an assessment of habitats, including the following site- and proposal-related information at a minimum:
  1. Detailed description of vegetation on and adjacent to the project area;
  2. Identification of any species of local importance, priority species, or endangered, threatened, sensitive, or candidate species that have a primary association with habitat on or adjacent to the project area, and assessment of potential project impacts to the use of the site by the species;

3. A discussion of any federal, state, or local special management recommendations, including Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the project area;
  4. A discussion of measures, including avoidance, minimization, and mitigation, proposed to preserve existing habitats and restore any habitat that was degraded prior to the current proposed land use activity, and to be conducted in accordance with mitigation sequencing (Section 16.51.170); and
  5. A discussion of ongoing management practices that will protect habitat after the project site has been developed, including proposed monitoring and maintenance programs.
- D. Additional Information May be Required. When appropriate due to the type of habitat or species present or the project area conditions, the city may also require the habitat management plan to include:
1. An evaluation by the Department of Fish and Wildlife or qualified expert regarding the applicant's analysis and the effectiveness of any proposed mitigating measures or programs, to include any recommendations as appropriate;
  2. An evaluation by the local Native American Indian Tribe; and
  3. Detailed surface and subsurface hydrologic features both on and adjacent to the site.

#### 16.61.030 - PERFORMANCE STANDARDS—GENERAL REQUIREMENTS.

##### A. Mitigation Standards.

1. Applicants proposing activities subject to this chapter shall demonstrate that the activity:
  - a. Substantially maintains the level of habitat functions and values as characterized and documented using best available science; and
  - b. Minimizes habitat disruption or alteration beyond the extent required to undertake the proposal.
2. If it is determined that habitat designated under this chapter will incur a net loss in functions and values, all losses shall be mitigated on-site as a first priority, and off-site thereafter.
  - a. Where on-site mitigation that could adequately address the loss is infeasible, the applicant shall consult with a qualified habitat restoration specialist, the city, and the Washington State Department of Fish and Wildlife regarding off-site mitigation. Mitigation shall prioritize the preservation and restoration of Lower Washougal River instream and riparian habitat, and should be guided by the Washougal River Subbasin chapter of the Lower Columbia Salmon Recovery Plan.
  - b. If on-site mitigation is infeasible, payment may be accepted in lieu of an off-site mitigation project. At a minimum, such payment shall be equivalent to the cost of implementing an acceptable off-site project, as estimated by a qualified professional approved by the city, in consultation with the Washington State Department of Fish and Wildlife. The city shall use these funds for habitat improvements it believes are in the best interest of the city and provide a greater ecological benefit than the alternative off-site project. Habitat improvements under this section are subject to the following criteria:
    - i. Fees will be used to fund a clearly defined mitigation project;
    - ii. The project being funded will result in an increase in function that adequately compensates for the permitted impacts;

- iii. Preference is given to projects within the same drainage basin as the impact, if they can provide similar functional improvements;
  - iv. There is a clear timeline for completing the mitigation project; and
  - v. There are provisions for long-term protection and management, including mechanisms such as conservation easements, and funding for long-term monitoring and maintenance of the site.
- 3. Alternate Mitigation.
  - a. Habitat Mitigation Banking.
    - i. Construction, enhancement, or restoration of habitat to use as mitigation for future habitat development impacts is permitted subject to the following:
      - (A) A critical area permit shall be obtained prior to any mitigation banking. If a habitat permit is not obtained prior to mitigation bank construction, mitigation credit shall not be awarded. On projects proposing off-site habitat banking in addition to required habitat mitigation, a separate habitat permit shall be required for each activity;
      - (B) Federal and state habitat regulations, if applicable, may supersede city requirements.
    - ii. The mitigation credit allowed will be determined by the city, based on the habitat category, condition, and mitigation ratios as specified in this chapter. Prior to granting mitigation banking credit, all habitat mitigation banking areas must comply with the applicable sections of this chapter and Chapter 16.51.
    - iii. On projects proposing off-site habitat banking in addition to required habitat mitigation, a separate permit fee will be required for each activity.
    - iv. Purchase of banked habitat credits is permitted to mitigate for habitat impacts in the same watershed, provided the applicant has minimized habitat impacts, where reasonably possible, and the following requirements are met:
      - (A) Documentation, in a form approved by the city, adequate to verify the transfer of habitat credit shall be submitted; and
      - (B) A plat note, along with information on the title, shall be recorded in a form approved by the city as adequate to give notice of the requirements of this section being met by the purchase of banked habitat credits.
- 4. Subject to individual circumstances, potential mitigation measures may include, but are not limited to, the following:
  - a. Establishment of buffers;
  - b. Requirement of a performance bond, when necessary, to ensure completion and success of the proposed mitigation;
  - c. Avoiding the impact all together by not taking a certain action or parts of an action;
  - d. Exploring alternative on-site locations to avoid or reduce impacts of activities;
  - e. Preserving important vegetation and natural habitat features by establishing buffers, or by limiting clearing or alteration;
  - f. Replacing invasive exotic plants with native species (refer to the Clark County Native Plant Communities Guide or other relevant publications for guidance);
  - g. Prohibiting introduction of invasive plant species in habitat areas;
  - h. Enhancing, restoring, or replacing vegetation or other habitat features and functions;

- i. Using native plants where appropriate when planting within habitat areas (refer to the Clark County Native Plant Communities Guide or other relevant publications for guidance);
  - j. Managing access to habitat areas, including exclusionary fencing for livestock, if needed;
  - k. Using existing stream crossings whenever a review of suitability, capacity, access and location, habitat impacts of alternatives, maintenance, liability, and economics indicate the existing crossing is feasible;
  - l. Constructing new stream crossings, when necessary, in conformance to the water crossing structure standards in WAC 220-110-070 (Hydraulic Code Rules), which are incorporated by reference;
  - m. Seasonally restricting construction activities;
  - n. Implementing best management practices and integrated management practices;
  - o. Monitoring or review of impacts and assurance of stabilization of the area;
  - p. Establishing performance measures or bonding;
  - q. Establishing conservation covenants and other mechanisms to ensure long-term preservation or maintenance of mitigation actions;
  - r. Utilizing low-impact development techniques;
  - s. Promoting water quality by limiting the use of lawn and garden chemicals in habitat areas; and/or
  - t. Avoiding topsoil removal and minimizing topsoil compaction.
- B. Nonindigenous Species Shall not be Introduced Via Mitigation. No plant, wildlife, or fish species not indigenous to the region shall be introduced, via mitigation, into a habitat conservation area.
- C. Mitigation Should Result in Contiguous Corridors. In accordance with a mitigation plan, mitigation sites should preferably be located by the following and in priority order:
- 1. On-site and contiguous to wildlife habitat corridors; or
  - 2. Off-site that is adjacent to the subject site and contiguous to wildlife habitat corridors; or
  - 3. Mitigation within the natural open space network, as identified in the comprehensive parks and open space plan, may be allowed for off-site mitigation or in place of on-site mitigation, where development and mitigation will result in an isolating effect on the habitat.
- D. Approvals of Activities may be Conditioned. The city shall condition approvals of activities allowed within or adjacent to a habitat conservation area or its buffers, as necessary to minimize or mitigate any potential adverse impacts. Conditions may include, but are not limited to:
- 1. Establishment of buffers;
  - 2. Preservation of critically important vegetation;
  - 3. Limitation of access to the habitat area, including fencing to deter unauthorized access;
  - 4. Seasonal restriction of construction activities;
  - 5. Establishment of a duration and timetable for periodic review of mitigation activities; and
  - 6. Requirement of a performance bond, when necessary, to ensure completion and success of proposed mitigation.
- E. Buffers.
- 1. Establishment of Buffers. The director shall require the establishment of buffer areas for activities in, or adjacent to, habitat conservation areas when needed to protect habitat conservation areas. Buffers shall consist of an undisturbed area of native vegetation, or areas identified for restoration, established to protect the integrity, functions, and values of the affected habitat. Required buffer



widths shall reflect the sensitivity of the habitat and the type and intensity of human activity proposed to be conducted nearby, and should be consistent with the management recommendations issued by the State Department of Fish and Wildlife.

2. Seasonal Restrictions. When a species is more susceptible to adverse impacts during specific periods of the year, seasonal restrictions may apply. Larger buffers may be required and activities may be further restricted during the specified season.
  3. Habitat Buffer Averaging. The director may allow the recommended habitat area buffer width to be averaged in accordance with a critical area report, only if:
    - a. It will not reduce stream or habitat functions;
    - b. It will not adversely affect salmonid habitat;
    - c. It will provide additional natural resource protection, such as buffer enhancement;
    - d. The total area contained in the buffer area after averaging is no less than that which would be contained within the standard buffer;
    - e. The buffer area width is not reduced by more than fifty percent in any location; and
    - f. The buffer area width is not less than twenty-five feet.
- F. Mitigation Plan Requirements. When mitigation is required, the applicant shall submit a mitigation plan as part of the critical areas report. The mitigation plan shall include:
1. Detailed Construction Plans. The mitigation plan shall include descriptions of the mitigation proposed, such as:
    - a. The proposed construction sequence, timing, and duration;
    - b. Grading and excavation details;
    - c. Erosion and sediment control features;
    - d. A planting plan specifying plant species, quantities, locations, size, spacing, and density; and
    - e. Measures to protect and maintain plants until established.

These written descriptions shall be accompanied by detailed site diagrams, scaled cross-sectional drawings, topographic maps showing slope percentage and final grade elevations, and any other drawings appropriate to show construction techniques or anticipated final outcome.
  2. Monitoring Program. The mitigation plan shall include a program for monitoring construction of the mitigation project and for assessing a completed project. A protocol shall be included outlining the schedule for site monitoring, and how the monitoring data will be evaluated to determine if the performance standards are being met. A monitoring report shall be submitted as needed to document milestones, successes, problems, and contingency actions of the mitigation project. The mitigation project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than five years.

The city shall notify the responsible party in writing once the conditions of the monitoring plan are met.
  3. Adaptive Management. The mitigation plan shall include identification of potential courses of action, and any corrective measures to be taken if monitoring or evaluation indicates project performance standards are not being met.

A. Endangered, Threatened, and Sensitive Species.

1. No development shall be allowed within a habitat conservation area or buffer with which state or federally listed endangered, threatened, or sensitive species have a documented presence.
2. Activities proposed adjacent to a habitat conservation area with which state or federally listed endangered, threatened, or sensitive species have a documented presence shall be protected through the application of protection measures in accordance with a critical area report prepared by a qualified professional and approved by the city of Camas. Approval for alteration of land adjacent to the habitat conservation area or its buffer shall include consultation with the Department of Fish and Wildlife and the appropriate federal agency.

B. Anadromous Fish.

1. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall give special consideration to the preservation and enhancement of anadromous fish habitat, including, but not limited to, adhering to the following standards:
  - a. Activities shall be timed to occur only during the allowable work window as designated by the Department of Fish and Wildlife for the applicable species;
  - b. An alternative alignment or location for the activity is not feasible;
  - c. The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; and
  - d. Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.
2. Structures that prevent the migration of salmonids shall not be allowed in the portion of water bodies used by anadromous fish. Fish bypass facilities shall be provided that allow the upstream migration of adult fish, and shall prevent fry and juveniles migrating downstream from being trapped or harmed.
3. Fills may only intrude into water bodies used by anadromous fish when consistent with the Camas shoreline master program, and the applicant demonstrates that the fill is for a water-dependent use that is in the public interest.

C. Wetland Habitats. All proposed activities within or adjacent to habitat conservation areas containing wetlands shall, at a minimum, conform to the wetland development performance standards set forth in Chapter 16.53, Wetlands.

D. Stream Buffer Widths. Stream buffers are established for habitats that include aquatic systems. Unless otherwise allowed in this title, all structures and activities shall be located outside of the stream buffer area.

The following base stream buffer widths are based upon the Washington Department of Natural Resources (DNR) Water Typing System and further classification based upon fish presence (Fish bearing v. Non-fish Bearing) for Type F streams existing in the city of Camas. Widths shall be measured outward, on the horizontal plane, from the ordinary high water mark, or from the top of bank if the ordinary high water mark cannot be identified. Buffer areas should be sufficiently wide to achieve the full range of riparian and aquatic ecosystem functions, which include but are not limited to protection of instream fish habitat through control of temperature and sedimentation in streams, preservation of fish and wildlife habitat, and connection of riparian wildlife habitat to other habitats.

## STREAM BUFFER WIDTHS

Stream Type	Base Buffer Width
<b>Type S</b>	150 feet
<b>Type F, anadromous fish-bearing stream flowing to reaches with anadromous fish-bearing access</b>	100 feet
<b>Type F, anadromous fish-bearing stream flowing to reaches without anadromous fish-bearing access</b>	75 feet
<b>Type F, non-anadromous fish-bearing stream</b>	75 feet
<b>Type Np</b>	50 feet
<b>Type Ns</b>	25 feet

1. Increased Stream Buffer Area Widths. The base stream buffer width may be increased, as follows:
    - a. When the city determines that the base width is insufficient to prevent habitat degradation, and to protect the structure and functions of the habitat area; and
    - b. When the habitat area is within an erosion or landslide hazard area, or buffer, the stream buffer area shall be the base width, or the erosion or landslide hazard area or buffer, whichever is greater.
  2. Stream Buffer Area Reduction and Averaging. The director may allow the base stream buffer area width to be reduced in accordance with a critical area report only if:
    - a. The width reduction will not reduce or degrade stream or habitat functions, including anadromous fish habitat and those of nonfish habitat;
    - b. The stream buffer area width is not reduced by more than fifty percent in any one location;
    - c. The stream buffer area width is not reduced to less than fifteen feet;
    - d. The width reduction will not be located within another critical area or associated buffer, and the reduced stream buffer area width is supported by best available science;
    - e. All undeveloped lands within the area will be left undeveloped in perpetuity by covenant, deed restriction, easement, or other legally binding mechanism;
    - f. The buffer averaging plan shall be conducted in consultation with a qualified biologist and the plan shall be submitted to the Washington Department of Fish and Wildlife for comment; and
    - g. The city will use the recommendations of the qualified experts in making a decision on a plan that uses buffer averaging.
  3. Stream Buffer Mitigation. Mitigation of adverse impacts to stream buffer areas shall result in equivalent functions and values, on a per function basis, and be located in the same drainage basin as the habitat impacted.
  4. Alternative Mitigation for Stream Buffer Areas. The requirements set forth in this section may be modified at the city of Camas's discretion if the applicant demonstrates that greater habitat functions, on a per function basis, can be obtained in the affected drainage basin as a result of alternative mitigation measures.
- E. Stream Buffer Areas, Ponds, Lakes, and Waters of the State. The following specific activities may be permitted within a stream buffer area, pond, lake, and water of the state, or associated buffer when

the activity complies with the provisions set forth in the city of Camas shoreline master program, and subject to the following standards:

1. Clearing and Grading. When clearing and grading is permitted as part of an authorized activity, or as otherwise allowed in these standards, the following shall apply:
  - a. Grading is allowed only during the dry season, which is typically regarded as beginning on May 1st and ending on October 1st of each year, provided that the city of Camas may extend or shorten the dry season on a case-by-case basis.
  - b. Filling or modification of a wetland or wetland buffer is permitted only if it is conducted as part of an approved wetland alteration.
  - c. Erosion and sediment control that meets or exceeds the standards set forth in the city of Camas Design Standards Manual shall be provided.
2. Streambank Stabilization. Streambank stabilization to protect new structures from future channel migration is not permitted except when such stabilization is achieved through bio-engineering or soft armoring techniques in accordance with an approved critical area report.
3. Launching Ramps—Public or Private. Launching ramps may be permitted in accordance with an approved critical area report that has demonstrated the following:
  - a. The project will not result in increased beach erosion or alterations to, or loss of, shoreline substrate within one-quarter mile of the site; and
  - b. The ramp will not adversely impact critical fish or wildlife habitat areas or associated wetlands.
4. Docks. Repair and maintenance of an existing dock or pier may be permitted subject to the following:
  - a. There is no increase in the use of materials creating shade for predator species;
  - b. There is no expansion in overwater coverage;
  - c. There is no increase in the size and number of pilings; and
  - d. There is no use of toxic materials (such as creosote) that come in contact with the water.
5. Roads, Trails, Bridges, and Rights-of-Way. Construction of trails, roadways, and minor road bridging, less than or equal to the city's street standards, may be permitted in accordance with an approved critical area report subject to the following standards:
  - a. The crossing minimizes interruption of downstream movement of wood and gravel;
  - b. Mitigation for impacts is provided pursuant to a mitigation plan of an approved critical area report;
  - c. If applicable, road bridges are designed according to the Department of Fish and Wildlife Fish Passage Design at Road Culverts, March 1999, as amended, and the National Marine Fisheries Service Guidelines for Salmonid Passage at Stream Crossings, 2000, as amended; and
  - d. Trails and associated viewing platforms shall not be made of continuous impervious materials.
6. Utility Facilities. New underground utility lines and facilities may be permitted to cross watercourses in accordance with an approved critical area report if they comply with the following standards:
  - a. Installation shall be accomplished by boring beneath the scour depth and hyporheic zone (sediments underlying the surface stream) of the water body;
  - b. The utilities shall cross at an angle greater than sixty degrees to the centerline of the channel in streams or perpendicular to the channel centerline whenever boring under the channel is

not feasible, and shall be contained within the footprint of an existing road or utility crossing where possible; and

- c. The utility route should avoid paralleling the stream or following a down-valley course near the channel; and
  - d. Installation shall not increase or decrease the natural rate of shore migration or channel migration.
- 7. **Public Flood Protection Measures.** New public flood protection measures and expansion of existing ones may be permitted, subject to the city of Camas's review and approval of a critical area report and the approval of a federal biological assessment by the federal agency responsible for reviewing actions related to a federally listed species.
  - 8. **Instream Structures.** Instream structures, such as high flow bypasses, sediment ponds, instream ponds, retention and detention facilities, tide gates, dams, and weirs, shall be allowed only as part of an approved watershed basin restoration project approved by the city of Camas, and upon acquisition of any required state or federal permits. The structure shall be designed to avoid modifying flows and water quality in ways that may adversely affect habitat conservation areas.
  - 9. **Stormwater Conveyance Facilities.** Conveyance structures may be permitted in accordance with an approved critical area report subject to the following standards:
    - a. Mitigation for impacts is provided;
    - b. Instream stormwater conveyance facilities shall incorporate fish habitat features; and
    - c. Vegetation shall be maintained and, if necessary, added adjacent to all open channels and ponds in order to retard erosion, filter out sediments, and shade the water.
  - 10. **On-Site Sewage Systems and Wells.** All developments subject to review under this section shall be connected to city water and sanitary facilities. Existing private water and sanitary facilities shall be abandoned in a manner consistent with state law.

From: Joe Turner, Hearings Examiner  
Sent: Friday, January 20, 2017 1:22 PM  
To: Community Development Email  
Subject: Comments on Camas Municipal Code Title 16 SEPA Determination (SEPA17-01)

The attached are my comments on the proposed amendments to Title 16. My comments are only intended to clarify the Code language and avoid the need for interpretations/construction in the future.

16.07.020.A exempts multi-family residential “up to 24 units –Consistent with maximum density in multifamily zones.” – Density is usually based on units per acre, so I’m confused by the comment that it’s “Consistent with maximum density in multifamily zones.”

16.07.020.A also exempts Agricultural structures up to 30,000 sf, but the comment says max allowed is 40K. Why not exempt max?

16.07.020 includes a new Section C, but there is nothing in that section.

16.13.060 SEPA appeal – last sentence might be more clear if it said, “[appeal must be filed] “within fourteen 14 days of the date the decision was issued.”

16.31.140.D could be rephrased to be more clear.

Current - D. Where the director determines that an archaeological site has been identified and ~~is--DAHP and the tribes concur~~ is not likely to be significant, the application may proceed through the remainder of the development review process.

Revised - D. Where the director determines that an identified archaeological site ~~is~~ not likely to be significant and ~~DAHP and the tribes concur~~, the application may proceed through the remainder of the development review process.

16.31.160 could be rephrased to be more clear.

~~The submittal to the tribes must include city staff contact information. The report must also inform the tribes that any comments on the development must be received by the Director within fourteen days~~ from the date that notification was mailed or electronic mail ("email").

16.51.210.C(3) could be rephrased to be more clear. (Also a typo, “nonimiasive”)

Required fencing/thorny shrubs. The director may ~~approve the determine that~~ planting of densely spaced, noninvasive ~~nonimiasive~~, thorny shrubs to restrict access ~~may be installed~~, rather than fencing if it would better protect the critical area and buffer functions \_

16.53.040.C seems to repeat/potentially conflict with 16.51.210.C – both allow/require fencing and marking, but allow/require different types.

16.53.040.C(2) – Only the residents and their guests will see signs on private lots > why not signs on every lot? Proposed change would only require signs every 100 feet, which would be every other lot on 50-foot wide lots. That way all residents see the signs, not just the occasional resident. Otherwise why signs?

16.41.040.A(1) was amended to apply to “development *activity*.” Is “development activity” defined? I believe “Development” is defined (although not in Section 16). Adding the term “activity” would be construed to mean something else, different from “development.” If that is the intent, fine. But you want to avoid unintended changes.