

## **Review Narrative**

**City of Camas  
Shoreline Substantial Development Permit  
Shoreline Conditional Use Permit  
Shoreline Variance**

**Submitted to**

**City of Camas  
Community Development Department  
Camas, Washington**

**January 2020**

**Submitted by**

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**SHORELINE PERMIT REVIEW NARRATIVE**  
**NE LAKE ROAD/NE EVERETT STREET INTERSECTION IMPROVEMENTS**

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## LIST OF ACRONYMS

|         |  |
|---------|--|
| APE     | Area of potential effect   |
| AQ      | Aquatic (shoreline designation)                                      |
| BA      | Biological Assessment  |
| BMP     | best management practice   |
| CARA    | critical aquifer recharge area                                       |
| CMC     | Camas Municipal Code   |
| CRD     | Columbia River datum   |
| DAHP    | Washington State Department of Archaeology and Historic Preservation |
| dbh     | diameter at breast height  |
| DNR     | Washington State Department of Natural Resources                     |
| Ecology | Washington State Department of Ecology                               |
| ESA     | U.S. Endangered Species Act  |
| FEMA    | Federal Emergency Management Agency                                  |
| IBC     | International Building Code  |
| JARPA   | Joint Aquatic Resources Permit Application                           |
| MDNS    | Mitigated Determination of Nonsignificance                           |
| NAVD 88 | North American Vertical Datum 1988                                   |
| NMFS    | National Marine Fisheries Service                                    |
| NT      | Natural (shoreline designation)                                      |
| OHWM    | ordinary high water mark   |
| PEM     | palustrine emergent  |
| PHS     | Priority Habitat and Species   |
| RC-RL   | Rural Conservancy-Resource Land (shoreline designation)              |
| RCW     | Revised Code of Washington   |
| SCUP    | Shoreline Conditional Use Permit                                     |
| SSDP    | Shoreline Substantial Development Permit                             |
| SEPA    | State Environmental Policy Act                                       |
| SMA     | Shoreline Management Act   |
| SMP     | Shoreline Master Program   |
| SR      | State Route  |
| USCG    | U.S. Coast Guard   |
| USACE   | U.S. Army Corps of Engineers   |
| USFWS   | U.S. Fish and Wildlife Service                                       |
| WDFW    | Washington Department of Fish and Wildlife                           |
| WSDOT   | Washington State Department of Transportation                        |

## **SHORELINE PERMIT NARRATIVE**

### **NE LAKE ROAD/ NE EVERETT STREET INTERSECTION IMPROVEMENTS**

#### **1.0 PROJECT OVERVIEW AND NEED**

The City of Camas Public Works Department (Public Works) is proposing vehicle capacity improvements to the existing signalized intersection at NE Everett Street (SR 500) and Lake Road. The intersection is heavily congested with average daily traffic entering the intersection exceeding 15,000 vehicles. Often operating beyond the City's capacity standards and below its level of service (LOS) standards during the peak hour(s), the intersection experiences extensive vehicle backups on both roadway segments. Everett Street crosses Lacamas Lake just north of the project and is a critical link between the north and south sides of the city. The routes available to travel around the congested intersection are limited, and result in long, indirect trips. Therefore, the project to improve the intersection is important to maintaining adequate circulation and access between the city's north and south sides.

The City has received pre-construction funding from the Public Works Trust Fund to complete design and permitting, and to purchase the property necessary to alter the intersection and move most of the improvements east of the shoreline jurisdiction.

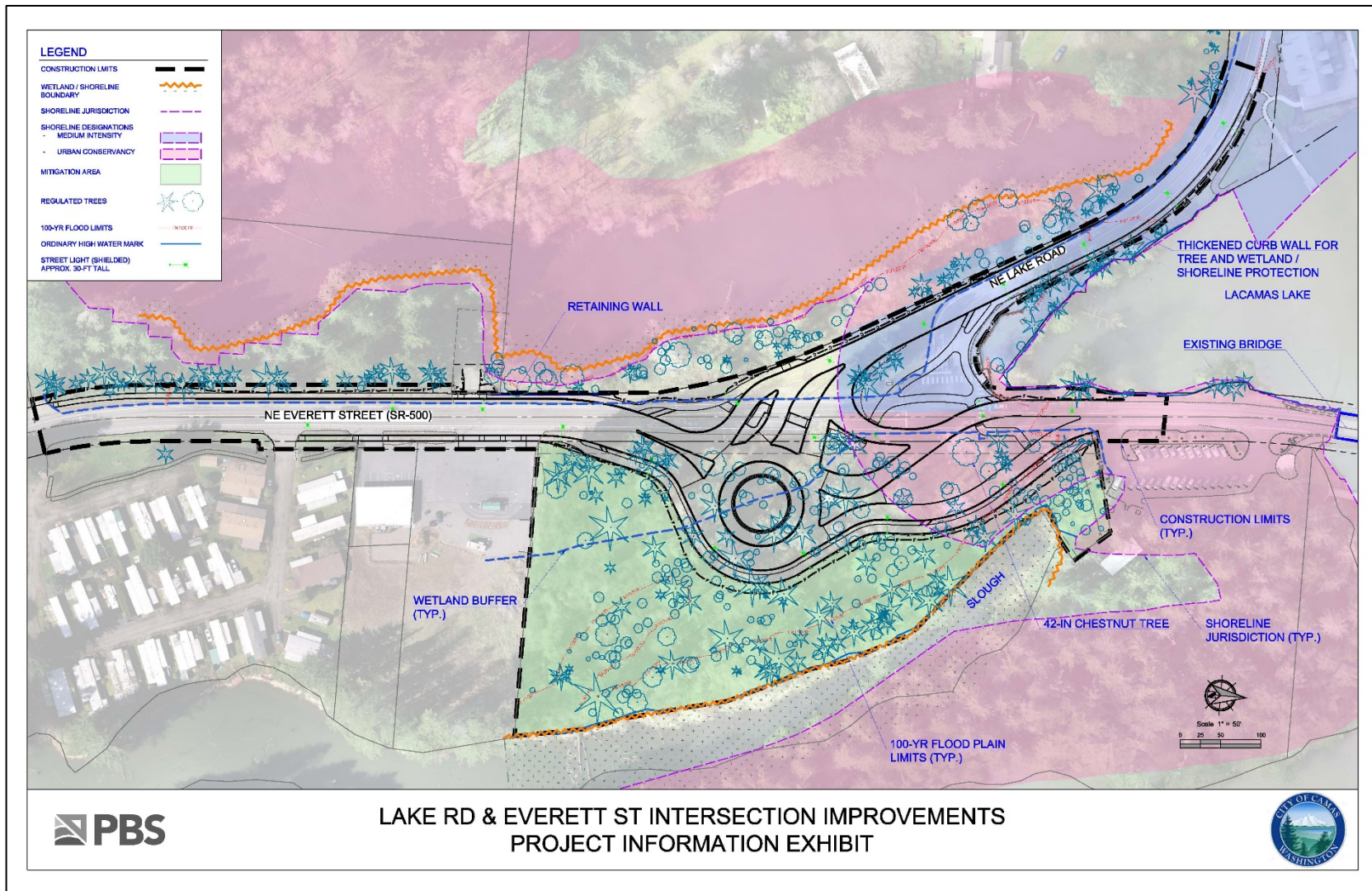
#### **1.1 PREFERRED ALTERNATIVE**

The project team presented six signalized and roundabout alternatives to the public and the City Council. One preferred alternative was selected – Roundabout Alternative 1 (the roundabout). The preferred alternative meets the project goals by:

- Reducing congestion and enhancing safety for all transportation modes;
- Improving safe pedestrian access to the Lacamas Lake recreational areas; and
- Minimizing environmental impacts and saving a historic chestnut tree by shifting traffic eastward and away from shoreline management areas of statewide importance.

The preferred alternative chosen during the public process is shown in Figure 1 below.

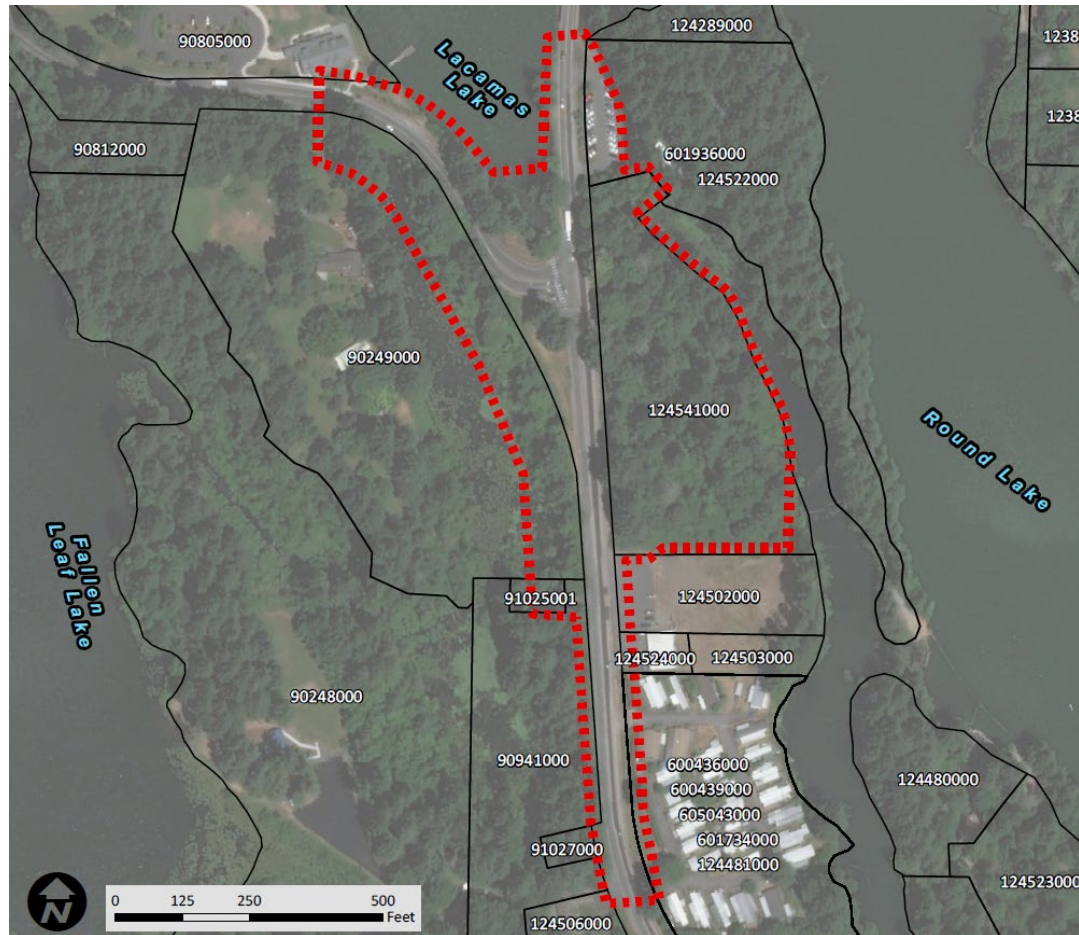




**Figure 1. Preferred Alternative**

## 1.2 EXISTING CONDITIONS

The project boundaries extend beyond the NE Everett Street and NW Lake Road rights of way and are shown on Figure 2. The boundaries of the project area represent the area that was initially chosen for the study of the full range of potential project impacts; however, the construction limits of the actual project and subsequent impacts are substantially less (see Figure 1).



**Figure 2. Project Boundaries**

The surrounding area consists of a combination of developed residential and commercial lots, and parkland and open space with limited development. Generally, areas to the east and west of the intersection are less developed, while areas to the north and south are more developed. There are three waterbodies close to the study area, Lacamas Lake to the north and west, Round Lake to the east, and Fallen Leaf Lake to the south and west. The forested lands to the north of the intersection are owned by the City and Clark County. The forested land directly to the east of the intersection is owned by the City and was purchased through the Clark County Legacy Lands program. A portion of the project area is within the City Legacy Land designation managed by Clark County. The City will coordinate with Clark County to address the legacy land process as needed prior to commencement of road construction.



Lake Road and Everett Street are both functionally classified by the Washington State Department of Transportation (WSDOT) as urban minor arterials and classified as Existing 2 or 3 Lane Arterials under Camas' comprehensive plan. The intersection is also characterized as a secondary community gateway under the comprehensive plan, serving as a key link between different areas of the city.

The existing signalized intersection has one northbound and one southbound travel lane on Everett Street and one eastbound and one westbound lane on Lake Road. Everett Street heading north also has a westbound left turn lane with roughly 110 feet of vehicle storage while Lake Road has turn lanes heading north and south with roughly 50 feet of vehicle storage. The eastbound travel on Lake Road terminates at the intersection. Most of the project area does not have sidewalks.

### 1.2.1 Zoning

The eastern and western limits of the project area include properties in private and public ownerships but the improvements are proposed entirely on City-owned property. The Everett Street corridor is designated a Gateway and Corridor under the City's comprehensive plan.

**Table 1. Comprehensive Plan and Zoning Designations**

| <b>Comprehensive Plan Designation</b> | <b>Zoning</b>                    |
|---------------------------------------|----------------------------------|
| Multi-Family Low (MFL)                | Multi-Family (MF-10)             |
| Open Space/Green Space (OS/GS)        | Open Space (OS)                  |
| Park (P)                              | Special Use (SU)                 |
| Commercial (COM)                      | Neighborhood Commercial (NC)     |
| Single-Family Low (SFL)               | Single-Family Residential (R-15) |



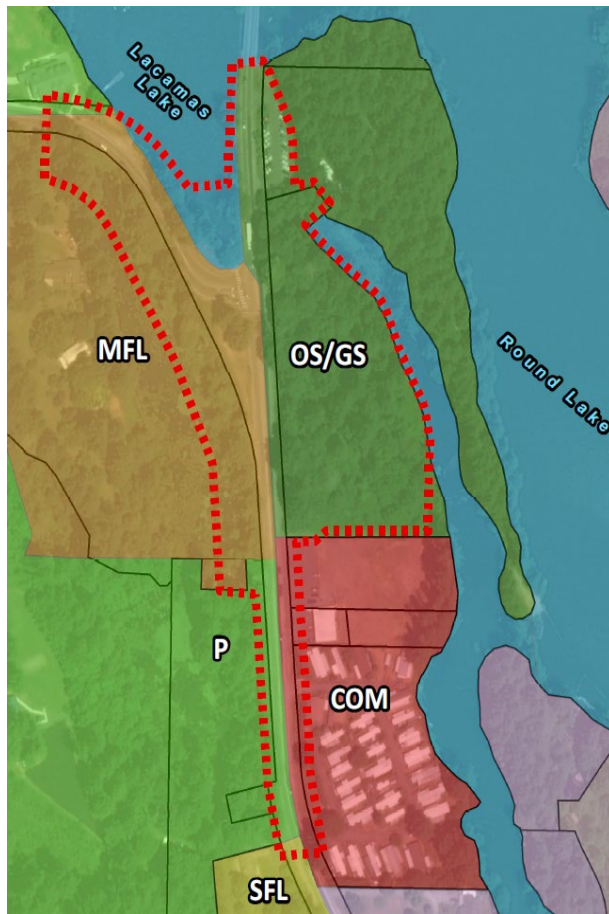


Figure 3. Comprehensive Plan Designations

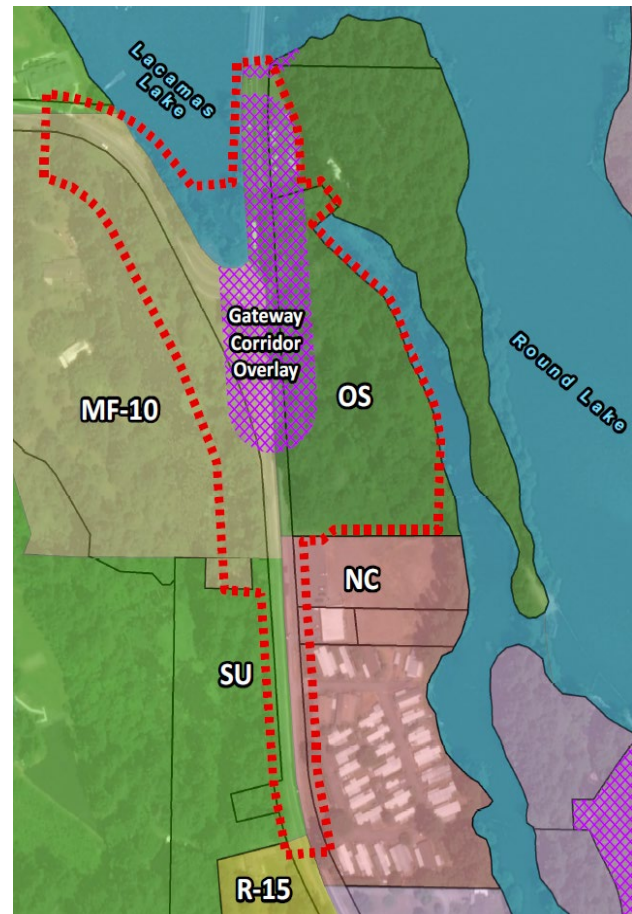


Figure 4. Zoning

### 1.2.2 Mill Pond

Mill Pond was a shoreline of the state prior to 2012 but has since been removed from the Camas Shoreline Master Program (SMP) by the Washington State Department of Ecology (Ecology) Shoreline Hearings Board. The Board determined the pond is a man-made waterbody and becomes inundated when two dams are raised and/or lowered at Round Lake. Therefore, the waterbody is not subject to the state's Shoreline Management Act (SMA).<sup>1</sup>

### 1.2.3 Shoreline Jurisdiction and Critical Areas

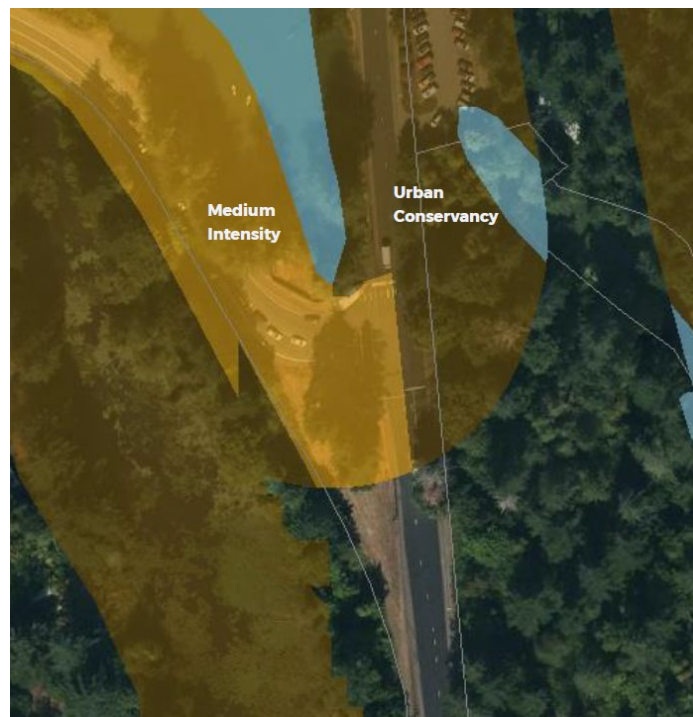
The project area is environmentally constrained by critical areas and shoreline jurisdiction. The intersection is situated between Fallen Leaf Lake, Lacamas Lake, and Round Lake, with Fallen Leaf Lake and Lacamas Lake being designated as shorelines of the state. Round Lake was removed from shoreline jurisdiction through an appeal to Ecology, SHB No.11-020.<sup>2</sup> The SMP includes critical areas and their associated buffers that cross, and extend beyond, 200 feet of the ordinary high water mark (OHWM) from waters of the state according to SMP 2.1(1). Therefore, the

<sup>1</sup> CamasLakeLand, LLC vs. Ecology and the City of Camas (SHB No. 11-020)

<sup>2</sup> Ibid.

critical areas and shoreline areas affected by this project are included in this permit application and these improvements are subject to review and approval.

The proposed intersection improvements would be located within the Medium Intensity (MI) and Urban Conservancy (UC) shoreline designations of the City's SMP (see Figure 5), above the OHWM. Arterial roadways are permitted in the MI designation with a 100-foot setback from the OHWM, but in the UC designation, arterial roadways require a conditional use permit and a setback of 200 feet from the OHWM. The OHWM nearest to the intersection, Lacamas Lake, was delineated by BergerABAM (now WSP) scientists (see Exhibit G. Wetland and Waterbodies Delineation and Assessment). The proposed improvements will require shoreline variances for encroaching into the required setbacks. Please see Figure 1 for shoreline areas that the roadway covers. The existing roadway does not meet the shoreline setback requirement, please see Figure 2. How the project conforms to the conditional use and variance standards of the SMP is addressed later in this narrative.



**Figure 5. Shoreline Designations**

The critical areas regulated under the SMP are discussed below. Detailed descriptions of critical areas in the project area are provided in the critical areas report (Attachment A).

#### 1.2.3.1 Critical Aquifer Recharge Areas (CARA)

According to Clark County MapsOnline, the study area is mapped as a Category 2 critical aquifer recharge area (CARA). According to the map by the U.S. Environmental Protection Agency, the entire City and all of Clark County are within the Troutdale sole source aquifer. Sole source aquifers meet the definition of CARAs in the City's code and are addressed in this narrative.

### 1.2.3.2 Wetlands

WSP scientists conducted a wetland delineation in the study area in January 2019, and identified two palustrine wetlands (Attachment B). A summary of the identified wetlands is included in Table 2.

**Table 2. Summary of Identified Wetland Areas**

| Wetland   | Wetland Classification |              |                             | Buffer Width (ft) <sup>c</sup> |
|-----------|------------------------|--------------|-----------------------------|--------------------------------|
|           | Cowardin <sup>a</sup>  | HGM          | Wetland Rating <sup>b</sup> |                                |
| Wetland A | PUBH                   | Depressional | II                          | 220                            |
| Wetland B | PABH                   | Depressional | II                          | 180                            |

a Cowardin et al. (1979) class: PEMC = Palustrine Emergent; PSSC = Palustrine Scrub-Shrub

b Wetland rating according to Hruby (2014).

c Buffer width based on CMC 16.53.040.

The project will result in permanent impacts to wetland buffers; no impacts will occur within wetlands. The impacts to wetland buffers will result from vegetation removal and the grading activities that are required for the roadway and stormwater improvements. Table 3 presents a summary of the proposed impacts to wetland buffers that would occur as a result of the project.

**Table 3. Wetland Buffer Impact Summary**

| Wetland   | Permanent Wetland Impacts (ac.) | Temporary Wetland Impacts (ac.) | Buffer Impacts (ac.) |
|-----------|---------------------------------|---------------------------------|----------------------|
| Wetland A | -                               | -                               | 1.22                 |
| Wetland B | -                               | -                               | 0.67                 |
| Total     | 0.00                            | 0.00                            | 1.89                 |

The wetland critical areas provisions of Appendix C of the City's SMP regulate impacts to wetlands and wetland buffers within shoreline jurisdiction. The project will result in impacts to wetland buffers that could not be completely avoided; and the applicant is proposing on-site mitigation. Mitigation for wetland buffer impacts is discussed in section 1.2.3.6 below.

### 1.2.3.3 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 by FEMA entitled "The Flood Insurance Study for Clark County, Washington, and Incorporated Areas" dated 5 September 2012, and accompanying FIRM.

According to FIRM Map Numbers 53011C0531D and 53011C0532E, a portion of the project area, including all of Wetlands A and B and a portion of NE Everett Street, is located within a frequently flooded area.

### 1.2.3.4 Fish and Wildlife Habitat Conservation Areas

WSP scientists visited the site in December 2018 and reviewed existing literature and documentation to determine the extent and condition of fish and wildlife habitat areas

present within the project area and vicinity. WSP scientists reviewed various readily available resources including the USFWS IPaC database, the NOAA Fisheries regional website, the WDFW database SalmonScape, and the online StreamNet mapper to determine if any threatened and endangered species or habitats are known or expected to occur within the study area.

Field investigations and literature research indicate that Endangered Species Act-listed species are not likely to be present at the site and, therefore, are unlikely to be affected by the project. Based on the lack of suitable habitat for these species on the project site and in the vicinity, no ESA-listed species are expected to occur there.

The WDFW PHS database indicates that the priority species rainbow trout (*Oncorhynchus mykiss*) and resident coastal cutthroat (*Oncorhynchus clarki*) are present in Lacamas Lake, Round Lake, and Lacamas Creek. Additionally, PHS on the Web indicates that the forested riparian areas surrounding Fallen Leaf Lake and Round Lake are part of a biodiversity area/corridor, and that Wetland B is a freshwater pond. However, the biodiversity area in the project area has limited habitat function because of its coverage by invasive species and its proximity to roadways and urban environments. Vaux's swift is a state candidate species for listing, but does not have a federal status. The species is typically associated with old-growth coniferous forests, where it often uses the insides of large hollow trees and snags for nesting and roosting. The species occasionally uses chimneys as nest sites, with older brick chimneys preferred. Older coniferous trees have been observed in the area, but it is unknown if any are hollow. It is assumed that the project area has the potential to provide habitat for Vaux's swift.

CMC 16.61.040(D) (Appendix C of the City's SMP) indicates that Type S streams require a 150-foot riparian buffer, which would apply to Lacamas Lake, Round Lake, and Lacamas Creek. The project will result in 0.001 acre of unavoidable impacts to riparian buffers of Lacamas Lake that are regulated by the City. In accordance with critical areas provisions (Camas Municipal Code [CMC] 16.53) of Appendix C of the City's SMP, the applicant has prepared a critical areas report that details the proposed mitigation plan (Attachment A) that achieves no net loss of habitat functions. In addition, WDFW staff visited the site with the project team to review impacts and mitigation per the City's critical areas ordinance. Mitigation for riparian buffer and priority habitat impacts is summarized in section 1.2.3.6 below.

The City's critical areas ordinance also identifies two habitats of local importance: Oregon white oak and Camas lily. Neither of these occur within the study area as determined by site visits; therefore, the project site does not include any habitats of local importance.

#### 1.2.3.5 Geologically Hazardous Areas

Geologically hazardous areas include areas susceptible to erosion hazard, landslide hazard, seismic hazard, mine hazard, and other geologic events. From relevant web informational sources (Clark County Maps Online, Natural Resource Conservation Service [NCRS] Web Soil Survey, and the Washington Department of Natural Resources [DNR] Geologic Information Portal), no geologically hazardous areas exist



in the developable area for the proposed roundabout. This was confirmed in the project's geotechnical report (Attachment C).

#### 1.2.3.6 No Net Loss of Shoreline and Critical Area Functions

As stated, the proposed intersection improvements will result in unavoidable impacts to wetland and riparian buffers. This section summarizes mitigation for the impacts and how the proposed project achieves no net loss of ecological function.

The design of the project has avoided and minimized impacts to environmentally sensitive habitats to the greatest extent practicable. The alignment and design of the project have undergone several iterations in an effort to minimize impacts to wetlands and wetland buffer and riparian buffer resources, as well as to accommodate design requirements and site constraints. The retaining walls employed on the west side of NE Everett Street, south of the proposed roundabout, where wetland buffers extend to the edge of the existing pavement, substantially reduce the quantity of wetland buffer impact, by eliminating the need for fill slopes that otherwise would extend further into the wetland buffers in this location. The project will also include several typical construction best management practices (BMPs) for working near wetlands, waters, and critical area buffers.

The overall goals of the proposed mitigation are ensuring no net loss of critical area functions and values and satisfying the City's regulatory requirements. SMP Appendix C Section 16.51.160(E) specifies that where impacts are unavoidable, a method for mitigating for impacts would be compensation by replacing, enhancing, or providing substitute resources for environments. For the proposed project, 1.89 acres of wetland buffer, 0.34 acre of priority habitat, and 0.001 acre of riparian buffer, totaling 2.23 acres, will be permanently impacted by the roadway improvements. To compensate for these impacts, and to ensure no net loss of functions or values, the applicant is proposing on-site mitigation as discussed in the critical areas report. The proposed on-site mitigation includes widening the wetland buffer through buffer averaging, removing invasive species, and enhancing the wetland buffer/priority habitat with native trees and shrubs. The on-site mitigation measures will improve biodiversity, increase the structural diversity of the forest, improve nutrient cycling, and provide increased nesting, foraging, and shelter opportunities for wildlife.

SMP Appendix C Section 16.61.030.A.2 requires an applicant to mitigate for impacts to fish and wildlife habitat conservation areas so that no net loss of functions or values results from the project. For the proposed project, 0.001 acre of riparian buffer and 0.34 acre of priority habitat would be impacted as a result of the project.

The proposed impacts to riparian buffers will result in an insignificant loss of water quality and hydrologic input. The proposed riparian buffer impacts will occur between NE Lake Road and Lacamas Lake in an area that has been impacted in the past through the development of NE Lake Road. The proposed impacts to priority habitat will result in a reduction of habitat functions. The existing vegetation in the priority habitat area includes Douglas fir, big-leaf maple, and American chestnut, vine maple, and beaked hazelnut over an herbaceous layer of English ivy. However,



impacts to these areas will not result in a significant reduction in available habitat and vegetation structure and complexity. .

Wetland buffer, priority habitat, and riparian impacts at the project site will be mitigated through a series of mitigation activities that will result in no net loss of buffer functions. The project will result in a total of 2.231 acres of impacts to wetland, priority habitat, and riparian buffer functions. To compensate for these impacts, a total of 2.57 acres will be enhanced on the site by removing invasive species and planting native trees and shrubs.

### **1.3 SIGNIFICANT TREES AND TREE REMOVAL**

A certified arborist conducted a tree survey to identify trees subject to the local tree ordinance. The arborist rated the health of each tree as good, fair, poor, or hazard. The project area contains 380 trees that qualify as significant under CMC 18.03.050, and of these trees, 61 are greater than 36 inches diameter at breast height (DBH) (Attachment D). The project team anticipates that roughly 201 trees will be removed, the minimum number possible to accommodate proposed road improvements. However, most of those trees (117) are classified as hazardous or in poor condition. Based on the completed road alternatives analysis, the project is designed to limit tree impacts, including protecting a historic chestnut tree while enhancing pedestrian safety. Road projects are not exempt from “vegetation removal permits” (CMC 16.51.125) and the removal of trees subject to local ordinances requires a vegetation removal permit. Mitigation for tree removal must include replacement trees that are a native species with a minimum caliper of 2 inches, and, if the trees provide critical habitat, biologists must determine methods of removal [CMC 16.51.125(B)]. A mitigation plan for the trees removed is included in Attachment A and summarized below. To compensate for the loss of trees, 402 native coniferous and deciduous trees will be planted on the City- owned parcel at a ratio of approximately 2:1. An additional 60 seedlings consisting of 30 Doug Fir, 20 Western Red Cedar, 10 Big Leaf Maple trees will be planted in the archaeological area(s) but are not considered to be an impact to these resources. The methods and process of the plantings within archaeological areas have been previously approved by the DAHP and the tribes and are therefore recommended by the project archaeologist. A detailed description of these methods and their intent is described in Section 2.2.4.2 of this narrative.

Two American chestnut (*Castanea dentata*) trees with historical identity are located within the project site. One chestnut is 42 inches dbh, rated as fair, and one is 25 inches dbh, rated as poor. Andy Stahl, Executive Director of the Forest Service Employees for Environmental Ethics, stated during a May 6, 2019 City Council meeting that he prefers the alternative that preserves the chestnut tree because “[o]nly a few hundred mature chestnut trees remain, meaning that each individual tree that survives — including the one in Camas — is a potential source of important genetic breeding material,” and the proposed roadway improvements will preserve the chestnut tree.<sup>3</sup>

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<sup>3</sup><https://www.columbian.com/news/2019/may/07/camas-closer-to-getting-new-roundabout/>

## **1.4 ARCHAEOLOGICAL RESOURCES**

Archaeological Investigations Northwest, Inc. (AINW) conducted a cultural resource survey of the project's area of potential effect (APE). A DAHP permit will be applied for prior to construction and hazard tree removal within archaeological sites.

Archaeological excavation will be completed under permit prior to construction, and an archaeologist will monitor ground-disturbing activities within the archaeological sites. A monitoring plan will be prepared for the project, and an inadvertent discovery plan has already been prepared for the project.

Plantings are proposed within archaeological areas to mitigate for the tree removal and environmental impacts resulting from the project. As described above in the Significant Trees and Tree Removal section of this narrative, 60 seedlings will be planted in known archaeological areas using methods previously approved by the DAHP and the tribes. These methods are described in detail in Section 2.2.4.2 of this narrative.

## **1.5 REQUEST AND REQUIRED PERMITS**

Camas shoreline jurisdiction includes critical areas and their buffers that cross shoreline jurisdiction, and critical areas review occurs within the overall shoreline permit process. Therefore, the following state and local permits and approvals are requested to construct the roundabout, and this application packet includes supporting materials.

- City of Camas Shoreline Permits: SSDP, SCUP, Variance
- City of Camas Floodplain Permit
- City of Camas Critical Aquifer Recharge Permit
- City of Camas Minor Design Review
- City of Camas Engineering Review (Grading, Stormwater, Utilities)
- City of Camas Right of Way Permit
- City of Camas Vegetation Removal Permit
- Ecology, National Pollutant Discharge Elimination System (NPDES)
  - Department of Archaeology and Historic Preservation (DAHP) Archaeological Site Alteration, Excavation, and Monitoring Permit

The City of Camas Minor Design Review submittal will occur subsequent to the other permit applications as the City coordinating with a landscape committee prior to the application being submitted.

A portion of the project area is within the City Legacy Land designation managed by Clark County. The City will coordinate with Clark County to address the legacy land process as needed prior to commencement of road construction.

### **1.5.1 State of Washington**

The roundabout will require NPDES permit approval from Ecology because of the amount of land-disturbing activity and new impervious surfacing involved.

Stormwater minimum requirements 1 through 9 of WSDOT's Highway Runoff Manual (HRM) will be adequately addressed through a separate permitting process with WSDOT. The NPDES permit will be consistent with local ordinances.<sup>4</sup>

### **1.5.2 City of Camas**

A grading permit will be required for exceeding 7,000 square feet or 500 cubic yards of earth-moving activities within a critical area.<sup>5</sup> In addition, removing 201 trees within a critical area will require a vegetation removal permit.<sup>6</sup>

The City also requires an approved erosion prevention and sediment control plan, a construction stormwater pollution prevention plan (SWPPP), and the completion of a State Environmental Policy Act (SEPA) checklist. These supporting plans and approvals are required for exceeding 500 cubic yards of land-disturbing activities.<sup>7, 8,</sup>  
<sup>9</sup> The City will be the lead agency to make the SEPA determination.

The land use approval necessary to build the roundabout in the open space (OS) zone will require approval from the City Planning Director.<sup>10</sup> Transportation uses are neither permitted nor prohibited within the zone because they are unlisted. The code allows unlisted uses to be approved by the Director and the project team is requesting that the Director permit the roundabout and its associated improvements within the zone.

A City critical aquifer recharge permit and floodplain permit will also be required.

### **1.5.3 Shoreline Conditional Use and Variance Permits**

Arterial roadways are permitted in the MI shoreline designation and are a conditional use within the UC designation. Setback regulations require the roundabout and its associated road improvements to be set back a minimum of 100 feet from the OHWM in the MI designation and 200 feet in the UC designation. The roundabout and its associated improvements will require a shoreline variance for being located within these designated shoreline setbacks.<sup>11</sup>

## **2.0 REGULATORY COMPLIANCE**

This section summarizes compliance with the applicable CMC sections, the SMP, and Washington's SMA.

### **2.1 SHORELINE MANAGEMENT**

#### **2.1.1 Legislative Findings (RCW 90.58.020)**

*The legislature declares that the interest of all of the people shall be paramount in the management of shorelines of statewide significance. The department, in adopting*

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<sup>4</sup> CMC 12.12.020

<sup>5</sup> CMC 15.50.040(A)

<sup>6</sup> CMC 16.51.125(A)

<sup>7</sup> CMC 14.06.030(A)

<sup>8</sup> CMC 14.06.030(C)

<sup>9</sup> CMC 16.07.020(A)

<sup>10</sup> CMC 18.07.030 - Table 1—Commercial and industrial land uses (see Note 2 of table)

<sup>11</sup> SMP Table 6-1 Shoreline Use, Modification and Development Standards

*guidelines for shorelines of statewide significance, and local government, in developing master programs for shorelines of statewide significance, shall give preference to uses in the following order of preference which:*

- *Recognize and protect the statewide interest over local interest;*

**Response:** The state's SMA and the City's SMP protect the inherent environmental, public access, and water-oriented characteristics of the shoreline. The proposed project preserves these values by restoring all shoreline resources by offsetting permanent impacts to wetlands and riparian buffer areas. In addition, public access to shoreline areas will be enhanced by the project, as the improvements will alleviate bottlenecks at the intersection and provide pedestrian and bicycle connections. Visual access will remain the same as with the existing roadway. Finally, the project will support the area's existing water-dependent uses and will satisfy a need for vital infrastructure in the development of future water-dependent uses along the shoreline. Therefore, statewide interests will be preserved.

- *Preserve the natural character of the shoreline;*

**Response:** The proposed project will preserve the natural character of the shoreline by avoiding direct impacts to the aquatic environment, including wetlands, by restoring temporarily disturbed areas, and by planting fill slopes along the alignment with seeding and landscaping, which will help restore ecological functions in wetland and riparian buffer areas that are temporarily disturbed. Permanent impacts to wetland and riparian buffer areas will be compensated with on-site mitigation, including the removal of invasive species and enhancements in the form of native trees and shrubs.

- *Result in long-term over short-term benefit;*

**Response:** The project will fulfill foundational goals of the SMA and the City's SMP including preserving public access to the shoreline and preserving and restoring shoreline ecological functions. The project will have long-term benefits by alleviating traffic congestion at a key intersection, allowing better circulation through the area, and improving public access to recreational areas for all users in the vicinity. Invasive species in the project area will be removed and seeding with native plants, improving habitat functions. All of these aspects of the project will result in long-term benefits to the shoreline.

- *Protect the resources and ecological function of the shoreline;*

**Response:** The protection of resources and ecological functions of shorelines is addressed through numerous mitigation measures and BMPs, as outlined in section 1.2.3.6 of this narrative.

- *Increase public access to publicly-owned areas of the shorelines;*

**Response:** Publicly owned areas of the shoreline include Lacamas Park and the Lacamas Lake Lodge. The existing roadways extending from the intersection provide limited access to these shoreline areas. The proposed improvements will improve

vehicle access to them as the improvements will lead to better circulation and decreased congestion. In addition, pedestrian and bicycle access will be enhanced by the proposed system of sidewalks, crosswalks, and bicycle lanes.

- *Increase recreational opportunities for the public in the shoreline; and*

**Response:** The proposed project will develop a roundabout at an existing intersection. While the project itself will not increase recreational opportunities, it will improve access to existing recreational uses for vehicles and pedestrians, decrease congestion, and increase pedestrian and bicycle connectivity and safety in accessing recreational areas.

- *Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary.*

**Response:** Elements of RCW 90.58.100 are covered under Camas' SMP and addressed throughout this narrative.

## **2.1.2 Review Criteria for Substantial Development Permits (WAC 173-27-150)** ***WAC 173-27-150 Review criteria for substantial development permits.***

- (1) *A substantial development permit shall be granted only when the development proposed is consistent with:*
- (a) *The policies and procedures of the act;*
  - (b) *The provisions of this regulation; and*
  - (c) *The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.*

**Response:** An SSDP is being requested for this project and this narrative demonstrates compliance with the SMP. The policies of the SMA give preference to uses on shorelines of statewide significance, such as Fallen Leaf Lake, Lacamas Lake, and Round Lake, which protect the statewide interest, preserve the natural character, result in long-term benefit, and protect the resources and ecology of the shoreline. As an improvement project that will relieve congestion and increase access at a critical intersection in the city, the proposal fulfills the intent of the SMA. The project will preserve existing shoreline resources and mitigate all its impacts.

- (2) *Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program.*



**Response:** The responses to the City's SMP policies and procedures provided in this narrative demonstrate the consistency of the proposed project with the policies and procedures of the SMA and the City's program.

#### 2.1.2.1 Review Criteria for Conditional Use Permits (WAC 173-27-160)

***WAC 173-27-160 Review criteria for conditional use permits.***

*Conditional use permits are required for arterial roadways in the UC shoreline designation and must comply with WAC 173-27-160 (below) and Camas SMP 2.7.*

1. *Uses which are classified or set forth in the applicable master program as conditional uses may be authorized provided that the applicant demonstrates all of the following:*

(a) *The proposed use is consistent with the policies of RCW 90.58.020, WAC 173-27-160 and all provisions of this Program;*

**Response:** The responses to the City's SMP policies and procedures provided in this narrative demonstrate the consistency of the proposed project with the policies and procedures of the SMA and the City's SMP. RCW 90.58.020 is addressed in section 2.1.1 above.

(b) *The use will not interfere with normal public use of public shorelines;*

**Response:** The public uses shoreline areas for access, water-oriented uses, recreation, and environmental preservation. Access and recreation pertain to Lacamas Lake Park. As improvements will be made south of the park, normal access and recreational uses will not be impacted, although access by vehicle may be slowed during construction. Water-oriented uses included the boat dock at Lacamas Lake Lodge in Lacamas Lake and access to the lodge or the dock itself will not be impacted by the proposed project. No in-water uses are proposed.

(c) *the proposed use of the site and design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;*

**Response:** Current uses on the site include existing right of way, parkland, and undeveloped private and public property. The work revolves around the existing intersection; therefore, the proposed use will be the same as what exists. The improvements will benefit surrounding authorized uses by relieving congestion at the intersection. The intersection is highlighted in the comprehensive plan as a key north/south gateway/corridor to the city. Gateway and corridor standards will be addressed through the City's Minor Design Review process.

(d) *The proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located;*

**Response:** Construction impacts in shoreline areas include removal of vegetation within the proposed alignment. However, the project will cause no significant adverse

effects to the shoreline environment by avoiding direct impacts to the aquatic environment, including wetlands, restoring temporarily disturbed areas, and planting fill slopes along the alignment with seeding and landscaping, which will help restore ecological functions in the temporarily disturbed wetland and riparian buffer areas. Permanent impacts to wetland and riparian buffer areas will be compensated with on-site mitigation, including the removal of invasive species and enhancing the areas with native trees and shrubs.

*(e) The public interest suffers no substantial detrimental effect.*

**Response:** The proposed project will have no substantial detrimental effect to the public interest, which, according to the SMP, is defined as any effect on public property or on health, safety, or general welfare resulting from a use or development. The project will improve public safety and, consistent with the public interest, will relieve congestion at a key Camas intersection. Furthermore, the applicant proposes to offset any impacts to critical areas through compensatory mitigation to meet the requirement for no net loss of shoreline resources. Therefore, the project will positively affect the public interest by protecting shoreline resources, critical areas, and water quality, as well as by accommodating future flows generated by population and employment growth.

2. *Consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if conditional use permits were granted for other developments in the area where similar circumstances exist, the total of the conditional uses shall also remain consistent with the policies of RCW 90.58.020 and shall not produce substantial adverse effects to the shoreline environment.*

**Response:** The proposed project will develop a roundabout at the intersection of Everett Street and Lake Road. The purpose of these improvements is to meet prescribed LOS and circulation standards and to accommodate future growth in Camas. As these improvements will adequately accommodate current and future travelers, additional requests similar to this proposal are unlikely in the foreseeable future. As such, cumulative impacts would not occur.

3. *Other uses which are not classified or set forth in the applicable master program may be authorized as conditional uses provided the applicant can demonstrate consistency with the requirements of this section and the requirements for conditional uses contained in the master program.*

**Response:** All of the proposed uses are classified in the SMP; this standard does not apply.

4. *Uses which are specifically prohibited by the master program may not be authorized pursuant to either subsection (1) or (2) of this section.*

**Response:** No prohibited uses under the SMP are proposed; this standard does not apply.

### 2.1.2.2 Review Criteria for Variance Permits (WAC 173-27-170) *WAC 173-27-170 Review criteria for variance permits.*

Setback regulations require that the roundabout and its associated road improvements be set back a minimum of 100 feet from the OHWM in the MI designation and 200 feet in the UC designation. The roundabout and its associated improvements will require a shoreline variance for their location within both of these designated shoreline setbacks.

1. *Variance permits should be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in RCW 90.58.020. In all instances the applicant must demonstrate that extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.*

**Response:** The proposed improvements will be located close to the existing road prism; moving the road elsewhere would result in greater environmental impacts. Other alternatives were studied and this preferred alternative was chosen because of its lesser environmental impacts in the shoreline, and because it will not impact wetlands directly. As mentioned, this is a key Camas intersection and increasing its operational functionality by improving the intersection will benefit the public interest.

2. *Variance permits for development and/or uses that will be located landward of the ordinary high water mark (OHWM), as defined in RCW 90.58.030 (2)(c), and/or landward of any wetland as defined in RCW 90.58.030 (2)(h), may be authorized provided the applicant can demonstrate all of the following:*
  - a) *That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes, or significantly interferes with, reasonable use of the property;*

**Response:** As shown in the attached wetland and waterbodies delineation and assessment, the OHWM of Lacamas Lake is located right at the existing intersection. Moving the proposed roadway out of the existing road prism to accommodate the required setback would locate the roadway in undeveloped portions of the shoreline and would fill wetlands, leading to greater environmental impacts.

- b) *That the hardship described in (a) of this subsection is specifically related to the property, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example, from deed restrictions or the applicant's own actions;*

**Response:** The site presents a unique situation, given the shoreline jurisdiction and the existing road alignment. As mentioned, the OHWM is located right at the existing intersection. Conforming to the setback standards would require moving the alignment into undeveloped property, leading to greater impacts to critical areas and shorelines.

- c) *That the design of the project is compatible with other authorized uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program and will not cause adverse impacts to the shoreline environment;*

**Response:** Existing uses within the area include parks, open space, and some residential and commercial activities. Comprehensive plan and zoning designations include open space and parks, multi-family, and neighborhood commercial. The proposed road improvements would help provide better access to existing and future uses and is in support of them as well as other uses outside shoreline jurisdiction. The SMP permits arterial roads outright in the MI shoreline designation and as conditional uses in UC shoreline designation.

- d) *That the variance will not constitute a grant of special privilege not enjoyed by the other properties in the area;*

**Response:** The variance will not constitute a special privilege to the applicant. Other property owners in the area have the same rights to build the proposed project as long as they meet applicable permit criteria. Additionally, a public roadway is a unique use serving the general public and therefore is essential. Other public or private land uses would need to provide justification that their projects were essential based on the proposed shoreline variance.

- e) *That the variance requested is the minimum necessary to afford relief; and*

**Response:** The proposed project is within the existing and proposed road alignment and is designed to minimize impacts to surrounding areas. Moving the road east or towards Lacamas Lake would result in greater impacts to undeveloped shoreline areas.

- f) *That the public interest will suffer no substantial detrimental effect.*

**Response:** The proposed project will have no substantial detrimental effect to the public interest. Preventing the shift of the roadway alignment into undeveloped areas (shoreline aquatic and wetland areas) will avoid potentially greater impacts to shorelines and critical areas. The improvements will provide a benefit to accessing surrounding uses and to travelers utilizing Everett Street and Lake Road both today and in the long term.

- 3) *Variance permits for development and/or uses that will be located waterward of the ordinary high water mark (OHWM), as defined in RCW 90.58.030 (2)(c), or within any wetland as defined in RCW 90.58.030 (2)(h), may be authorized provided the applicant can demonstrate all of the following:*

- (a) *That the strict application of the bulk, dimensional or performance standards set forth in the applicable master program precludes all reasonable use of the property.*

**Response:** No work is proposed waterward of the OHWM.

*(b) That the proposal is consistent with the criteria established under subsection (2)(b) through (f) of this section; and*

**Response:** Consistency with criteria (2)(b) through (f) is demonstrated above.

*(c) That the public rights of navigation and use of the shorelines will not be adversely affected.*

**Response:** No navigational waters will be impacted by the intersection improvements. Public access and use of shorelines and Lacamas Lake Park will be improved under this proposal.

4) *In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example if variances were granted to other developments and/or uses in the area where similar circumstances exist the total of the variances shall also remain consistent with the policies of RCW 90.58.020 and shall not cause substantial adverse effects to the shoreline environment.*

**Response:** The proposed project will develop a roundabout at the intersection of Everett Street and Lake Road. The purposes of these improvements are to meet prescribed LOS and circulation standards and to accommodate future growth in Camas. As these improvements will accommodate current and future vehicle travelers adequately, similar requests are unlikely in the foreseeable future. As such, cumulative impacts are not anticipated.

5) *Variances from the use regulations of the master program are prohibited.*

**Response:** No variance to the use regulations of the SMP are proposed; this standard does not apply.

## 2.2 SHORELINE MANAGEMENT

According to SMP 2.1(1), the SMP includes all critical areas and their associated buffers that cross, and extend beyond, 200 feet of the OHWM from waters of the state. Lacamas Lake, Round Lake, and Fallen Leaf Lake are mentioned in the SMP as waterbodies to which the SMP applies.

The proposed roundabout improvements are located within the MI and UC shoreline designations. Arterial roadways are permitted in the MI designation with a 100-foot setback but in the UC designation require a conditional use permit and an increased setback of 200 feet. The improvements will include work within the regulated setbacks of both shoreline designations. Therefore, a CUP and an SVP will be required.

### 2.2.1 Shoreline Substantial Development Permit Required (SMP 2.2)

1. *Substantial development as defined by this program and RCW 90.58.030 requires a substantial development permit approval from the Shoreline Management Review Committee or the hearings examiner, and subsequently issued by the Shoreline Administrator (herein after referred to as*



*“Administrator”), unless the use or development is specifically identified as exempt from a substantial development permit.*

2. *The Administrator may issue a substantial development permit only when the development proposed is consistent with the policies and procedures of RCW 90.58; the provisions of WAC 173-27; Appendix B - Administration and Enforcement; and this Program.*

**Response:** An SSDP is required for the proposed project. Per RCW Section 90.58.340, the local jurisdiction (in this case the City) is responsible for developing policies related to the use of its shorelines. These policies and the local SMP must implement the program contents identified in RCW 90.58.100. As such, the policies and procedures that apply per WAC 173-27-150 are those of the City’s SMP. City staff have indicated that the shoreline permitting review will occur through the City’s administrative shoreline committee.

#### 2.2.1.1 Shoreline Variance (SMP 2.6)

- 1) *The purpose of a variance is to grant relief to specific bulk or dimensional requirements set forth in this Program where there are extraordinary or unique circumstances relating to the property such that the strict implementation of this Program would impose unnecessary hardships on the applicant/proponent or thwart the policies set forth in the Act and this Program.*

**Response:** The requested variance applies to the required 200-foot right of way setback from OHWM in the UC shoreline designation and 100-foot right of way setback from the OHWM in the MI shoreline designation. The OHWM of Lacamas Lake is located right at the existing intersection. Moving the proposed roadway out of the existing road and proposed prism to accommodate the required setbacks would lead to the roadway being realigned in undeveloped portions of the shoreline aquatic areas and within wetlands, leading to greater environmental impacts. None of the examined alternatives could comply with these setback standards.

- 2) *When a shoreline variance is requested, the Shoreline Management Review Committee or the hearings examiner shall be the final authority for the City, whose decision is then forwarded to Ecology. Shoreline variances must have final approval from Ecology, which shall have final approval authority. Shoreline variance permits should be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in the SMA (RCW 90.58.020). In all instances, extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.*

**Response:** This shoreline variance narrative represents compliance with all applicable shoreline standards and will be reviewed by the appropriate local reviewer and sent to Ecology for final determination. As mentioned, unique circumstances exist because of the existing road alignment and its proximity to the OHWM and the public interest will suffer no detrimental effects.

- 3) *Shoreline Variances are processed according to the administrative provisions set forth in Appendix B of this Program.*

**Response:** Compliance with provisions outlined in Appendix B is included in this narrative.

- 4) *The burden of proving that a proposed variance meets the criteria of this Program and WAC 173-27-170 shall be on the applicant. Absence of such proof shall be grounds for denial of the application.*

**Response:** This narrative satisfies the burden of proof by its showing of compliance with the variance criteria of the SMP and WAC 173-27-17.

#### 2.2.1.2 Shoreline Conditional Use Permit (SMP 2.7)

1. *The purpose of the conditional use permit is to provide greater flexibility in varying the application of the use regulations of this Program in a manner that will be consistent with the policies of the Act and this Program, particularly where denial of the application would thwart the policies of the Act.*

**Response:** Conditional use permits are required for arterial roadways in the UC shoreline designation. Denial of the conditional use permit would prevent roads from being built in the UC designation and would thwart a major policy goal of the SMA (protection of natural resources) because the realigned road improvements would have to be shifted beyond the existing road alignment and into undeveloped shoreline aquatic areas and wetlands, creating further impacts to critical areas and undeveloped shoreline.

2. *When a conditional use is requested, the Shoreline Management Review Committee or the hearings examiner shall be the final authority for the City, whose recommendation is then forwarded to Ecology. Shoreline conditional uses must have approval from Ecology, which shall have final approval authority under WAC 173-27-200.*

**Response:** The shoreline conditional use narrative will be reviewed by the appropriate reviewer and sent to Ecology for final determination.

3. *A shoreline conditional use permit is processed in accordance with the administrative provisions of Appendix B of this Program.*

**Response:** Compliance with provisions outlined in Appendix B is included in this narrative.

4. *Other uses not specifically identified in this Program are considered shoreline “unclassified uses” and may be authorized through a conditional use permit if the applicant can demonstrate consistency with WAC 173-27-160.*

**Response:** All uses proposed (right of way and associated utilities) are classified uses; this standard does not apply.

5. *Uses specifically prohibited by this Program may not be authorized.*

**Response:** No prohibited uses are proposed; this standard does not apply.

6. *The burden of proving that a proposed shoreline conditional use meets the criteria of this Program and WAC 173-27-160 shall be on the applicant. Absence of such proof shall be grounds for denial of the application.*

**Response:** The provided narrative and associated exhibits demonstrates compliance with the SMP and WAC 173-27-160; this standard is met. WAC 173-27-160 standards are addressed above.

## **2.2.2 Shoreline Master Program Goals and Policies (SMP Chapter 3)**

### **2.2.2.1 General Shoreline Goals (SMP 3.1)**

#### ***Goals***

*The general goals of this Program are to:*

- *Use the full potential of shorelines in accordance with the opportunities presented by their relationship to the surrounding area, their natural resource values, and their unique aesthetic qualities offered by water, topography, and views; and*
- *Develop a physical environment that is both ordered and diversified and which integrates water and shoreline uses while achieving a net gain of ecological function.*

**Response:** The proposed project will relieve traffic congestion to meet the City's LOS standards. The alignment and location of the intersection are generally set; SR 500 and Lake Road corridors already exist and the intersection cannot be moved out of shoreline jurisdiction. The project will develop a roundabout, pushing the intersection further east into the shoreline jurisdiction of Round Lake, but the chosen intersection design alternative would not result in shoreline aquatic impacts, impacts below the OHWM, or impacts to wetlands.

### **2.2.2.2 Archaeological, Historic, and Cultural Resources (SMP 3.3)**

#### ***Policies***

- 1. Identify, protect, preserve, and restore important archaeological, historic, and cultural sites located in shorelands of the state for educational, scientific, and enjoyment of the general public.*
- 2. Where appropriate, make access to such sites available to parties of interest, provided that access to such sites be designed and managed in a manner that protects the resource.*
- 3. Encourage projects and programs that foster a greater appreciation of shoreline management, local history, maritime activities, environmental conservation, and maritime history.*
- 4. Continue to contribute to the state and local inventory of archaeological sites enhancing knowledge of local history and understanding of human activities.*

**Response:** In compliance with the Governor’s Executive Order 05-05, a cultural resource survey was completed for the project.

AINW conducted an archaeological survey (AINW Report Nos. 4181 and 4282). The survey recorded two pre-contact archeological sites. The significance and integrity of these sites have not been evaluated.

A DAHP permit will be applied for prior to construction and hazard tree removal within archaeological sites. Archaeological excavation will be completed under permit prior to construction, and an archaeologist will monitor ground disturbing activities within the archaeological sites. A monitoring plan will be prepared for the project, and an inadvertent discovery plan has already been prepared.

In order to mitigate for environmental impacts resulting from the project, 60 seedlings will be planted within archaeological resource areas identified onsite. The methods proposed to conduct these plantings have been previously approved by the DAHP and the tribes and are therefore recommended by the project archaeologist. These methods are described in detail in Section 2.2.4.2 of this narrative.

### 2.2.2.3 Conservation (SMP 3.4) *Policies*

- 1. Shorelines that support high value habitat or high quality associated wetlands should be considered for the highest level of protection to remain in an unaltered condition.*
- 2. Impacts to critical areas should first be avoided, and where unavoidable, minimized and mitigated to result in no net loss of watershed processes and shorelines functions.*
- 3. Management practices for natural resources (including agriculture, timber and mining) in shoreline areas should be developed and implemented to ensure the preservation of non-renewable resources, including unique, scenic and ecologically sensitive features, wetlands, and wildlife habitat.*
- 4. Priority should be given to proposals to create, restore or enhance habitat for priority species.*
- 5. Emphasize policies and standards to protect and conserve critical areas as larger blocks, corridors or interconnected areas rather than in isolated parcels.*
- 6. Encourage the retention of existing vegetation along shorelines and where removal is unavoidable for physical or visual access to the shoreline, limit alteration such that habitat connectivity is maintained, degraded areas are restored, and the health of remaining vegetation is not compromised.*

**Response:** As mentioned, the project area is environmentally constrained by critical areas and shoreline jurisdiction. The intersection is situated between Lacamas Lake and Round Lake; both are designated shorelines of the state, and development within 200 feet of the OHWM of shoreline waterbodies or impacting associated critical areas and buffers is subject to review and approval under the City’s SMP. The project design avoids direct impacts to wetlands and aquatic environments. Unavoidable

impacts and mitigations to critical areas and vegetation are discussed in section 1.2.3.6 and the project achieves no net loss of ecological functions.

#### 2.2.2.4 Economic Development (SMP 3.5)

##### ***Policies***

- 1. Current economic activity that is consistent with the policies of this SMP should continue to be supported.*
- 2. Healthy economic growth is allowed and encouraged through those economic activities that will be an asset to the local economy and which will result in the least possible adverse effect on the quality of the shoreline and downstream environments.*

**Response:** The intersection of Lake Road/ Everett Street is critical for residents traveling south to businesses in downtown. The functionality of the intersection is important for the City's economic development, including businesses in shoreline jurisdiction such as Lacamas Lodge. Not making the intersection improvements will hinder further economic development within the city, as well as the development of businesses located in the shoreline that use access from Lake Road and Everett Street and of the City's North Shore area, which is currently undergoing a subarea planning process. Therefore, the intersection improvements will support existing economic activity in the shoreline and future economic growth.

#### 2.2.2.5 Flood Prevention and Flood Damage Minimization (SMP 3.6)

##### ***Policies***

- 1. All shoreline development should be located, designed, and constructed to prevent flood damage and to the extent possible be located outside of shoreline jurisdiction.*
- 8. New development or new uses in shoreline jurisdiction, including the subdivision of land, should not be established when it would be reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the channel migration zone or floodway.*

**Response:** According to FIRM Map Numbers 53011C0531D and 53011C0532E, a portion of the project area, including all of Wetlands A and B and a portion of NE Everett Street, is located within a frequently flooded area. A floodplain analysis has been completed and the project will not result in an increase in the base flood elevation. A floodplain permit application is being submitted to the City.

#### 2.2.2.6 Public Access and Recreation (SMP 3.7)

##### ***Policies***

- 1. Provide, protect, and enhance a public access system that is both physical and visual; utilizes both private and public lands; increases the amount and diversity of public access to the State's shorelines and adjacent areas; and is consistent with the shoreline character and functions, private rights, and public safety.*



*5. Encourage public access as part of each development project by a public entity and for all private development unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment.*

*6. Discourage shoreline uses that curtail or reduce public access unless such restriction is in the interest of the environment, public health, and safety, or is necessary to a proposed beneficial use.*

**Response:** The proposed improvements will enhance vehicle access to public recreational areas and shorelines because the project will lead to better circulation and a decrease in congestion. In addition, pedestrian and bicycle access will be enhanced by the proposed sidewalks, crosswalks, and bicycle lanes which will connect to the existing trail system in Lacamas Park.

#### 2.2.2.7 Restoration (SMP 3.8)

##### ***Policies***

- 1. Shorelines that are biologically degraded should be reclaimed and restored to the greatest extent feasible. Restoration shall not result in the following: creating additional “dry land” or extend waterward more than necessary to achieve the intended results.*
- 2. Restoration strategies should be developed and implemented such that ecosystem processes are sustainable in the long-term.*
- 3. Restoration of shoreline functions should be encouraged during redevelopment.*
- 4. Restoration efforts should include retrofitting existing stormwater control facilities to improve water quality.*
- 5. Restoration projects should have adaptive management techniques including adjusting the project design, correcting problems (barriers to success), and implementing contingency measures.*
- 6. Eradication of invasive species, including noxious weeds and non-native species, should be undertaken as needed.*
- 7. Planting of vegetation that enhances shoreline function should be encouraged.*
- 8. Education programs, namely informational signage should be developed for:*
  - a. Property owners about proper vegetation/landscape maintenance;*
  - b. Educate boaters about proper waste disposal methods, anchoring techniques, and other best boating practices.*
- 9. Cooperative restoration actions involving local, state, and federal agencies, Native American tribes, non-government organizations, and landowners should be encouraged.*

**Response:** Restoration efforts are described in section 1.2.3.6 and include planting replacement trees and native species in place of nonnative and invasive vegetation; the project achieves no net loss of ecological functions.

#### 2.2.2.8 Shoreline Use and Development (SMP 3.10)

##### ***Policies***

- 1. Uses in shorelines and water areas in priority order are (1) water-dependent, (2) water-related, and (3) water-enjoyment.*
- 2. Uses, activities, and facilities should be located on shorelines in such a manner as to:*
  - a. Retain or improve the quality of shoreline function;*
  - b. Respect the property rights of others;*
  - c. Ensure that proposed shoreline uses do not create risk or harm to neighboring or downstream properties; and*
  - d. Preserve or restore, to the maximum reasonable extent, the shoreline's natural features and functions in conjunction with any redevelopment or revitalization project.*
- 3. The following are encouraged in shoreline areas:*
  - a. Uses that enhance their specific areas or employ innovative features for purposes consistent with this program;*
  - b. The redevelopment of any area not suitable for preservation of natural features, based on its shoreline designation;*
  - c. Shared uses and joint use facilities in shoreline developments; and*
  - d. Uses that allow for restoration of shoreline areas that are degraded as a result of past activities or events.*
- 4. The impact of uses proposed on lands adjacent to but outside of immediate shoreline jurisdiction should be considered whether they are consistent with the intent of this SMP.*

**Response:** No water-oriented uses are proposed, however, the road improvements will provide access to shoreline recreational areas. The proposal is for the improvement to an existing shoreline use; a transportation intersection. Shoreline functions will be improved by replacing nonnative and invasive vegetation with native plant species. The proposal will not impact private property rights nor create risk or harm to neighboring or downstream properties. The shoreline's natural features are preserved to the greatest extent feasible and will not result in improvements below the OHWM or within wetlands. Additionally, a historically valued chestnut tree is being saved and will be located within the splitter island of the roundabout. Restoration and mitigation of impacts is included in section 1.2.3.6.

#### 2.2.2.9 Transportation, Utilities, and Essential Public Facilities (SMP 3.11)

##### ***Policies***

- 1. Locate essential public facilities, utilities and circulation systems that are not shoreline-dependent outside of the shoreline jurisdiction to the maximum extent possible to reduce interference with either natural shoreline functions or other*

*appropriate shoreline uses. Where possible, avoid creating barriers between adjacent uplands and the shoreline.*

*2. Provide safe, reasonable, and adequate circulation systems to shorelines where routes will have the least possible adverse effect on shoreline function and existing ecological systems, while contributing to the visual enhancement of the shoreline.*

*3. Protect, manage, and enhance those characteristics of shoreline transportation corridors that are unique or have historic significance or aesthetic quality for the benefit and enjoyment of the public.*

*4. Encourage alternate modes of travel and provide multiple-use transportation corridors where compatible if shoreline transportation development is necessary.*

*5. When new utility and transportation facilities are developed in the shoreline jurisdiction, protect, enhance, and encourage development of physical and visual shoreline public access.*

*6. Where feasible, relocate existing utility and transportation facilities, such as transmission lines, rail lines, or freeways that limit public shoreline access or other shoreline uses and convert such rights-of-way to new public access routes.*

*7. Utilities and transportation facilities should be installed and facilities designed and located in a coordinated manner that protects the shorelands and water from contamination and degradation.*

*8. Discourage the siting of public facilities in the shoreline jurisdiction, which restrict public access and enjoyment of the shoreline unless no practical alternatives exist.*

**Response:** Because of the existing configuration of the roadway and the OHWM, it is not possible to locate the intersection improvements outside of shoreline jurisdiction. Roundabouts are proven to be a safer traffic control measure than signalized intersections. Sidewalks, crosswalks, and bicycle lanes will increase safety and accessibility for pedestrians and bikers, while also encouraging walking and biking in the area. The proposed alternative will have the least impact in shoreline areas as it is designed within the existing road prism. The intersection will be enhanced by decreasing congestion and aiding fluid travel in this busy transportation corridor. Visual access will remain protected, as the only vertical elements of the proposal are light poles, while physical access is enhanced by the system of sidewalks and crosswalks that will connect to the existing trail system in Lacamas Park. Given the extent of existing roadway alignments and the shoreline/critical areas north, south, and west of the site, relocating transportation and utilities outside of the existing alignment is not feasible. Utilities (ancillary water lines, fire hydrants and storm drainage and minor existing utility re-locates) and transportation facilities are proposed with the least impact to shorelines and are located within public right of way.

#### 2.2.2.10 Views and Aesthetics (SMP 3.12)

##### **Policies**

- 1. Identify and encourage the protection of scenic vistas and areas where the shoreline has high aesthetic value.*
- 2. Encourage development within the shoreline area that, provides visual and physical linkage to the shoreline, and enhances the waterfront.*
- 3. Encourage development design that minimizes adverse impacts on views enjoyed by a substantial number of residences.*
- 4. Landowners should not assume that an unobstructed view is guaranteed. Limited and selective pruning for views may be allowed when ecological functions are not compromised. Maintaining well-vegetated riparian areas is preferred over clearing vegetation to create views.*

**Response:** The only vertical elements involved in the proposed project are slender light poles. Existing views of the Round Lake and Lacamas Lake shoreline areas are not anticipated to be altered significantly. As mentioned, physical access will be enhanced by the proposed system of sidewalks, crosswalks, and bicycle lanes which will connect to the existing trail system in Lacamas Park.

#### 2.2.2.11 Water Quality and Control (SMP 3.13)

##### **Policies**

- 1. Encourage the location, construction, operation, and maintenance of shoreline uses, developments, and activities to be focused on maintaining or improving the quality and quantity of surface and ground water over the long term.*
- 2. Minimize, through effective education, site planning, and best management practices, the inadvertent release of chemicals, activities that cause erosion, stormwater runoff, and faulty on-site sewage systems that could contaminate or cause adverse effects on water quality.*
- 3. Encourage the maintenance and restoration of appropriate vegetative buffers along surface waters to improve water temperature and reduces the adverse effects of erosion and runoff.*

**Response:** Stormwater management will be designed per the HRM. This stormwater system will improve water quality because additional impervious surfacing will receive enhanced and phosphorus treatment. There will be a net reduction in non-treated stormwater discharging to the adjacent lakes.

#### 2.2.3 Shoreline Designations (SMP Chapter 4)

*The City classification system consists of shoreline designations that are consistent with and implement the Act (RCW 90.58), the Shoreline Master Program Guidelines (WAC 173-26) and the City of Camas Comprehensive Plan. These designations have been assigned consistent with the corresponding criteria provided for each shoreline designation. In delineating shoreline designations, the City aims to ensure that*

*existing shoreline ecological functions are protected with the proposed pattern and intensity of development. Such designations should be consistent with the policies for restoration of degraded shorelines. The five shoreline designations are:*

- *Aquatic*
- *Natural*
- *Urban Conservancy;*
- *Medium Intensity; and*
- *High Intensity*

**Response:** The project is located in the UC and MI shoreline designations and its consistency with the management policies specific to each shoreline area are addressed below.

### **2.2.3.1 Urban Conservancy Shoreline Designation (SMP 4.3.3)**

*4.3.3.1. The purpose of the “Urban Conservancy” shoreline designation is to protect and restore ecological functions of open space, floodplains, and other sensitive lands, where they exist in urban and developed settings, while allowing a variety of compatible uses.*

#### *4.3.3.4 Management Policies.*

*1) Uses that preserve the natural character of the area or promote preservation of open space or critical areas either directly or over the long term should be the primary allowed uses. Uses that result in restoration of shoreline ecological functions should be allowed if the use is otherwise compatible with the purpose of the Urban Conservancy shoreline designation and the setting.*

**Response:** As previously mentioned, it is not possible to avoid critical area buffer impacts, and the road improvement project is necessary for public safety and to accommodate planned growth. However, the proposed project is the least impactful to shoreline and critical area resources and all unavoidable impacts are fully restored and mitigated.

*3. Low-intensity public access and public recreation objectives should be implemented whenever feasible and when significant ecological impacts can be mitigated (e.g. trails).*

**Response:** The proposed design includes developing sidewalks that connect with the existing Lacamas Park Trail, enhancing public access and recreational opportunities.

*4. Thinning or removal of vegetation should be limited to that necessary to:*

- (1) Remove noxious vegetation and invasive species;*
- (2) Provide physical or visual access to the shoreline; or*
- (3) Maintain or enhance an existing use consistent with critical areas protection and maintenance or enhancement of shoreline ecological functions.*



**Response:** The project proposes to remove 201 trees for the purposes of enhancing an existing use, but most of trees are considered to be in poor or hazardous condition, and they will be replaced with healthy, native species at an approximate 2:1 ratio.

#### 2.2.3.2 Medium Intensity Shoreline Designation:

*4.3.4.1. The purpose of the “Medium Intensity” shoreline designation is to accommodate primarily residential development and appurtenant structures, but to also allow other types of development that are consistent with this chapter. An additional purpose is to provide appropriate public access and recreational uses.*

**Response:** Roads are a permitted use in the MI designation, consistent with this policy.

*4.3.4.4. Management Policies. In addition to the other applicable policies and regulations of this Program the following management policies shall apply:*

*1. The scale and density of new uses and development should be compatible with sustaining shoreline ecological functions and processes, and the existing residential character of the area.*

**Response:** The intersection was designed to meet further traffic projections and to meet City LOS standards. The proposed alignment is the least impactful and restoration and mitigation measures will be undertaken to help achieve no net loss of shoreline ecological functions. The roadway will be consistent with the residential character of the area.

*3. Access, utilities, and public services to serve proposed development within shorelines should be constructed outside shorelines to the extent feasible, and be the minimum necessary to adequately serve existing needs and planned future development.*

**Response:** Given the unique situation of the existing road alignments and the OHWM, the intersection improvements cannot be located outside shoreline jurisdiction. The preferred alternative design for the intersection was sized to meet current and future transportation circulation standards and was placed to decrease shoreline and critical area functions as compared with the other alternatives examined.

*4. Public or private outdoor recreation facilities should be provided with proposals for subdivision development and encouraged with all shoreline development if compatible with the character of the area. Priority should be given first to water-dependent and then to water-enjoyment recreation facilities.*

**Response:** As the proposal will improve an existing intersection, no outdoor recreational facilities are proposed. However, the proposed sidewalks will connect with Lacamas Lake Park Trail, making existing recreational opportunities more accessible.

## 2.2.4 General Shoreline Use and Development Regulations (SMP Chapter 5)

The following responses discuss how the project complies with the applicable general shoreline use and development regulations as described in SMP 5.1.

### 2.2.4.1 General Shoreline Use and Development Regulations (SMP 5.1)

1. *Shoreline uses and developments that are water-dependent shall be given priority.*

**Response:** The proposal will make improvements to an existing shoreline use: an intersection. Once completed, the project will support existing and future water-dependent uses.

2. *Shoreline uses and developments shall not cause impacts that require remedial action or loss of shoreline functions on other properties.*

**Response:** No impacts to shoreline functions on other properties will result from the proposed project. Impacts will occur to shoreline functions on the site, but they will be fully restored and mitigated with no spillover impacts to other properties.

3. *Shoreline uses and developments shall be located and designed in a manner such that shoreline stabilization is not necessary at the time of development and will not be necessary in the future for the subject property or other nearby shoreline properties unless it can be demonstrated that stabilization is the only alternative to protecting public safety and existing primary structures.*

**Response:** No shoreline stabilization is required or proposed; this standard does not apply.

4. *Land shall not be cleared, graded, filled, excavated or otherwise altered prior to issuance of the necessary permits and approvals for a proposed shoreline use or development to determine if environmental impacts have been avoided, minimized and mitigated to result in no net loss of ecological functions.*

**Response:** All impacts to shoreline ecological functions will be fully restored and mitigated to achieve no net loss of ecological functions.

6. *Unless otherwise stated, no development shall be constructed, located, extended, modified, converted, or altered or land divided without full compliance with CMC Title 17 Land Development and CMC Title 18 Zoning.*

**Response:** The proposed road project will comply with all City codes.

8. *Hazardous materials shall be disposed of and other steps be taken to protect the ecological integrity of the shoreline area in accordance with the other policies and regulations of this Program as amended and all other applicable federal, state, and local statutes, codes, and ordinances.*

**Response:** No contaminated soils have been identified on site. All hazardous materials will be disposed of by proper disposal methods and BMPs. During the

construction of the roadway, hot mix asphalt will be used for road construction in accordance with all state and federal laws.

9. *In-water work shall be scheduled to protect biological productivity (including but not limited to fish runs, spawning, and benthic productivity). In-water work shall not occur in areas used for commercial fishing during a fishing season unless specifically addressed and mitigated for in the permit.*

**Response:** No in-water work is proposed; this standard does not apply.

10. *The applicant shall demonstrate all reasonable efforts have been taken to avoid, and where unavoidable, minimize and mitigate impacts such that no net loss of critical area and shoreline function is achieved. Applicants must comply with the provisions of Appendix C with a particular focus on mitigation sequencing per Appendix C, Section 16.51.160 Mitigation Sequencing. Mitigation Plans must comply with the requirements of Appendix C, Section 16.51.170 Mitigation Plan Requirements, to achieve no net loss of ecological functions.*

**Response:** Because of the restoration and mitigation efforts proposed, a no net loss of critical area and shoreline ecological functions will be achieved, as described in section 1.2.3.6. Appendix C is addressed below; a mitigation plan is included in the application submittal (Attachment A).

#### 2.2.4.2 Archaeological, Cultural, and Historic Resources (SMP 5.2)

1. *When a shoreline use or development is in an area known or likely to contain archaeological artifacts as indicated on the City of Camas Archaeological Probability map, or as recorded at the state or county historical offices, then the applicant shall provide for a site inspection and evaluation by a professional archaeologist. Development permits may not be issued until the inspection and evaluation have been completed and the city has issued approval.*

**Response:** The project will be funded through Washington State Department of Commerce funds, and will require compliance under Governor's Executive Order 05-05 (EO 05-05) and the City's archaeological ordinance. AINW conducted a cultural resource survey of the project's APE. A DAHP permit will be applied for prior to construction and hazard tree removal within archaeological sites. Archaeological excavation will be completed under permit prior to construction, and an archaeologist will monitor ground-disturbing activities within the archaeological sites. A monitoring plan will be prepared for the project, and an inadvertent discovery plan has already been prepared for the project.

A total of 60 seedling will be planted within archaeological areas to mitigate for environmental impacts resulting from the project. The project archaeologist determined that planting the five to ten-gallon trees initially proposed as part of this application could negatively impact the archaeological resources identified onsite. According to the project archaeologist, the preferred approach to re-vegetating the area within the identified archaeological sites would be planting bare-root seedlings in small shovel or trowel cuts into the ground, so that no soil is dug up and displaced. This would allow the area to be re-vegetated without displacing the archaeological

deposits. This planting approach has previously met with approval from DAHP, and would ensure that the archaeological sites are protected.

The alternative, which is not currently preferred by the project, would be to hand-excavate holes for larger container trees within the archaeological sites. If holes need to be excavated for tree-planting, then the archaeological deposits can no longer be protected by the project. This type of ground disturbance is discouraged by DAHP and reviewing Tribes, because the planting holes would extend into the archaeological deposits and artifacts will be displaced along with the soil.

2. *If an item of possible archeological interest is discovered on site, all work shall immediately cease and notification of such a find will be sent to the City, the Office of Archaeology and Historic Preservation, and affected Native American tribes. Activities on site may resume only upon receipt of the City's approval.*

**Response:** An inadvertent discovery plan, as recommended by the AINW cultural resource survey, will be implemented.

#### 2.2.4.3 Critical Areas Protection (SMP 5.3)

*Critical areas regulations are found in Appendix C of this program, and are specifically at Chapters 16.51 through 16.61.*

##### ***Applicable Critical Areas (SMP 5.3.1)***

*For purposes of this Program, the following critical areas, as defined in Appendix C will be protected under this Program: Wetlands; Critical Aquifer Recharge Areas; Frequently Flooded Areas; Geologically Hazardous Areas; and Fish and Wildlife Habitat Conservation Areas.*

**Response:** The impacted critical areas that occur under this project include wetlands, CARAs, and fish and fish and wildlife habitat conservation areas. Wetland buffers and stream buffers are being impacted under this proposal, as described in section 1.2.3.

##### ***General Provisions (SMP 5.3.2)***

1. *Shoreline uses, activities, developments and their associated structures and equipment shall be located, designed and operated to protect the ecological processes and functions of critical areas.*

**Response:** Impacted critical areas are restored and impacts are mitigated under this project to achieve no net loss of shoreline ecological functions and processes, as highlighted in section 1.2.3.6.

3. *Where appropriate, new or redevelopment proposals shall integrate protection of wetlands, fish and wildlife habitat, and flood hazard reduction with other stream management provisions, such as retention of channel migration zones, to the extent they are within the shoreline jurisdictional area to ensure no net loss of ecological functions*

**Response:** Critical areas are protected to the furthest extent possible under the proposed alternative. Restoration and mitigation to account for impacts to these areas is proposed to achieve no net loss of shoreline ecological functions. No in-water work is proposed.

4. *Critical areas within the shoreline jurisdiction shall be regulated for any use, development or activity, as provided in accordance with this Program, and Appendix C, whether or not a permit or written statement of exemption is required.*

**Response:** Compliance with Appendix C and the Camas SMP is discussed throughout this narrative.

5. *If provisions of Appendix C and other parts of this Program conflict, the provisions most protective of ecological and historic resources shall apply.*

**Response:** The applicant understands that the most protective provisions apply.

6. *Unless otherwise stated, critical area buffers shall be protected and/or enhanced in accordance with this Program and Appendix C. These provisions do not extend the shoreline jurisdiction beyond the limits specified in this Program as defined in Section 2.1 Applicability*

**Response:** Wetland buffers and riparian buffers are being impacted and mitigated by this project.

7. *In addition to compensatory mitigation, unavoidable adverse impacts may be addressed through restoration efforts.*

**Response:** Restoration and mitigation efforts are discussed in section 1.2.3.6.

#### 2.2.4.4 Flood Prevention and Flood Damage Minimization (SMP 5.4)

1. *Development in floodplains shall not significantly or cumulatively increase flood hazard or be inconsistent with an adopted comprehensive flood hazard management plan.*

**Response:** A floodplain permit is being requested from the city.

2. *New development or uses in the shoreline jurisdiction, including subdivision of land, shall not be established when it would be reasonably foreseeable that the development or use would require structural flood hazard reduction measures within the channel migration zone or floodway.*

**Response:** No structural flood hazard reduction measures are proposed or necessary; this standard does not apply.

4. *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 outlined in Appendix C, Section 16.57.050(C) shall be the basis for regulation until a new FIRM is issued that incorporates data utilized.*

**Response:** According to FIRM Map Numbers 53011C0531D and 53011C0532E, a portion of the project area, including all of Wetlands A and B and a portion of NE Everett Street, is located within a flood hazard area. However, none of proposed construction area is located in a flood hazard area.

5. *When necessary, in-stream structures shall be located, designed, and maintained in such a manner that minimizes flood potential and the damage affected by flooding.*

**Response:** No in-stream structures are proposed; this standard does not apply.

6. *Fills shall be avoided in the shoreline and in critical areas or buffers except where the applicant clearly demonstrates that the geohydraulic characteristics will not be altered in a way that increases flood velocity or risk of damage. See Section 5.7.2 of this Program for additional and specific requirements for fills placement. Pile or pier supports or other support methods shall be utilized instead of fills whenever feasible.*

**Response:** No in-water or wetland fill will occur. Fill will be used for roadway improvements to ensure consistent grades.

#### 2.2.4.5 Public Access (SMP 5.5)

1. *Provisions for adequate public access shall be incorporated into all shoreline development proposals that involve public funding unless the proponent demonstrates public access is not feasible due to one or more of the provisions of Section 5.5 Regulation 2.a-e [...]*

**Response:** Public access is provided to the Lacamas Lake Park Trail which is connected via the proposed sidewalk system.

2. *Provisions for adequate public access shall be incorporated into all land divisions and other shoreline development proposals, unless this requirement is clearly inappropriate to the total proposal. The nexus, proportionality, need and support for such a connection shall be based on the policies of this Program. Public access will not be required where the proponent demonstrates one or more of the following [...]*

**Response:** The proposal is for a new roundabout at an existing intersection. Access to recreation uses in the area will be enhanced by a network of sidewalks and bicycle lanes.

3. *Public access sites shall be connected to a barrier free route of travel and shall include facilities based on criteria within the Americans with Disabilities Act Accessibility Guidelines.*

**Response:** The proposed sidewalk system will be designed to meet all Americans with Disabilities Act guidelines and will be reviewed as such under the permit process.

4. *Public access shall include provisions for protecting adjacent properties from trespass and other possible adverse impacts to neighboring properties.*

**Response:** The proposed sidewalk system will be placed adjacent to the roadway, which will border a public park (Lacamas Park) and Lacamas Lake.

5. *A sign indicating the public's right of access to shoreline areas shall be installed and maintained in conspicuous locations*

**Response:** The sidewalk system is public and accessible to all; a sign is unnecessary.

6. *Required public access shall be developed at the time of occupancy of the use or activity.*

**Response:** The sidewalk system will be developed concurrently with the improved roadway.

7. *Public access shall consist of a dedication of land or a physical improvement in the form of a walkway, trail, bikeway, corridor, viewpoint, park, deck, observation tower, pier, boat launching ramp, dock or pier area, or other area serving as a means of view and/or physical approach to public waters and may include interpretive centers and displays.*

**Response:** As mentioned, the sidewalks will connect to the Lacamas Lake Park Trail; both the sidewalks and the trail are public.

8. *Public access easements and permit conditions shall be recorded on the deed of title and/or on the face of a plat or short plat as a condition running contemporaneous with the authorized land use, as a minimum. Said recording with the County Auditor's Office shall occur at the time of permit approval.*

**Response:** Proposed right of way, including sidewalks, will be dedicated to public access and usage.

9. *Future actions by the applicant, successors in interest, or other parties shall not diminish the usefulness or value of the public access provided.*

**Response:** The usefulness or value of the sidewalks will not diminish, as they will be maintained in perpetuity by the Camas Public Works Department.

10. *Maintenance of the public access facility shall be the responsibility of the owner unless otherwise accepted by a public or non-profit agency through a formal*

*agreement approved by the Shoreline Administrator and recorded with the County Auditor's Office.*

**Response:** Maintenance of the sidewalks will be the responsibility of the Camas Public Works Department.

#### 2.2.4.6 Restoration (SMP 5.6)

*1. Restoration of ecological functions and processes shall be encouraged and allowed on all shorelines and shall be located, designed and implemented in accordance with applicable policies and regulations of this Program and consistent with other City programs.*

*2. Impacts to shoreline functions shall be fully mitigated. Such mitigation may include elements from the Restoration Plan, where appropriate*

*3. Elements of the Clark Coalition Shoreline Restoration Plan may also be implemented in any shoreline designation to improve shoreline function*

*4. Restoration efforts shall be developed by a qualified professional, shall be based on federal, state, and local guidance and shall consider the following:*

*a. Riparian soil conditions;*

*b. In-stream fish habitats; and*

*c. Healthy aquatic and terrestrial food webs.*

**Response:** Shoreline impacts are addressed in section 1.2.3.6, along with restoration and mitigation efforts to account for the impacts. Restoration and mitigation are described in more detail in the attached mitigation plan (Attachment A) which was compiled by qualified environmental scientists and is based on applicable government guidance. Full mitigation will occur to achieve no net loss of shoreline ecological functions.

#### 2.2.4.7 Site Planning and Development (SMP 5.7)

##### ***General (SMP 5.7.1)***

*1. Land disturbing activities such as grading and cut/fill shall be conducted in such a way as to minimize impacts to soils and native vegetation.*

**Response:** Land disturbance will be limited to the greatest extent possible to achieve the desired roadway design. Construction limits will be marked in the field so as not to impact more vegetation than necessary.

*2. Impervious surfaces shall be minimized to the extent feasible so as not to jeopardize public safety.*

**Response:** The project will create roughly 1.3 acres of new impervious surface; the design provides single-lane pedestrian crossings instead of double lanes, which will minimize impervious surface area and maximize safety. Stormwater techniques used to account for this addition of impervious surface will include modular wetlands

which will provide enhanced and phosphorus treatment in accordance with WSDOT's HRM, which is an Ecology-approved stormwater manual.

*3. When feasible, existing transportation corridors shall be utilized.*

**Response:** The location of the existing corridor is already set. Improvements will overlap with the existing corridor as much as possible.

*4. Vehicle and pedestrian circulation systems shall be designed to minimize clearing, grading, alteration of topography and natural features, and designed to accommodate wildlife movement.*

**Response:** Selected from among various options, this project design has the fewest impacts to the natural environment. Any wildlife movement will remain the same as with the existing roadway.

*8. Fencing, walls, hedges, and similar features shall be designed in a manner that does not significantly interfere with wildlife movement*

**Response:** The application includes two supportive retaining walls that do not interfere with wildlife movement. The first wall will be a keystone wall located north of the NW Natural Gate station, stand roughly 5-ft high, and will not be visible from the roadway. This wall will facilitate sidewalk construction without adding fill to the adjacent wetlands and will have a railing or fence to minimize the risk of falling.

The second wall will be monolithically constructed with the sidewalk and will resemble a cast in place concrete wall. The total exposed wall height is anticipated to be roughly 18-inches and will have a matching railing or fence.

*9. Exterior lighting shall be designed, shielded and operated to: a) avoid illuminating nearby properties or public areas; b) prevent glare on adjacent properties, public areas or roadways; c) prevent land and water traffic hazards; and d) reduce night sky effects to avoid impacts to fish and wildlife.*

**Response:** Approximately 34-foot-tall street lights are proposed along the roadway. The proposed lighting will be directed downward to minimize trespass and glare to nearby properties and will reduce impacts to the night sky. Lighting will be consistent with local city standards for illumination and design.

*10. Utilities shall be located within roadway and driveway corridors and rights-of-way wherever feasible.*

**Response:** Water lines, storm drainage lines, and street lighting will be located underground in the right of way.

### ***Clearing, Grading, Fill and Excavation (SMP 5.7.2)***

*1. Clearing and grading shall be scheduled to minimize adverse impacts, including but not limited to, damage to water quality and aquatic life [...]*

**Response:** No impacts to aquatic life will occur as no in-water work is proposed. All proposed work will utilize temporary erosion and sediment control (TESC) BMPs to ensure that construction runoff is contained and does not affect adjacent shoreline areas.

*2. Clearing and grading shall not result in substantial changes to surface water drainage patterns off the project site and onto adjacent properties.*

**Response:** All proposed work will utilize TESC BMPs to ensure that no substantial changes in surface water drainage occur during construction. Stormwater will continue to discharge to Lacamas Lake as it does today.

*3. Developments shall include provisions to control erosion during construction and to ensure preservation of native vegetation for bank stability.*

**Response:** Construction will employ erosion control BMPs such as straw wattles and silt fencing to ensure bank stabilization.

*4. Grading and grubbed areas shall be planted with a cover crop of native grasses until construction activities are completed.*

**Response:** Grading areas will be permanently stabilized by planting native vegetation following construction activities.

*5. Clearing, filling, or excavation shall not be conducted where shoreline stabilization will be necessary to protect materials placed or removed. Disturbed areas shall be stabilized immediately and revegetated with native vegetation.*

**Response:** No shoreline stabilization is proposed. Disturbed areas not devoted to new roadway will be revegetated with native vegetation.

*6. Fills shall be permitted only in conjunction with a permitted use, and shall be of the minimum size necessary to support that use. Speculative fills are prohibited.*

**Response:** The proposed project is a permitted use (outright and conditional) and is the minimum size necessary to accommodate the improvements.

*7. Soil, gravel or other substrate transported to the site for fill shall be screened and documented that it is uncontaminated. Use of polluted dredge material or materials normally disposed of at a solid waste facility is prohibited.*

**Response:** Clean fill will come from a local quarry and be transported to the site.

*8. Fills shall be designed and placed to allow surface water penetration into groundwater supplies where such conditions existed prior to filling.*

**Response:** Per the geotech report and the critical aquifer recharge assessment, the project is located over a confined aquifer and there is little to no infiltration in the project vicinity. In both the pre- and post-construction states, almost all groundwater is and will be conveyed to Lacamas Lake.



*9. Fills must protect shoreline ecological functions, including channel migration processes.*

**Response:** Protection, restoration, and mitigation of shoreline ecological functions are detailed in section 1.2.3.6.

*13. Upon completion of construction, remaining cleared areas shall be replanted with native species as approved by the city. Replanted areas shall be maintained such that within three (3) years' time the vegetation is fully re-established.*

**Response:** Only areas within the construction limits are expected to be cleared. Any cleared areas not devoted to roadway or associated uses will be replanted with native species.

*14. For the purposes of this Program, preparatory work associated with the conversion of land to non-forestry uses and/or developments shall not be considered a forest practice and shall be reviewed in accordance with the provisions for the proposed non-forestry use, the general provisions of this Program, and shall be limited to the minimum necessary to accommodate an approved use.*

**Response:** The project proposes to convert forestland to road improvements. Applicable sections of this master program pertaining to transportation uses are addressed in this narrative.

#### 2.2.4.8 Vegetation Conservation (SMP 5.8)

*1. Removal of native vegetation shall be avoided. Where removal of native vegetation cannot be avoided, it shall be minimized to protect ecological functions.*

**Response:** As compared with other alternatives, the project chooses from among competing priorities such as preventing wetland fill versus removing native vegetation. The preferred alternative proposes removing 2.23 acres of vegetation within the construction limits which will be mitigated as described in section 1.2.3.6.

*2. If native vegetation removal cannot be avoided it shall be minimized and mitigated as recommended by a qualified biologist within a Critical Area Report and shall result in no net loss of shoreline functions. Lost functions may be replaced by enhancing other functions provided that no net loss in overall functions is demonstrated and habitat connectivity is maintained. Mitigation shall be provided consistent with an approved mitigation plan per Appendix C.*

**Response:** Mitigating for vegetation removal is addressed in section 1.2.3.6, as recommended in the attached critical areas report (Attachment A) and mitigation plan (Figure 10 of Attachment A). The project achieves no net loss of shoreline ecological functions.

*3. Clearing by hand-held equipment of invasive or non-native shoreline vegetation or plants listed on the State Noxious Weed List is permitted in shoreline locations if native vegetation is promptly re-established in the disturbed area.*

**Response:** Any invasive or non-native vegetation listed on the state noxious weed list that is removed during project construction will be replaced with native vegetation.

*4. If non-native vegetation is to be removed, then it shall be replaced with native vegetation within the shoreline jurisdiction.*

**Response:** Any non-native vegetation removed in the shoreline jurisdiction during project construction will be replaced with native vegetation.

#### 2.2.4.9 Visual Access (SMP 5.9)

*Visual access shall be maintained, enhanced, and preserved as appropriate on shoreline street-ends, public utility rights of way above and below the ordinary high water mark. Any new or expanded building or structure over thirty-five (35) feet in height above average grade level that obstructs the shoreline view of a substantial number of residences that are adjoining shorelines shall not be allowed in accordance with RCW 90.58.320.*

**Response:** The tallest structures will be the proposed streetlights, each standing approximately 34 feet in height. The lights have narrow frames and will not obstruct views in the project vicinity.

#### 2.2.4.10 Water Quality and Quantity (SMP 5.10)

*1. The location, design, construction, and management of all shoreline uses and activities shall protect the quality and quantity of surface and ground water adjacent to the site.*

**Response:** All proposed work will use TESC BMPs to ensure that construction runoff is contained and does not affect surface and ground water. The proposed stormwater system includes modular wetlands which will provide enhanced and phosphorus treatment in accordance with the HRM.

*2. All shoreline development shall comply with the applicable requirements of CMC Chapter 14.02 Stormwater Control.*

**Response:** A preliminary stormwater report (Attachment E) is included in this submittal and demonstrates compliance with CMC 14.02.

*3. Best management practices (BMPs) for control of erosion and sedimentation shall be implemented for all shoreline development in substantial compliance with CMC Chapter 14.06 Erosion and Sediment Control.*

**Response:** Erosion control BMPs, including straw wattles and silt fencing, will be employed during construction to ensure preservation of bank stabilization.

*4. Potentially harmful materials, including but not limited to oil, chemicals, tires, or hazardous materials, shall not be allowed to enter any body of water or wetland, or to be discharged onto the land except in accordance with CMC Chapter 14.04 Illicit Discharges, dumping and Illicit Connections. Potentially harmful materials shall be maintained in a safe and leak-proof condition.*

**Response:** Fuel utilized in construction equipment will be stored in a containment area or an offsite location meets all safety and discharge standards.

*5. Herbicides, fungicides, fertilizers, and pesticides shall not be applied within twenty-five (25) feet of a waterbody, except by a qualified professional in accordance with state and federal laws. Further, pesticides subject to the final ruling in Washington Toxics Coalition, et al., v. EPA shall not be applied within sixty (60) feet for ground applications or within three hundred (300) feet for aerial applications of the subject waterbodies and shall be applied by a qualified professional in accordance with state and federal law.*

**Response:** The contractor will use herbicides in accordance with label instructions and a certified specialist will be employed for any work within 25 feet of water.

*7. Conveyance of any substance not composed entirely of surface and stormwater directly to water resources shall be in accordance with CMC Chapter 14.02.*

**Response:** Compliance with the standards will occur as part of this project.

## **2.2.5 Specific Shoreline Use Regulations (SMP Chapter 6)**

### **2.2.5.1 General Provisions (SMP 6.1)**

*1. This chapter contains the regulations that apply to specific uses, developments, and activities in the shoreline jurisdiction.*

*2. These regulations are intended to work in concert with all sections of this Program and in particular the Goals and Policies (Chapter 3) and General Use and Development Regulations (Chapter 5).*

**Response:** Shoreline regulations pertaining to specific uses proposed under this project, including transportation and signage, are addressed below. SMP Chapter's 3 and 5 are also addressed in this narrative.

### **2.2.5.2 Shoreline Use, Modification and Development Standards (SMP 6.2)**

*1. Each shoreline designation shall be managed in accordance with its designated purpose as described in this Program (see Chapter 4). Table 6-1 identifies those uses that are prohibited, may be permitted or permitted with a conditional use approval in each shoreline designation. In the event conflicts exist between the Table 6-1 and the text in this chapter, the text shall apply.*

**Response:** According to Table 6-1, arterials are permitted outright in the MI designation and as a conditional use in the UC designation. This application addresses the applicable conditional use standards and requests conditional use approval.

*2. Table 6-1 also summarizes general setbacks and building heights for uses within each shoreline designation. These setbacks apply in conjunction with the requirements of the critical areas requirements established in Chapter 5 and provided in Appendix C. Where heights of structures are allowed over thirty-five feet (35'), then a visual impact study may be required in accordance with Section 5.9*

*Visual Access of this Program. In the event a conflict exists between Table 6-1 and the requirements of Chapter 5, the most protective of shoreline functions shall apply.*

**Response:** No structures over 35 feet are proposed. Arterials require a 200-foot right of way setback from the OHWM in the UC designation and a 100-foot right of way setback in the MI designation. The proposed improvements will be located within these setbacks. This application includes the applicable variance standards and requests variance approval for these encroachments.

### 2.2.5.3 Use-Specific Development Regulations (SMP 6.3)

#### ***Signs***

*1. Free-standing signs shall be for informational purposes such as directional, navigational, educational/interpretive, and safety purposes, unless otherwise allowed under this Program and as specified in Table 6-1.*

**Response:** Proposed signs will comply with these provisions,

*3. All signs shall be located and designed to minimize interference with vistas, viewpoints, and visual access corridors to the shoreline.*

**Response:** All proposed signs are directional and safety signs and will be designed and located per roadway standards. No signs will interfere with views in the area.

#### ***Transportation Uses***

*1. All transportation facilities shall be constructed and maintained to cause the least possible adverse impacts on the land and water environments, shall respect the natural character of the shoreline, and make every effort to preserve wildlife, aquatic life and their habitats.*

**Response:** The roadway improvements have been designed to have the least possible adverse impact to the environment. Mitigation for this disturbance is detailed in section 1.2.3.6 and the mitigation plan shown in the critical areas report (Attachment A), resulting in no net loss of shoreline ecological functions.

*2. New or expanded surface transportation facilities not related to and necessary for the support of shoreline activities shall be located outside the shoreline jurisdiction, or set back from the ordinary high water mark far enough to make shoreline stabilization, such as rip rap, bulkheads or jetties, unnecessary.*

**Response:** The intersection improvements and expansion will be set back far enough from the OHWM to not require any shoreline stabilization.

*3. Transportation facilities shall not adversely impact existing or planned water-dependent uses by impairing access to the shoreline.*

**Response:** The proposed improvements will support and provide access to existing water-dependent uses, including the park and the dock at Lacamas Lake Lodge, as well as any future water-dependent uses in the area.

*4. All roads shall be set back from waterbodies and shall provide buffer areas of compatible, self-sustaining native vegetation. Shoreline scenic drives and viewpoints may provide breaks in the vegetative buffer to allow open views of the water.*

**Response:** The proposed roadway will be set back from the shoreline as much is feasibly possible while leaving the existing native vegetation buffer intact.

*5. Transportation facilities that are allowed to cross over waterbodies and associated wetlands shall utilize elevated, open pile or pier structures whenever feasible to reduce shade impacts. All bridges shall be built high enough to allow the passage of debris and anticipated high water flows.*

**Response:** The proposed intersection improvements will not cross over any waterbodies; this standard does not apply.

*6. Fills for transportation facility development shall not be permitted in waterbodies or associated wetlands except when all structural or upland alternatives have proven infeasible and the transportation facilities are necessary to support uses consistent with this program.*

**Response:** No fills are proposed in waterbodies or wetlands.

*7. Transportation and utility facilities shall be required to make joint use of rights-of-way and to consolidate crossing of waterbodies where feasible.*

**Response:** All proposed utilities will be located within the right of way and are associated with the roadway improvements. No waterbody crossing is proposed under this project.

### ***Utilities Uses***

*These provisions apply to services and facilities that produce, convey, store, or process power, gas, wastewater, communications, and similar services and functions. On-site utility features serving a primary use, such as a water, sewer or gas line to a residence or other approved use, are “accessory utilities” and shall be considered a part of the primary use.*

**Response:** The utilities proposed are accessory to the new roadway design and are included as part of this project. The City will replace a 12 and a 14-inch waterline within the project area. During replacement of these water lines, there will be some water service interruptions for limited periods of time during construction. There is also a septic tank sewer line, which runs on both sides of Lake Road and Everett Street. The sewer line will be potholed and no impacts are anticipated

*6. Stormwater control facilities, limited to detention, retention, treatment ponds, media filtration facilities, and lagoons or infiltration basins, within the shoreline jurisdiction shall only be permitted when the following provisions are met.*



*a. The stormwater facility is designed to mimic and resemble natural wetlands and meets the standards of CMC 14.02 Stormwater and the discharge water meets state water quality standards;*

*b. Low impact development approaches have been considered and implemented to the maximum extent feasible.*

**Response:** Because the project's stormwater must receive both enhanced and phosphorus treatment, the water quality options are limited to a large treatment train or vaults. Because a large treatment train would entail sizeable environmental impacts (multiple water quality features), underground vaults will be used for water quality. The stormwater will outfall to Lacamas Lake through an existing culvert and a small riprap outfall upgradient of Wetland A. This project has no measurable infiltration rate and does not require detention, so LID stormwater facilities are not being used.

*7. New and modifications to existing outfalls shall be designed and constructed to avoid impacts to existing native aquatic vegetation attached to or rooted in substrate. Diffusers or discharge points must be located offshore at a distance beyond the nearshore area to avoid impacts to those habitats.*

**Response:** The stormwater will outfall to Lacamas Lake through an existing culvert, that will not be modified, and a small riprap outfall upgradient Wetland A. No existing native aquatic vegetation attached to or rooted in substrate will be impacted.

## 2.2.5.4 Shoreline Modification Regulations (SMP 6.4)

### 6.4.2 Dredging and Dredge Material Disposal

#### 4.4.2.1 Dredging

*1. New dredging shall be permitted only where it is demonstrated by a qualified professional that the proposed water-dependent or water-related uses will not result in significant or ongoing adverse impacts to water quality, fish and wildlife habitat conservation areas and other critical areas, flood holding capacity, natural drainage and water circulation patterns, significant plant communities, prime agricultural land, and public access to shorelines. When such impacts are unavoidable, they shall be minimized and mitigated such that they result in no net loss of functions.*

**Response:** According to Chapter 7 (Definitions) of the SMP, dredging is defined as the removal or displacement of earth or sediments from below the OHWM of any stream, river, lake, waterbody, or wetland. As no work is proposed below the OHWM, the dredging and dredge disposal sections of SMP 6.4 do not apply.

### 6.4.4 Shoreline Restoration and Enhancement

*1. Shoreline restoration and enhancement activities designed to restore shoreline ecological functions and processes as well as shoreline features should be targeted toward meeting the needs of sensitive or regionally important plant, fish, and wildlife species shall be given priority.*

*2. Shoreline restoration, enhancement, and mitigation activities designed to create dynamic and sustainable ecosystems to assist the City achieve no net loss of shoreline ecological functions are preferred.*

*3. Restoration activities shall be carried out in accordance with an approved shoreline restoration plan, and in accordance with the provisions of this Program.*

*4. To the extent possible, restoration, enhancement, and mitigation activities shall be integrated and coordinated with other parallel natural resource management efforts, such as those identified in the Clark County Coalition Shoreline Restoration Plan.*

*5. Habitat and beach creation, expansion, restoration, and enhancement projects may be permitted or exempt from permits subject to required state or federal permits when the applicant has demonstrated that:*

*a. The project will not be carried out within spawning, nesting, or breeding fish and wildlife habitat conservation areas;*

*b. Upstream or downstream properties or fish and wildlife habitat conservation areas will not be adversely affected.*

*c. Water quality will not be degraded;*

*d. Flood storage capacity will not be degraded;*

*e. Impacts to critical areas and buffers will be avoided and where unavoidable, minimized and mitigated; and*

*f. The project will not interfere with the normal public use of the navigable waters of the state.*

**Response:** The proposed project will have impacts to shoreline areas, as described in section 1.2.3. Restoration activities revolve around restoring shoreline ecological functions disturbed during construction. These efforts help achieve no net loss of shoreline ecological functions. The habitat restoration outlined in the mitigation plan as part of the critical areas report (Attachment A) demonstrates that the project will not occur within spawning, nesting, or breeding areas; upstream and downstream properties and conservation areas are not affected; water quality is not degraded through BMPs; flood storage capacity is not degraded; impacts to critical areas and buffers are minimized to the greatest extent possible and fully mitigated for; and the project will not impact the public use of navigable waters.

## 2.3 APPENDIX B: ADMINISTRATION AND ENFORCEMENT

### 2.3.1 Application (SMP Section VII)

*A. Applications for shoreline substantial development permits, conditional use permits or variance permits shall be made to the community development department. The application shall be made by the property owner; lessee, contract purchaser, or other person entitled to possession of the property, or by an authorized agent, and shall be accompanied by a filing fee in such amount as may be set from time to time by resolution of the city council.*

**Response:** The submitted application includes requests for an SSDP, SCUP, and variances for the proposed intersection improvements. The applicant is the City of Camas Public Works Department; a filing fee will be charged during application submittal.

*B. The following items are required, in quantities specified by the Administrator, for a complete shoreline substantial development, conditional use, or variance permit application. Items may be waived if, in the judgment of the Administrator, they are not applicable to the proposal [...]*

**Response:** The accompanying application package includes all of the items needed for this proposal, including this narrative and attached exhibits.

### 2.3.2 Variances (SMP Section IX)

The applicant is requesting a variance to encroach in the required 100-foot and 200-foot right of way setbacks from the OHWM regulations of the MI and UC shoreline designations.

*The SMRC or the hearings examiner may send a decision to Ecology for final approval regarding substantial development permits which are at variance with specific bulk, dimensional or performance criteria where, owing to special conditions pertaining to a specific piece of property, the literal interpretation and strict application of the criteria would cause undue and unnecessary hardship. Variances shall not be granted from the use regulations of this Program.*

*A. A request for a variance to a development may be authorized when the applicant can demonstrate all of the following:*

*1. That if the applicant complies with the provisions of the Program then they cannot make any reasonable use of the property. The fact that there is the possibility that the property might make a greater profit by using the property in a manner contrary to the intent of the Program is not a sufficient reason for a variance;*

**Response:** The existing roadway is located within the setback(s) of the MI and UC shoreline designations. Removing the roadway and the intersection from the shoreline environment is not possible given its alignment and its bridge across the lake channel. The bridge is the only Lacamas Lake crossing in Camas, provides vital north-south access for travelers, and gives access to parks and trails in the vicinity. The

intersection is a key nexus – it connects the community to local recreational opportunities and residential and commercial activities on either side of the lake(s). The vacant parcel where the roundabout will be constructed is underutilized and overrun with invasive English ivy and the preferred alternative minimizes impacts to the shoreline environment.

*2. That the hardship is specifically related to unique conditions of the property (e.g. irregular lot shape, size or natural features) and not, for example, from deed restrictions or the applicant's own actions;*

**Response:** The intersection operates over capacity and provides access to the only Lacamas Lake crossing. This redesign is required so that the increasingly numerous vehicles that use the intersection each day can retain their unfettered access to recreational and residential areas. The intersection already exceeds LOS standards and it is failing from an operational perspective, and it is a major access point to downtown Camas and SR 14 to the south. In addition, the City anticipates the development of its North Shore area and a subarea planning process for it is underway.

The nearest routes circumventing the lake are SE Crown Road approximately 1.25 miles southeast of the intersection, and NE Goodwin Road approximately 4 miles northwest of it. Taking these alternate routes increases the vehicle miles driven and, because they are indirect routes, drivers are unlikely to use them. If a new crossing were constructed in a new location, it might reduce the number of vehicles using this intersection, but new road and bridge construction would likely have much greater environmental impacts.

The redesigned intersection is being shifted eastward and further away from shoreline areas than with the existing roadway alignment. The purpose is to minimize and avoid shoreline areas to the greatest extent possible. In addition, the preferred alternative reduces the degree of environmental impacts to other resources in the vicinity of the shoreline environment by avoiding a 42-inch dbh American chestnut tree which is historically valued by the community.

*3. That the variance requested is the minimum necessary to afford relief;*

**Response:** As stated in the response above, the intersection must be redesigned to improve the LOS and maintain consistency with local LOS standards. Several alternatives were considered prior to selection of this roundabout design. The proposed design will provide the vehicle movement necessary to maintain access to recreational sites within the area while simultaneously occupying the minimum footprint required to accommodate existing and projected average daily traffic on the roadways.

In order to minimize environmental and shoreline impacts, the intersection is being shifted eastward from its existing alignment to avoid these areas to the maximum extent feasible. Although this shift will increase the impacts to the buffer of Wetland A and the number of trees removed from the site, no direct wetland impacts will result and most of the trees being removed are in poor or hazardous condition. These

tree species are not endangered and are not considered threatened under the Endangered Species Act. The wetland buffer and treed area also provide a low level of habitat quality given the extent of English ivy present.

*4. That the variance will not constitute a grant of special privilege not enjoyed by other properties in the area;*

**Response:** The variance will not constitute a special privilege to the public agency (the applicant). The proposed roundabout is a public improvement to an existing public road corridor and stop-controlled intersection that does not meet LOS standards. The improvements will benefit all members of the community equally because they will aid transportation access to water-dependent recreational areas and lessen the existing congestion which can inhibit community use. Existing land uses within shorelines close to the intersection include residences, recreational parks and parking lots, and transportation uses. NW Lake Road and NE Everett Street are essential to providing multimodal access to recreational sites in the area and they are key connectors for north-south vehicle movement.

*5. That the design of the project will be in harmony with the other authorized uses in the area, and the intent of the Program; and*

**Response:** The preferred alternative will increase safety for pedestrians accessing recreational areas within the shoreline environment by decreasing the number of vehicle and pedestrian conflict points while simultaneously improving the roadway LOS and providing easier access to these recreational areas. The roundabout design will improve the intersection's LOS and public access to water-dependent recreational areas at Lacamas, Round, and Fallen Leaf lakes. Because most land uses in the vicinity of the lakes are recreational and open to the public, the improvements will increase public access to the shoreline consistent with the SMP. The roadway(s) and the intersection already exist, and the proposed improvements will increase their usefulness in giving access to these recreational amenities.

*6. That the public welfare and interest will be preserved; if more harm will be done to the area by granting the variance than would be done to the applicant by denying it, the variance will be denied.*

**Response:** The preferred alternative preserves the public welfare and interest because it: (1) enhances public access to water-dependent recreational areas on the shoreline by improving the intersection's LOS; (2) does not require private property land acquisition – the property is already owned by the City; (3) improves commuter travel times and preserves the environment by reducing the amount of time vehicles spend idling in traffic; and (4) is oriented away from the shoreline areas – it is constructed east of the existing intersection, thus minimizing shoreline impacts. The land to the east where the roundabout will be constructed has degraded functional habitat value because it is overgrown with invasive English ivy and Himalayan blackberry.

*B. If the proposed variance is found to be reasonable, then SMRC or the hearings examiner shall also include findings in regards to the cumulative impact of additional requests for like actions in the vicinity of the proposed use.*



**Response:** Negative cumulative impacts are unlikely to result from similar improvements at other intersections in shoreline areas. Given that the intersection provides direct access to the only lake-crossing bridge on the lake, and an exceptionally high number of vehicles use the intersection as a result of the limited lake crossings, similar requests are unlikely in the reasonably foreseeable future. As such, cumulative impacts would not occur. The minor impacts resulting in shoreline areas to reconstruct the intersection will be fully mitigated in accordance with shoreline policy to achieve no net loss of shoreline ecological functions.

*C. Final approval of variances is the authority of Ecology. The city shall send its decision to Ecology and shall forward that decision pursuant to Appendix B, XII (B and C) of this Program, for Ecology to render Final Approval.*

**Response:** This shoreline variance request demonstrates the applicant's desire to supply Ecology with the information necessary to make a final determination.

### **2.3.3 Conditional Use (SMP Section X)**

*A. For any use activity which may not be compatible with the shoreline environment in which it is proposed, as defined in the Program, a conditional use permit shall be required. The SMRC or the hearings examiner may recommend performance standards to make the use more compatible with other desirable uses within that area. These provisions shall apply only when it can be shown that extraordinary circumstances exist and that the public interest would suffer no substantial detrimental effect. Conditional use approval may be approved only if the applicant can demonstrate all of the following:*

- 1. The use will cause no significant adverse effects on the environment or other uses;*
- 2. The use will not interfere with normal public use of public shorelines;*
- 3. Design of the development will be compatible with the surrounding authorized uses, the Program, and the comprehensive plan; and*
- 4. The proposed use is consistent with the general intent of the Program, and the Act.*

**Response:** A conditional use permit is required for arterial roadways in the UC shoreline designation.

The public uses the Round Lake and Lacamas Lake shorelines as access, water-oriented uses, recreation, and environmental preservation. Access and recreation pertain to Lacamas Lake Park. As improvements will be made south of the park, normal access and recreation uses will not be impacted, although access by vehicle may be slowed during construction. Water-oriented uses included the boat dock at Lacamas Lake Lodge in Lacamas Lake. Access to the lake or the dock itself will not be impacted by the proposed project.

Existing authorized uses within the area include parks, open space, and some residential and commercial activities. The proposed road improvements will help improve vehicular access to existing and future uses. The development of the roundabout will be an improvement to the intersection.

The policies of the SMA give preference to uses on shorelines of statewide significance which protect the statewide interest, preserve the natural character, result in long-term benefit, and protect the resources and ecology of the shoreline. As an improvement project that will relieve congestion at a critical intersection in the city, the proposal fulfills the intent of the SMA. The project will preserve existing shoreline resources and mitigate all impacts brought on by the project.

*B. If the proposed use is found to be compatible, then the SMRC or the hearings examiner shall also include findings in regards to the cumulative impact of additional requests for like actions in the vicinity of the proposed use.*

**Response:** The purpose of the intersection improvements is to meet the City's prescribed LOS and circulation standards and to accommodate anticipated future growth in Camas. As these improvements will accommodate current and future vehicle travelers adequately, similar requests are unlikely in the foreseeable future. As such, cumulative impacts would not occur.

*C. Uses that are specifically prohibited by this Program may not be authorized as a conditional use. However, if other uses which are not classified or set forth in this Program can demonstrate consistency with the requirements of this Program and this section, then they may be ultimately approved by Ecology.*

**Response:** No prohibited or unclassified uses under the master program are proposed; this standard does not apply.

*D. Final approval of conditional use permits is the authority of Ecology. The city shall send its decision to Ecology pursuant to Appendix B, XII (B and C) of this Program, for Ecology to render final approval.*

**Response:** This shoreline conditional use narrative represents compliance with all applicable shoreline standards and will be sent to Ecology for final determination.

## **2.4 APPENDIX C: CAMAS CRITICAL AREAS REGULATIONS AND MAPS**

### **2.4.1 Relationship to Other Regulations (SMP 16.51.030)**

*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.*

**Response:** Compliance with the City's zoning standards and other applicable regulations are addressed throughout this narrative.

*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.*

**Response:** A SEPA checklist is submitted with this application.

*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.*

**Response:** All of the applicable state and local regulations will be addressed and permits pursued for the proposed project.

#### **2.4.2 Regulated Critical Areas (SMP 16.51.070)**

*A. Critical areas regulated by this Appendix include wetlands (Appendix C - Chapter 16.53), frequently flooded areas (Appendix C - Chapter 16.57), geologically hazardous areas (Appendix C - Chapter 16.59), and fish and wildlife habitat conservation areas (Appendix C – 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.*

**Response:** As identified in section 1.2.3, the project will comply with the permit requirements associated with wetlands, CARAs, geologically hazardous areas, and fish and wildlife habitat conservation areas.

#### **2.4.3 Best Available Science (SMP 16.51.080)**

*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.*

**Response:** WSP scientists used best available science to designate and classify the critical areas within the project area; see the critical areas report and mitigation plan (Attachment A), baseline habitat assessment (Attachment F), and wetland and waterbodies delineation and assessment (Attachment B).

#### **2.4.4 Applicability (SMP 16.51.090)**

*Land proposals below are subject to the criteria, guidelines, report requirements, conditions, and performance standards in Appendix C - Chapters 16.51 through 16.61:*

*I. Shoreline substantial development permit;*

*K. Any grading, filling, or clearing of land, or logging or removal of timber on land characterized in a critical area described in Appendix C - Section 16.51.070(A); and*

*L. Other activities as specified within Appendix C - Chapters 16.51 through 16.61.*

**Response:** The proposed project requests an SSDP, a SCUP, and a variance to improve the existing Everett Street/Lake Road intersection, which will involve grading, filling, and tree removal.

#### **2.4.5 Exemptions (SMP 16.51.100)**

The applicant is not requesting exemptions from the shoreline management program.

#### **2.4.6 Allowed Activities (SMP 16.51.110)**

*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.*

**Response:** BMPs will be employed regarding tree and vegetation protection, construction management, erosion and sediment control, water quality protection, and regulation of chemicals. BMPs are outlined in section 1.2.3.6 and the mitigation plan shown in critical areas report (Attachment A). The appropriate agencies will review these BMPs during development review.

*C. Allowed Activities. The following activities are allowed:*

*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;*

**Response:** The project design will be consistent with these provisions.

*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.);*

**Response:** All invasive plant species in the construction limits will be removed and revegetated with native species if the area is not used as public right of way.

*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.*

**Response:** Any of the aforementioned trees that are within the construction limits will be removed and revegetated with native species if the area is not used as public right of way.

*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.*

**Response:** All chemical applications will be handled as instructed within the limits of applicable local, state, and federal regulatory bodies.

#### **2.4.7 Critical Area Reporting Evaluation Requirements (SMP 16.51.130)**

*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, waterbodies, 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.*

**Response:** The critical areas report was developed by BergerABAM (now WSP) scientists who used BMPs to analyze critical areas on the site, evaluate the impacts of the proposal, and formulate appropriate restoration and mitigation measures. The critical areas report is supplemented by the mitigation plan that is part of the critical areas report, and further supported by the geotechnical report, the baseline habitat assessment, and the wetland and waterbodies delineation and assessment. This documentation is attached to this narrative as Attachments A through F, respectively.

#### **2.4.8 Mitigation Requirements (SMP 16.51.150)**

*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.*

**Response:** The proposed alternative has the least impact to critical areas. Impacts to critical areas are discussed in section 1.2.3.6 and the critical areas report.

*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.*

**Response:** On-site mitigation is proposed and it will maintain functions and values as discussed in section 1.2.3.6.

*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.*

**Response:** This application includes a critical area report and mitigation plan for approval by the City.

#### **2.4.9 Mitigation Sequencing (SMP 16.51.160)**

*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. Rectifying the impact to critical areas by repairing, rehabilitating, or restoring the affected environment;*

*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; and*

*F. Monitoring the impact or other required mitigation and taking remedial action when necessary.*

**Response:** Part of the design process was evaluating the road design to minimize environmental impacts. The proposed alignment avoids direct impacts to aquatic and wetland environments and presents the least amount of critical area impacts. Total

avoidance was not possible, and the project will have impacts to wetland, riparian buffers, and priority habitat areas. The design minimizes the proposed impacts to the greatest extent practicable while still meeting the goals and objectives of the project. The unavoidable impacts will be mitigated by restoring the affected environment and by enhancing the site's resources. Because of the restoration and mitigation efforts described in section 1.2.3.6, the proposed project results in no net loss of shoreline ecological functions.

#### **2.4.10 Mitigation Plan Requirements (SMP 16.51.170)**

*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 [...]*

**Response:** The critical areas report and mitigation plan (Attachment A) includes a written narrative that describes the impacts anticipated to critical areas and detailed information about the mitigation actions, measureable performance standards, applicable construction plans and specifications, a monitoring program for mitigation, contingency plan, and financial guarantees. The report was written to conform to this standard.

#### **2.4.11 Critical Area Markers, Signs, and Fencing (SMP 16.51.200)**

*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.*

**Response:** Construction limits will be marked in the field and maintained throughout the project so as not to affect vegetation and critical areas more than necessary.

*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.*

**Response:** The applicant will comply with any conditions of approval regarding permanent signage for critical areas.

*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.*

**Response:** The applicant does not propose fencing but will comply with any conditions of approval regarding permanent fencing for habitat conservation areas.

*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.*

**Response:** The applicant does not propose fencing but any conditions or fencing that are required will be designed so they do not interfere with species migration and will be constructed in a way that minimizes habitat impacts.

## **2.4.12 Critical Area Protective Mechanism (SMP 16.51.220)**

*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.*

**Response:** The proposed work will occur within existing public right of way and within parcel #124541000, which is owned and managed by the City. During the wetland delineation, wetlands were identified throughout the study area, on public and private properties. For wetlands and buffers identified on public property, the applicant proposes a conservation covenant and mitigation measures to protect these resources. Future conversations with private property owners would be required to implement protective mechanisms on private property.

## **2.4.13 Wetlands (SMP 16.53)**

### **2.4.13.1 Applicability (SMP 16.53.010)**

*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:*

*b. Grading permit;*

*e. Shoreline conditional use permit;*

*f. Shoreline substantial development permit;*

*g. Shoreline variance;*

### *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 this Program, other local, state, and federal laws and requirements:*

*d. The removal or eradication of noxious weeds 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.*

**Response:** Wetlands and buffers are located within the project site and alterations to wetland buffers will occur, as described in section 1.2.3.6. Therefore, the provisions of this chapter apply. As highlighted within the narrative, a grading permit, an SSDP, a SCUP, and a shoreline variance are required for the proposed project. Any noxious weeds or nuisance plants that are identified within the construction limits will be removed.

## **2.5**

### **CONCLUSION**

As this narrative and the materials that together comprise the submittal packet demonstrate, the proposed project has been designed to comply with the applicable provisions of the CMC and the SMP, and we request application approval.

Shoreline Permit Review Narrative  
NE Lake Road/NE Everett Street Intersection Improvements  
Camas, Washington

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Attachment A  
Critical Areas Report

Shoreline Permit Review Narrative  
NE Lake Road/NE Everett Street Intersection Improvements  
Camas, Washington

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Attachment B  
Wetland Delineation



Shoreline Permit Review Narrative  
NE Lake Road/NE Everett Street Intersection Improvements  
Camas, Washington

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Attachment C  
Geotechnical Report

Shoreline Permit Review Narrative  
NE Lake Road/NE Everett Street Intersection Improvements  
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Attachment D  
Tree Survey and Restoration Plan

Shoreline Permit Review Narrative  
NE Lake Road/NE Everett Street Intersection Improvements  
Camas, Washington

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Attachment E  
Preliminary Stormwater Report

Shoreline Permit Review Narrative  
NE Lake Road/NE Everett Street Intersection Improvements  
Camas, Washington

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Attachment F