

BEFORE THE SHORELINE HEARINGS BOARD  
IN THE STATE OF WASHINGTON

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2  
3 CITIZENS TO SAVE LACAMAS LAKE, )  
4 Appellants, ) No. SHB 88-33  
5 v. ) AGREED ORDER OF REMAND  
6 CITY OF CAMAS, VANPORT )  
7 MANUFACTURING, )  
8 Respondents. )

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9 CITIZENS TO SAVE LACAMAS LAKE, )  
10 Appellants, )  
11 v. )  
12 STATE OF WASHINGTON, )  
13 DEPARTMENT OF ECOLOGY, )  
14 Respondents. )

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15 COMES NOW the parties to the above action and enter into this  
16 Agreed Order of Remand under which it is mutually agreed that the  
17 Substantial Development Permit (City of Camas Permit No. 2-87) and  
18 Shoreline Conditional Use Permit (Camas Permit No. 590-14-7806)  
19 shall be remanded to the City of Camas to be reissued with the  
20 following instructions:

21 1. Provided that the necessary permits are issued, Vanport  
22 Manufacturing, Inc. (the "Developer"), agrees to complete by  
23 January 1, 1990, the construction of the public pedestrian trail  
24 located over the entire length of the project's shoreline, including  
25 the portion on the city park property donated by the Developer, all

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EXHIBIT "F" (SIGNED COPY)

1 as depicted as the "public Pedestrian trail" in the site plan  
2 attached hereto and made a part hereof as Exhibit A. If permitting  
3 problems arise, the Developer agrees to diligently pursue obtaining  
4 said permits.

5 2. The Developer agrees to provide a letter of credit to the  
6 City of Camas to assure completion of the public pedestrian trail.  
7 Such financial assurance shall be in an amount agreed upon by the  
8 City of Camas and the Developer, and may be in the form of a  
9 decreasing term and revolving letter of credit based upon the portion  
10 of the trail yet to be completed.

11 3. The Developer agrees to dedicate in fee to the City of Camas,  
12 should they accept it, a 100-foot conservancy zone along the  
13 shoreline of the development, excepting that portion of the con-  
14 servancy zone which enters the wetland or the private access areas.  
15 This property is designated in Exhibit A as the "conservancy zone."  
16 The homeowner's association formed in the development shall continue  
17 to maintain the public pedestrian trail in perpetuity except that  
18 portion of the trail located in the city park.

19 4. The Developer agrees to commit a portion of the property  
20 now reserved for potential wetland use to be developed immediately  
21 as part of the man-made wetlands created as part of the biofilter  
22 storm drainage system on the project. This additional property is  
23 depicted as the "newly-created wetlands" on the site plan attached  
24 as Exhibit A. These newly-created wetlands and all other wetlands  
25 and land reserved for potential future wetlands shall continue to be

1 governed by the conditions and monitoring program set forth in the  
2 existing permit conditions.

3 5. In consideration for the additional acreage contributed to  
4 the man-made wetlands, the Developer shall have the right to recon-  
5 figure the lots in the existing site plan to obtain up to 218  
6 residential lots in the development.

7 6. The water quality monitoring and contingency program  
8 contained within the existing permit conditions shall continue for  
9 the longer of five years commencing the date of the reissuance of  
10 the Substantial Development Permit and Conditional Use Permit or  
11 until such time that 75% of the lots depicted as "lots within  
12 biofilter drainage" on Exhibit A are developed.

13 7. The Developer and homeowner's association shall allow the  
14 members of the public to access the public trail through the private  
15 access designated as the "private access/permitted public access"  
16 in Exhibit A. The public shall be allowed access through this  
17 private access so long as such use does not contribute to such  
18 increased traffic, parking, congestion, vandalism or other nuisance  
19 that contributes an unreasonable interference with the quiet enjoyment  
20 of the homeowners residing in the development. Any signatory to  
21 this Order shall have the right to petition the City of Camas to  
22 present evidence that the public access is contributing to the  
23 disruption of the quiet enjoyment of the homeowners. Upon a finding  
24 by the City that the public access has contributed to an unreasonable  
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1 disruption of quiet enjoyment, the homeowner's association shall  
2 have the right to restrict further access to the public as deemed  
3 appropriate by the City of Camas or the Department of Ecology.  
4 Should any party to this Order be dissatisfied with the decision of  
5 the City of Camas, that party may petition the Department of Ecology,  
6 whose decision shall be final. In no event shall this private  
7 access be accessible to members of the public before dawn or after  
8 dusk.

9 8. The Developer, the Department of Ecology, and the appellants  
10 shall agree on a mutual press release which shall contain the factual  
11 circumstances surrounding the settlement and dismissal of this matter.

12 WHEREFORE, by agreement of all the parties, IT IS ORDERED  
13 that this matter be remanded to the City of Camas and that the City  
14 shall reissue the Substantial Development Permit and Conditional Use  
15 Permit cited above as modified by the foregoing, the entry hereto  
16 establishes the approval by the Department of Ecology of the Con-  
17 ditional Use Permit as modified. The reissuance by the City of Camas  
18 will result in permits within the scope and intent of the application  
19 and will not require further public hearings as the remand follows  
20 solely from this Order.

21 As a result of this Order appellants agree that the appeal of  
22 this matter and all rights pertaining to it are dismissed with  
23 prejudice.

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DONE at Lacey, Washington, this \_\_\_\_\_ day of September, 1988.

SHORELINES HEARINGS BOARD

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*William A. Harrison*

WILLIAM A. HARRISON  
Administrative Appeals Judge

Presented by:

HELLER, EHRMAN, WHITE & MCAULIFFE

By *Duane C. Woods*

Duane C. Woods  
Attorney for Defendant  
Vanport Manufacturing

By *John Karpinski*

John Karpinski  
Attorney for Citizens to Save Lacamas Lake

By *Roger D. Knapp*

Roger D. Knapp  
Attorney for City of Camas

By *Allen T. Miller*

Allen T. Miller  
Attorney for Department of Ecology

BASIN "E"  
OUTFALL  
4cfs

CONTINGENCY  
RESERVE AREA

BASIN "D"  
OUTFALL  
25cfs

AREA OF TRAIL ACCESS  
FOR RESIDENTS

INDICATES TYPICAL  
GAZEBO LOCATIONS

NEWLY CREATED WETLANDS

WETLANDS AS DEFINED  
SHAPIRO & ASSOCIATES

*DCW  
RDK  
ATM*

CONTINGENCY RESERVE

