

CITY ADMINISTRATOR
ROBERT OMANS

CITY CLERK
DEBBIE LEE

CITY TREASURER
ROBIN NEWCOMB

PUBLIC WORKS

POLICE CHIEF
RICH ALBO

FIRE CHIEF
ED MILLS

PLANNER

City Council
Agenda
September 11, 2023
6:00 PM



119 W FIRST STREET
CLE ELUM, WA 9922

MAYOR
JAY MCGOWAN

MAYOR PRO-TEMPORE
KEN RATLIFF

CITY COUNCIL
JOHN GLONDO
BETH WILLIAMS
SIW BAY-HANSEN
STEVEN HARPER
MATTHEW LUNDH
SARAH LACKEY

CITY ATTORNEY
ALEXANDRA KENYON

Join Virtually with Zoom: <https://zoom.us/j/7573184018?pwd=dERndjBJVC9GdVQ1d2ISRExwZFhXZz09>
Meeting ID: 757 318 4018 Passcode: 98922

Join by Phone: 1-(253)215-8782, Meeting ID: 757 318 4018, Passcode:98922

DISCLAIMER: The City does not guarantee that virtual or telephonic access to the City Council meeting will be available and the City does not warrant audio quality. Attendees are encouraged to attend in-person.

1. **Call to Order, Pledge of Allegiance, and Roll Call**

a. [September 11, 2023 Council Meeting Sign In Sheet](#)

2. **Public Comment – Limited to 5 Minutes**

3. **Announcements, Appointments, Awards & Recognition**

4. **Consent Agenda**

Items listed have been distributed to Council Members in advance for study and will be enacted by one motion. If a separate discussion is desired on an item, that item may be removed from the Consent Agenda and placed on a regular Agenda at the request of a Council Member or at the request of a member of the public with concurrence of a Council Member:

- a. [Approve the Minutes of the Council Meeting Dated August 14, 2023](#)
- b. [Approve the Minutes of the Special City Council Meeting Dated August 25, 2023](#)
- c. [Approve the Accounts Payable Vouchers Dated September 11, 2023 \\$640,246.24 - As Approved by the Budget Committee](#)
- d. [Approve Payroll Vouchers dated September 5, 2023 \\$264,367.42 - As Approved by the Budget Committee](#)

5. **Approval of Meeting Agenda**

6. **Officer Reports**

City Administrator, Public Works, Police Chief, Fire Chief, Veolia, Planning

- a. [Police Stats](#)
- b. [Veolia Graphs August/Staff Report](#)

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- c. Fire Department Stats/Staff Report
- d. Aaron Barr - Public Works
- 7. **Public Appearances – 15-Minute Limit**
 - a. Kittitas County Economic Development Strategic Plan Letter of Mutual Partnership (Discussion) - Cory Wright, Kittitas County Commissioner
 - b. Cle Elum Ridge Fuels Mitigation - Chris Martin
- 8. **Business Requiring Public Hearings**
- 9. **Unfinished Business**
 - a. ORD 1653 Critical Areas Ordinance & Best Available Science - HLA Colleda Monick
- 10. **New Business**
 - a. City Safety Plan - HLA Deborah LaCombe
Deb LaComb - HLA Speaking Notes
 - b. Resolution 2023-023 Setting Date for Public Hearing ROW Vacation Renfro - HLA Colleda Monick
 - c. Ordinance No. 1651 Vacating ROW Stubbs - HLA Colleda Monick
 - d. Ordinance No. 1652 UKC Fiber Franchise Agreement First Reading - HLA Colleda Monick
 - e. Second Street & Rossetti Way Water Main Improvements Recommendation of Award - Ascent Foundations & More - HLA Ben Annen
 - f. Progress Estimate No. 3 First Street Downtown Revitalization Phase 3C Ascent Foundation & More \$359,781.60 - HLA Ben Annen
 - g. Resolution 2023-022 Repealing and Replacing Resolution No. 2023-008 Regarding The City's Procurement Policy - City Administrator Rob Omans
- 11. **Report of Committees**
- 12. **Adjournment by Motion**

Next Regular Council Meeting: September 25, 2023, 6:00 pm

City of Cle Elum Special Council Meeting

September 11, 2023 11:00 a.m.

If you wish to address the Mayor and Council, please sign in below.

Please sign in:

Name	Address	PLEASE PROVIDE EMAIL ADDRESS IF YOU WANT COUNCIL'S RECOMMENDATION MAILED TO YOU
John De Groot	617 Jade Place	98908
Brian Tate	324 Wishing by Creek	blz@blz.com
Tony Groot		bstate1@yahoo.com
Miss Sullivan	310 Grant Creek	
Andrew Morse	2812 Down Drive, Ellensburg	andrew.morse@cwu.edu
	241 Nelson Creek Rd	
Cory Wickett		

CLE ELUM CITY COUNCIL

MINUTES

AUGUST 14, 2023

6:00 PM

119 W FIRST STREET

CLE ELUM, WA 98922

1. Call to Order, Pledge of Allegiance, and Roll Call

a. Sign in Sheet

Present:

Councilmember John Glondo
Councilmember Beth Williams
Councilmember Siw Bay-Hansen
Councilmember Steven Harper
Councilmember Matthew Lundh
Councilmember Kenneth Ratliff
Councilmember Sarah Lackey

Jay McGowan- Mayor
Rob Omans - City Administrator
Debbie Lee - Clerk
Rich Albo - Police Chief via zoom
William LaRue - Veolia via zoom
Aaron Barr - Public Works
Colleda Monick - HLA
Mike Kenyon - Attorney
Ben Annen - HLA via zoom

2. Executive Session RCW 42.30.110(1)(i):

To discuss with legal counsel representing the agency litigation or potential litigation. The anticipated duration is 50 minutes. Executive Sessions are not open to the public. Council went into Executive Session at 6:05 p.m. for 50 minutes, returning at 6:55 p.m. with no decisions being

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CLE ELUM, WA 9922

made.

Discussion was had about making a motion to amend the agenda before Public Comment. It was decided to follow the agenda in the order presented.

3. Public Comment – Limited to 5 Minutes

Ken Ratliff stated he had joined the Kiwanis Club and there are two signs that are missing and would like the Council to inform the Kiwanis Club when the decision is made to re-install them, so everyone can make the decision as a group.

4. Announcements, Appointments, Awards & Recognition

Mayor McGowan read an email from Brock Stodden. Hi! This is Brock Stodden. I spoke with you a few weeks ago regarding Cle Elum Automotive. I was traveling with my wife and 5 daughters and my alternator went out near Cle Elum. We got in contact with Cle Elum Automotive and were happily surprised they were willing to help us that day and got us in and out within 3 hrs! They were very friendly and had such excellent service! We didn't think we were going to be able to finish our trip, but we were able to with just a short delay. What could have been a horrible situation turned out not so bad. I want to thank them and give them recognition for being very willing to help us out in this time of need. Thank you to Cle Elum Automotive and the employees!
Brock Stodden

Mayor McGowan informed council that he attended a Fish & Wildlife meeting and one topic of discussion was the Hanson Ponds. Mayor McGowan stated it was a very informative meeting.

5. Consent Agenda

- a. Approve the Minutes of the July 24, 2023 Council Meeting
- b. 08/14/2023 Accounts Payable Vouchers \$744,314.60 - As approved by the Budget Committee
- c. 08/05/2023 Payroll Vouchers \$279,435.25 - See Report

MOTION: Councilmember Glondo made a motion to approve the consent agenda;

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seconded by Councilmember Williams.
MOTION CARRIED: 7 YES: 0 no.

6. Approval of Meeting Agenda

a. City Heights Release & Settlement Agreement

MOTION: Councilmember Ratliff made a motion to amend the agenda as presented by adding the City Heights Release and Settlement Agreement to 6 A right after the Approval of the Meeting Agenda ; seconded by Councilmember Lundh.

MOTION CARRIED: 7 yes 0 no.

7. Officer Reports

Rob Omans - City Administrator:

The single year (2022) Federal Financial Audit is done. The exit conference was on Friday. This audit went extremely well and in fact the auditors found no significant recommendations to report. The only thing that the City will be doing is updating the procurement policy by adding more federal language.

The City was awarded a \$52,500 grant for a feasibility study for the Columbia Street Extension and Railroad Crossing. This grant is thru Quadco.

Chris Martin will be attending the September 11, 2023 Council Meeting to discuss the Cle Elum Ridge Fuels Mitigation Project and the work they will be doing with the \$10 million grant that they received.

City Administrator Omans and Public Works Barr will be meeting with DOT in the morning to discuss plowing on First Street. The City should have an update on this discussion by the next Council Meeting.

The City has started the ROW cleanup adjacent to the Craven property on Broadway Ave. This should be completed by tomorrow. Councilmember Harper inquired about the City being able to recoup the costs. Colleda Monick with HLA stated the City will keep track of costs and try to collect on those costs.

Rich Albo - Chief of Police:

National Night Out was a success.

The police department had two instances of use of force. There were no injuries in either case. There was also an officer involved pursuit where the driver tried to run over the officer. There were no injuries and all people involved were booked into the County Jail.

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Due to the ordinances that were passed at the last Council Meeting, all drugs are illegal in the City of Cle Elum, except for marijuana. Hopefully, this will clean up the streets and put users/dealers in jail.

Chief Albo is still looking for reserve officers. This will close on September 30, 2023.

Aaron Barr - Public Works:

All irrigation is now working in the city. Public Works dug up the watermain and found when they hot tapped the watermain they did not take the puck out, so it was plugging the lines.

Public Works was called out on Friday morning at 2:00 a.m. to help South Cle Elum with a water line failure.

The 900 block of East 4th Street water services have been put in correct working order.

There are several leaks in the aging cemetery irrigation system. Public Works only waters the cemetery every other day.

Public Works mechanic Dave has implemented new binders for all city vehicles for pre-trip inspections along with fuel sheets to keep better track of fuel used and in what vehicle and by who.

Public Works started on the property clean-up on Broadway.

The Mouse About event at the four-plex park seemed to go smoothly, and no clean-up was needed by Public Works.

Public Works Barr informed Council that they do have the Kiwanis Park signs and will talk to the Kiwanis group before placement.

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**

a. Ed Mills - Fire Chief

b. William LaRue - Veolia

William LaRue - Veolia:

Both plants have been running extremely well in the past month.

In response to Council Member Ratliff's question at last month's meeting regarding what percent of water was used by each region, a graph has been included that shows the percentage of water pumped to each zone. Going forward, this graph will be included in the monthly packet for your review.

Flows for July were up to 77.654 MG. This is an average of 2.48 mgd, the average runtime was 21.6 hours and the plant hit 24 hour a day operations twice in July.

Also, in your packets is the peak flow graph with the percentage of change year over year. This past July at 77MG was the new historical high.

The NPDES permit renewal application is 95% completed, waiting for one final lab analysis to return, then the application will be completed and ready for signature and submittal.

c. Colleda Monick - HLA City Planner

Colleda Monick - HLA City Planner - Please see attached report.

8. **Public Appearances – 15-Minute Limit**

a. Overdose Proclamation - Community Health of Central Washington - Pamela Miles

Pam Tuggle Miles reported to the Council the history of Overdose Awareness Day. Ms. Miles stated that most of all neighboring towns/cities have passed this proclamation.

MOTION: Councilmember Ratliff made a motion to authorize and encourage the Mayor to sign the proclamation; seconded by Councilmember Lundh.

MOTION CARRIED: 7 yes 0 no.

9. **Business Requiring Public Hearings**

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- a. Stubbs Right of Way Vacate - Public Hearing - Colleda HLA

MOTION: Councilmember Lundh made a motion to approve the Right of Way Vacation; seconded by Councilmember Harper.

MOTION CARRIED: 7 yes 0 no.

Colleda Monick with HLA read the findings of facts, conclusions, and recommendations for the Right of Way Vacation.

Two letters of support were received and one letter of non-support was received after the comment period was closed.

Discussion was had about what the intended use would be. Monick with HLA stated that that is not the topic before council and that they are making the decision on the Right of Way Vacation. Jeff Stubbs, property owner, spoke in regards to what he intends to do with the property. A neighbor to Mr. Stubbs will also be submitting a Right of Way Vacation. The council discussed fire access, easements, cost, etc.

10. Unfinished Business

11. New Business

- a. Interlocal Agreement Between City of Cle Elum and Kittitas County for Certified Acceptance Services First Street Improvements Phase 3 - Downtown Revitalization - Ben Annen HLA

MOTION: Councilmember Lundh made a motion to have the Mayor sign the CA Agreement changing the date to the 14th of August and initial the change; seconded by Councilmember Williams.

MOTION CARRIED: 7 yes 0 no.

Ben Annen with HLA stated that this CA Agreement with the County is beneficial for the City. The Downtown Revitalization Project is shovel ready and with a CA Agreement in place the City stands a good chance for total funding in the next round. HLA recommends Council to approve the Mayor to sign this agreement.

12. Report of Committees

- a. 2023 Kittitas County Chamber of Commerce Lodging Tax Application 4th of July & Christmas In Cle Elum

Councilmember Harper reported to Council that the Lodging Tax Committee met earlier

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and looked over the 2023 Lodging Tax Application that was submitted by Kittitas County Chamber of Commerce for the 4th of July and Christmas in Cle Elum. This grant can only be used for economic development. The budget presented in the application was for two firework shows, which their request was for \$17,500, which is a small increase from last year.

Mayor McGowan asked Council if they are interested in taking the 2nd meeting in August off, as has been past practice. Council discussed with everything going on that they should have the Council Meeting as regularly scheduled.

MOTION: Councilmember Ratliff made a motion to approve Kittitas County Chamber 2023 Lodging Tax Application; seconded by Councilmember Harper.
MOTION CARRIED: 7 yes 0 no.

13. Adjournment by Motion

MOTION: Councilmember Glondo made a motion to adjourn; seconded by Councilmember Hansen.
MOTION CARRIED: 7 yes 0 no.

Adjourn: 8:18 p.m.

Jay McGowan, Mayor

Debbie Lee, Clerk

**CLE ELUM CITY COUNCIL
MINUTES
AUGUST 25, 2023
11:00 AM
119 W FIRST STREET
CLE ELUM, WA 98922**

1. Call to Order, Pledge of Allegiance, and Roll Call

Present:

Councilmember Beth Williams-Present
Councilmember Steven Harper-Present
Councilmember Matthew Lundh-Present
Councilmember Kenneth Ratliff-Present
Councilmember Sarah Lackey-Present via Zoom
Jay McGowan-Mayor
Rob Omans-City Administrator
Debbie Lee-Clerk
Ben Annen- HLA

Absent:

Councilmember John Glondo
Councilmember Siw Bay-Hansen

**MOTION: Councilmember Harper made a motion to approve the absence of Councilmembers Glondo and Hansen; seconded by Councilmember Williams.
MOTION CARRIED: 5 yes 0 no.**

Councilmember Harper wanted to know the total dollar amount that had been spent on cleaning up the Craven property.

Discussion was had regarding why the meeting was changed to the middle of the day and Monday's meeting cancelled. Mayor McGowan stated that they polled councilmembers and all Councilmembers except for Councilmember Glondo were able to attend. There were a couple of time-sensitive items from HLA that needed addressing.

- a. Sign In Sheet

2. Public Comment – Limited to 5 Minutes

No public present.

3. Consent Agenda

**MOTION: Councilmember Lundh made a motion to approve the consent agenda; seconded by Councilmember Harper.
MOTION CARRIED: 5 yes 0 no.**

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- a. August 25, 2023 Accounts Payable Vouchers \$131,455.14 as Approved by the Budget Committee

4. Approval of Meeting Agenda

MOTION: Councilmember Lundh made a motion to approve the agenda as presented; seconded by Councilmember Williams.

MOTION : 5 yes 0 no.

5. New Business

- a. Progress Estimate #2 Ascent Foundations & More Downtown Revitalization Phase 3 C - HLA Ben Annen

MOTION: Councilmember Ratliff made a motion to approve Progress Estimate #2 Ascent Foundations and More; seconded by Councilmember Lackey.

MOTION CARRIED : 5 yes 0 no.

Ben Annen, HLA, informed Council that this bill is thru the end of July and the project is nearing completion. HLA recommends approving this progress estimate.

Councilmember Harper wondered when the cones would be removed and if they could be removed until the overhead lighting is installed. Discussion was had regarding moving the cones for the next two weeks. The cones alert citizens that there is an active construction site and tends to slow traffic. Councilmember Lackey stated that accidents happen regardless of the cones.

- b. HLA Task Order No. 2022-01 Amendment #1 Second Street & Rosetti Way Water Main Improvements - Construction Engineering Services - Ben Annen HLA

MOTION: Councilmember Lundh authorized the Mayor to sign HLA Task Order 2022-01 Amendment No. 1 Second Street & Rosetti Way Water Main Improvements; seconded by Councilmember Williams.

MOTION : 5 yes 0 no.

This amendment is for the engineering phase that is covered under the PWTF contract. This amendment covers all aspects of construction meetings, inspections, daily and weekly reports, etc. The bid opening is Thursday August 31, 2023 @ 10:00 a.m. There has been a lot of interest in this project, so hopefully, some good bids will be received.

Councilmember Ratliff asked how long the line is. Ben Annen of HLA stated it was 10,000 feet long or 2 miles and would take 115 working days or 6 months to complete. It was explained that the engineering costs are included in the funding package.

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- c. Crystal Creek Water Main Crossing Recommendation of Award - Ascent Foundations - HLA Ben Annen

MOTION: Councilmember Ratliff made a motion to award the contract to Ascent Foundations and More for the Crystal Creek Water Main Crossing; seconded by Councilmember Lundh.

MOTION CARRIED: 4 yes 0 no. (1 abstention Councilmember Harper).

Ben Annen, HLA, stated that the City only had a certain window to get this job completed per the contract with the Department of Ecology. This went out to bid using the small works roster. Five bid requests were sent out and 3 were returned. The low bidder being Ascent Foundations & More. If this bid is awarded, Ascent will start after Labor Day weekend.

6. Adjournment by Motion

Councilmember Williams inquired as to when the light would be placed near Safeway.

Ben Annen HLA explained that the light needs to be tested at two different places, the DOT on the west side and Union Gap. The light is currently in Union Gap and should be completed by the end of August and installed by September.

Adjourn: 11:35 a.m.

MOTION: Councilmember Williams made a motion to adjourn; seconded by Councilmember Ratliff.

MOTION : 5 yes 0 no.

Jay McGowan, Mayor

Debbie Lee, Clerk

CHECK REGISTER

City Of Cle Elum

Time: 14:33:00 Date: 09/07/2023

08/29/2023 To: 09/11/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3975	08/29/2023	Claims	1	EFT	WA State Dept of Licensing	36.00	Gun Permits 968 and 969
3990	08/29/2023	Claims	1	EFT	Verizon Wireless	985.50	police dept cell phones
3992	08/29/2023	Claims	1	EFT	WA State Dept of Ecology	5,534.50	Water Quality Permit 2024 -- 7/1/23 to 6/30/24
4010	08/29/2023	Claims	1	EFT	Iron Mountain	98.62	Police dept shredding
4025	08/30/2023	Claims	1	EFT	Chase Paymentech	85.25	July merchant non utility fees
4026	08/30/2023	Claims	1	EFT	Chase Paymentech	1,037.34	July merchant utility fees
4027	08/30/2023	Claims	1	EFT	Century Link	91.46	City long distance
4029	09/01/2023	Claims	1	EFT	Century Link	999.07	Library telephone 674-2313; Water Plant telephone 674-3963; Fire dept telephone 674-1748; Fire Dept telephone 674-5785; Public works telephone 674-5126; city hall telephone 674-2262
4030	09/01/2023	Claims	1	EFT	Century Link	445.87	police dept telephone 674-2991
4031	09/01/2023	Claims	1	EFT	T-Mobile	124.60	back up internet
4032	09/01/2023	Claims	1	EFT	United Health Care Insurance Company	472.25	Krahenbuhls supplement health LEOFF 1
4034	09/01/2023	Claims	1	EFT	U.S. Cellular	535.38	M2M water plant cellular; Cell phones public works/fire/admin
4124	09/01/2023	Claims	1	EFT	Cintas Corporation	292.28	Mats/Towels/Uniforms and cleaning -- public works
4125	09/01/2023	Claims	1	EFT	Gigabeam Internet	57.00	fire dept internet
4126	09/01/2023	Claims	1	EFT	Pitney Bowes Global Financial Services L	551.45	June 30 to Sept 30 city hall postage meter lease
4127	09/01/2023	Claims	1	EFT	Pitney Bowes Global Financial Services L	87.53	June 30 to Sept 30 police dept postage meter lease
4128	09/01/2023	Claims	1	EFT	Wholesail Networks	1,260.00	city internet
4129	09/01/2023	Claims	1	EFT	Xpress Bill Pay	560.55	August merchant fees
4131	09/01/2023	Claims	1	EFT	Methodworks	356.73	
4139	09/05/2023	Claims	1	EFT	11:11 systems	200.00	city firewall
4140	08/31/2023	Claims	1	EFT	American Express	28.14	August merchant fees American Express
4141	09/05/2023	Claims	1	EFT	Crystal Springs	84.16	water for meetings
4148	09/05/2023	Claims	1	EFT	Inland Networks	25.00	alarm monitoring/library
4162	09/06/2023	Claims	1	EFT	WA State Dept of Licensing	36.00	Gun permits 974, 975
4163	09/06/2023	Claims	1	EFT	WA State Dept of Licensing	54.00	Gun Permits 970, 971, 973
4164	09/06/2023	Claims	1	EFT	Inland Networks	25.00	Police dept alarm monitoring
4171	09/06/2023	Claims	1	EFT	Umpqua Bank	8,175.55	Fire Dept credit card charges -- 2 Milwaukee chainsaws and sp construction exam for chief; city hall credit card charges--boxcast council storage, APT treasurer renewal, vacuum parts, microsoft licen
4173	09/06/2023	Claims	1	EFT	WA State Dept of Licensing	18.00	Gun Permit 977
4180	09/07/2023	Claims	1	EFT	Cintas Corporation	299.45	Public works mats/towels/uniforms/shop cleaning 8/29
4183	09/07/2023	Claims	1	EFT	City of Cle Elum	8,644.24	August water/sewer -- city hall, parks, police, fire, library, bathrooms, rentals, water plant, cemetery
4186	09/11/2023	Claims	1	45811	ALSC Architects	46,656.24	UKC Community Rec Center Architect Services

CHECK REGISTER

City Of Cle Elum

08/29/2023 To: 09/11/2023

Time: 14:33:00 Date: 09/07/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4187	09/11/2023	Claims	1	45812	Jane Agar	270.00	Library cleaning/August
4188	09/11/2023	Claims	1	45813	Ascent Foundations <i>Grant</i>	359,781.60	Progress Estimate #3 first St revitalization phase 3C -- COG and TIB grants
4189	09/11/2023	Claims	1	45814	Brown and Jackson Septic	420.00	Cemetery port a potty rental; 3rd Street port a potty rental; Coal Mine Trail port a potty rental
4190	09/11/2023	Claims	1	45815	Cascade Fire & Safety	867.46	Fire dept city heights brush truck pump rebuild
4191	09/11/2023	Claims	1	45816	Cengage learning	27.00	Library electronic periodicals
4192	09/11/2023	Claims	1	45817	Central Cascade Embroidery and Screen Pr	163.71	public works hats
4193	09/11/2023	Claims	1	45818	Cle Elum Farm and Home	516.43	Fire Department charges GFCI Outlet, plug armored vinyl, WD40 smart straw, glass scraper, blade razor, scraper plastic razor; public works couple insert, bulk items, tape flagging lime, spray head pop
4194	09/11/2023	Claims	1	45819	Cle Elum Hardware	221.58	police charges battery for panic button;; public works copper tube, bulk items, quick couple tee black, marinweld epoxy, round base magnet, cap mall
4195	09/11/2023	Claims	1	45820	Code Publishing Inc.	295.12	updating codes 1645-1650
4196	09/11/2023	Claims	1	45821	Consolidated Supply Co.	231.21	public works water supplies/aquapex pipe
4197	09/11/2023	Claims	1	45822	Copiers Northwest Inc.	494.31	City hall break room copier usage 7/19 to 9/18; copier usage 8/1 to 8/31 -- library and public works; Copier usage city hall 8/1 to 8/31
4198	09/11/2023	Claims	1	45823	Demco	183.08	Library laminate rolls/book tape/date due slips
4199	09/11/2023	Claims	1	45824	Ellensburg Cement Products	169.58	Public Works gravel/new service 108 1/2 3rd
4200	09/11/2023	Claims	1	45825	GC Systems	7,389.72	Water Fund -- Cla Vals Annual Maintenance
4201	09/11/2023	Claims	1	45826	Grainger	429.82	fire dept hose adapters; gloves for sewer/public works
4202	09/11/2023	Claims	1	45827	Amanda Heins	500.00	2023 Library Summer Reading Program
4203	09/11/2023	Claims	1	45828	Emma Hellthaler	156.46	1587.0 - 708 ROSLYN PLACE -- utility refund
4204	09/11/2023	Claims	1	45829	Heritage Law	975.00	August defense attorney fees
4205	09/11/2023	Claims	1	45830	Huntington Technology Finance	2,864.80	Police -- Oct 1-31 In Car Camera Lease
4206	09/11/2023	Claims	1	45831	Intermountain/Radio Shack	105.90	fire dept cell accessory new phone; fire dept cell otter box and plugs new phone
4207	09/11/2023	Claims	1	45832	James Oil/Pacific Pride	1,825.19	public works fuel 8/15 to 8/31; Police dept fuel August Spokane and Ellensburg
4208	09/11/2023	Claims	1	45833	Jerrol's	1,051.14	city hall address labels; City hall stapes and laminated tape; city hall heavy duty staples; Building Dept Forms; copy paper/fire dept; Fire dept urinal supplies; premium copy paper 2 boxes one will;
4209	09/11/2023	Claims	1	45834	Kent D Bruce Company LLC	2,202.75	Kussmaul 40 amp chief charger with remote auto/eject -- fire dept

CHECK REGISTER

City Of Cle Elum

Time: 14:33:00 Date: 09/07/2023

08/29/2023 To: 09/11/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4210	09/11/2023	Claims	1	45835	Kenyon Disend, PLLC	28,900.45	August attorney fees -- Discovery court, Dearmin and Page damage claims, PERC and Union, executive sessions, Starfire Aviation, H/E rules, franchise, senior center lease; August attorney fees -- Croni
4211	09/11/2023	Claims	1	45836	Kittitas County Chamber of Commerce	7,016.17	2023 Fourth of July Fireworks Display <u>Lodging tax</u> /Chamber
4212	09/11/2023	Claims	1	45837	Kittitas County Solid Waste <u>210 Broadway</u>	6,178.00	4 dumpsters for 210 Broadway <u>nuisance</u> Craven residence clean up; 1 public works load
4213	09/11/2023	Claims	1	45838	Law Office of Mark W. Garka, PLLC	3,000.00	August prosecution services
4214	09/11/2023	Claims	1	45839	Marson & Marson	81.57	concrete for city parking lot signs RR and Oakes
4215	09/11/2023	Claims	1	45840	Motorola Solutions, Inc.	85.23	police dept audio remote speaker microphone
4216	09/11/2023	Claims	1	45841	Mountain Auto Parts	2,683.74	police spin on fluid filter, oil, exact fit beam, wiper; Fire Department eraser wheel, solvent, premium thermostat, gasket, antifreeze, radiator service, flush kit; Public Works cleaner sprayer, pre
4217	09/11/2023	Claims	1	45842	One Call Concepts, Inc	28.89	27 excavation notifications August
4218	09/11/2023	Claims	1	45843	Oxarc	73.95	Cylinder rental/shop
4219	09/11/2023	Claims	1	45844	PV Business Solutions	298.50	2024 OSHA Compliance Journal/public works
4220	09/11/2023	Claims	1	45845	Pape Machinery	429.96	Snow removal shoes/blade
4221	09/11/2023	Claims	1	45846	Perteet Inc.	7,856.89	August <u>City Heights</u> planning fees -- planning services, meetings, phase 2 zone 3 water main; Perteet Planning August -- <u>Sun Communities</u>
4222	09/11/2023	Claims	1	45847	Pioneer Days Queen Committee	1,950.00	Pioneer Days Queen Coronation 2023-- <u>Lodging Tax Grant</u>
4223	09/11/2023	Claims	1	45848	ProForce Law Enforcement	19.46	police dept -- rebill for trades
4224	09/11/2023	Claims	1	45849	RWC	675.53	vac truck serviced
4225	09/11/2023	Claims	1	45850	Jennifer E Rogers	400.00	Police dept Rogers Firearm allowance S&W .357 revolver
4226	09/11/2023	Claims	1	45851	Uline	605.74	Public Works paper towels, tissue, wire rack
4227	09/11/2023	Claims	1	45852	United Parcel Service	12.50	Police dept shipping
4228	09/11/2023	Claims	1	45853	Valbridge Property Advisors	12,308.30	<u>City Heights</u> -- Research and Appraising
4229	09/11/2023	Claims	1	45854	Veolia Water North America	84,051.04	August 2023 water/wastewater treatment plant
4230	09/11/2023	Claims	1	45855	WA State Dept of Health	21,100.90	DOH DWSRF State <u>Loan pmt #1</u> for 2nd St and Rosetti Way Watermain Project
4231	09/11/2023	Claims	1	45856	WA State Patrol	79.50	Police dept background checks
4232	09/11/2023	Claims	1	45857	WA State Secretary of State	903.51	Library semi annual billing digital consortium
4233	09/11/2023	Claims	1	45858	WA State Treasurer	903.06	August Court Remittance paid in September
4234	09/11/2023	Claims	1	45859	Willette's Service Llc	267.13	fire dept -- August fuel
4235	09/11/2023	Claims	1	45860	Willette's Towing Service	1,297.20	Cravens cleanup -- 4 cars towed
4236	08/31/2023	Claims	9	EFT	U.S. Bank	40.00	August safekeeping fees

CHECK REGISTER

City Of Cle Elum

08/29/2023 To: 09/11/2023

Time: 14:33:00 Date: 09/07/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			511 Legislative			295.12	
			514 Financial, Recording & Elections			12,308.30	
			515 Legal Services			21,540.25	
			518 Centralized Services			15,337.14	
			521 Police Department			8,492.59	
			522 Fire Department			6,514.71	
			536 Cemetery			1,245.75	
			558 Planning & Community Devel			807.28	
			572 Libraries			2,093.53	
			576 Park Facilities			5,244.66	
		001 Current Expense/General Fund				73,879.33	
			518 Centralized Services			46,656.24	
		002 Suncadia Property Sale				46,656.24	
			542 Streets - Maintenance			2,281.76	
			543 Streets Admin & Overhead			1,888.75	
			595 Capital Expenditures- Streets			179,890.80	
		101 Street Fund				184,061.31	
			595 Capital Expenditures- Streets			179,890.80	
		102 TIB Complete Streets Grant				179,890.80	
			554 Environmental Services			1,046.20	
		104 Police 3/10's Sales Tax Fund				1,046.20	
			557 Community Services			8,966.17	
		106 Tourist/Lodging Tax Fund				8,966.17	
			542 Streets - Maintenance			105.00	
		110 Coal Mine Trail Fund				105.00	
			558 Planning & Community Devel			15,392.14	
		123 Sun Communities CRA 2018-01 Devel. Fund				15,392.14	
			558 Planning & Community Devel			2,753.75	
		127 City Heights CRA 2020-01 Devel. Fund				2,753.75	
			591 Debt Service - Principal Repayment			21,100.90	
		309 REET Excise Tax/Capital Projects Fund				21,100.90	
			340 Charges For Goods & Services			68.15	
			534 Water Utilities			16,065.57	
		401 Water Fund				16,133.72	
			340 Charges For Goods & Services			27.67	
			537 Garbage & Solid Waste			72.87	
		402 Sanitary Fund				100.54	
			534 Water Utilities			44,977.03	
		404 Water Regional Fund				44,977.03	
			534 Water Utilities			367.95	
		406 Water Capital Reserve Fund				367.95	
			340 Charges For Goods & Services			60.64	
			535 Sewer			2,838.61	

CHECK REGISTER

City Of Cle Elum

08/29/2023 To: 09/11/2023

Time: 14:33:00 Date: 09/07/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
		409 Sewer Fund				2,899.25	
		535 Sewer				40,275.50	
		410 Sewer Regional Fund				40,275.50	
		535 Sewer				513.85	
		413 Sewer Capital Reserve Fund				513.85	
		580 Non Expenditures				1,126.56	
		699 State Agency Fund 380/580				1,126.56	
							Claims: 640,246.24
* Transaction Has Mixed Revenue And Expense Accounts						640,246.24	

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described, or that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the city, and that I am authorized to authenticate and certify to said claim(s). Approved by the Auditing Committee:

John Glondo

Date _____

Steven Harper

Date _____

Ken Ratliff

Date _____

 9-7-23

Payroll CHECK REGISTER

City Of Cle Elum

08/07/2023 To: 09/05/2023

Time: 16:20:40 Date: 08/31/2023

Page: 1

Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
3777	08/18/2023	Payroll	1	EFT	Jane Agar	1,200.00	
3778	08/18/2023	Payroll	1	EFT	Virgil D Amick	1,500.00	
3779	08/18/2023	Payroll	1	EFT	Cheryl Anderson	1,200.00	
3780	08/18/2023	Payroll	1	EFT	Matthew R Anderson	2,000.00	
3781	08/18/2023	Payroll	1	EFT	Aaron G Barr	1,600.00	
3782	08/18/2023	Payroll	1	EFT	John M Butorac	1,900.00	
3783	08/18/2023	Payroll	1	EFT	Audrey M Casassa	1,300.00	
3784	08/18/2023	Payroll	1	EFT	Brian DeFrang	500.00	
3785	08/18/2023	Payroll	1	EFT	Adam C Fortier	1,200.00	
3786	08/18/2023	Payroll	1	EFT	Bradley D Helgeson	2,000.00	
3787	08/18/2023	Payroll	1	EFT	Kathryn A Heller	750.00	
3788	08/18/2023	Payroll	1	EFT	Debbie Lee	1,100.00	
3789	08/18/2023	Payroll	1	EFT	David Lindseth	1,600.00	
3790	08/18/2023	Payroll	1	EFT	Edwin L Mills	2,500.00	
3791	08/18/2023	Payroll	1	EFT	Cheryl J Montgomery	1,750.00	
3792	08/18/2023	Payroll	1	EFT	Robin L Newcomb	2,500.00	
3793	08/18/2023	Payroll	1	EFT	Robert F Omans	2,000.00	
3794	08/18/2023	Payroll	1	EFT	Whitney Prosek	600.00	
3795	08/18/2023	Payroll	1	EFT	Jennifer E Rogers	2,000.00	
3796	08/18/2023	Payroll	1	EFT	Kathleen S Swanson	2,000.00	
3797	08/18/2023	Payroll	1	EFT	Cornelia J Van Dongen	1,000.00	
3798	08/18/2023	Payroll	1	EFT	Anthony A Venera	2,000.00	
3799	08/18/2023	Payroll	1	EFT	Umpqua Bank	20,000.00	941 Taxes for Draws
4043	09/05/2023	Payroll	1	EFT	Jane Agar	1,876.64	
4044	09/05/2023	Payroll	1	EFT	Cameron Akana	3,422.86	
4045	09/05/2023	Payroll	1	EFT	Richard D Albo	6,527.43	
4046	09/05/2023	Payroll	1	EFT	Virgil D Amick	2,523.05	
4047	09/05/2023	Payroll	1	EFT	Cheryl Anderson	2,357.54	
4048	09/05/2023	Payroll	1	EFT	Matthew R Anderson	2,269.78	
4049	09/05/2023	Payroll	1	EFT	Aaron G Barr	3,501.53	
4050	09/05/2023	Payroll	1	EFT	Zac Batton	49.89	
4051	09/05/2023	Payroll	1	EFT	Siw Bay-Hansen	227.46	
4052	09/05/2023	Payroll	1	EFT	John M Butorac	1,493.57	
4053	09/05/2023	Payroll	1	EFT	Audrey M Casassa	2,214.20	
4054	09/05/2023	Payroll	1	EFT	Brian DeFrang	3,750.82	
4055	09/05/2023	Payroll	1	EFT	Adam C Fortier	1,924.28	
4056	09/05/2023	Payroll	1	EFT	Meghan E Galbraith	49.89	
4057	09/05/2023	Payroll	1	EFT	John J Glondo	227.46	
4058	09/05/2023	Payroll	1	EFT	Mark Goodwin	49.89	
4060	09/05/2023	Payroll	1	EFT	Bradley D Helgeson	4,137.34	
4061	09/05/2023	Payroll	1	EFT	Kathryn A Heller	2,037.55	
4062	09/05/2023	Payroll	1	EFT	Nathan J Henderson	126.77	
4063	09/05/2023	Payroll	1	EFT	Alec Johnson	3,915.48	
4064	09/05/2023	Payroll	1	EFT	Craig D Juris	4,240.97	
4065	09/05/2023	Payroll	1	EFT	Jessica T Korich	2,679.90	
4066	09/05/2023	Payroll	1	EFT	Sarah E Lackey	227.46	
4067	09/05/2023	Payroll	1	EFT	Debbie Lee	3,806.32	
4068	09/05/2023	Payroll	1	EFT	David Lindseth	1,986.68	
4070	09/05/2023	Payroll	1	EFT	Matthew Lundh	227.46	
4071	09/05/2023	Payroll	1	EFT	Mario M Magnotti	4,723.51	
4073	09/05/2023	Payroll	1	EFT	Edwin L Mills	2,345.89	
4074	09/05/2023	Payroll	1	EFT	Cheryl J Montgomery	2,107.20	
4075	09/05/2023	Payroll	1	EFT	Robin L Newcomb	3,376.43	
4076	09/05/2023	Payroll	1	EFT	Robert F Omans	3,985.94	

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City Of Cle Elum

08/07/2023 To: 09/05/2023

Time: 16:20:40 Date: 08/31/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
4077	09/05/2023	Payroll	1	EFT	Casey Orndorff	125.96	
4078	09/05/2023	Payroll	1	EFT	Luanne C Osiadacz	223.54	
4079	09/05/2023	Payroll	1	EFT	Amy E Pridemore	1,247.64	
4080	09/05/2023	Payroll	1	EFT	Whitney Prosek	1,355.13	
4081	09/05/2023	Payroll	1	EFT	Kenneth C Ratliff	227.46	
4082	09/05/2023	Payroll	1	EFT	Jennifer E Rogers	2,020.28	
4083	09/05/2023	Payroll	1	EFT	Kelsey Seiser	3,289.57	
4084	09/05/2023	Payroll	1	EFT	Chase M Stanley	99.78	
4085	09/05/2023	Payroll	1	EFT	Cody Strohl	3,460.49	
4086	09/05/2023	Payroll	1	EFT	Kathleen S Swanson	3,231.65	
4087	09/05/2023	Payroll	1	EFT	Kaylee M Thompson	49.89	
4088	09/05/2023	Payroll	1	EFT	Cornelia J Van Dongen	624.16	
4089	09/05/2023	Payroll	1	EFT	Anthony A Venera	4,419.18	
4090	09/05/2023	Payroll	1	EFT	Elizabeth M Williams	227.46	
4095	09/05/2023	Payroll	1	EFT	AWC Health Insurance	32,008.88	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Asuris 250 Med/Den/Vis
4096	09/05/2023	Payroll	1	EFT	Colonial Life	604.26	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Colonial Insurance Pre; Pay Cycle(s) 09/05/2023 To 09/05/2023 - Colonial Insurance
4097	09/05/2023	Payroll	1	EFT	HRA VEBA Trust Contributions	6,789.00	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Veba
4098	09/05/2023	Payroll	1	EFT	Northwest Admin Transfer Acct	3,425.50	Pay Cycle(s) 09/05/2023 To 09/05/2023 - NW Admin RWT/Dental
4099	09/05/2023	Payroll	1	EFT	Teamsters Local #760	868.00	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Teamsters Dues
4100	09/05/2023	Payroll	1	EFT	UEBT	11,517.00	Pay Cycle(s) 09/05/2023 To 09/05/2023 - UEBT Medical Vision
4101	09/05/2023	Payroll	1	EFT	Umpqua Bank	27,391.47	941 Deposit for Pay Cycle(s) 09/05/2023 - 09/05/2023
4102	09/05/2023	Payroll	1	EFT	Washington State Support Registry	126.42	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Child Support
4103	09/05/2023	Payroll	1	EFT	WA State Dept of Retirement Sys.	26,336.27	Pay Cycle(s) 09/05/2023 To 09/05/2023 - PERS2; Pay Cycle(s) 09/05/2023 To 09/05/2023 - LEOFF2; Pay Cycle(s) 09/05/2023 To 09/05/2023 - PERS 3
4059	09/05/2023	Payroll	1	45806	Steven M Harper	217.46	
4069	09/05/2023	Payroll	1	45807	Cole M Lowenstein	1,047.33	
4072	09/05/2023	Payroll	1	45808	Jay McGowan	2,485.49	
4091	09/05/2023	Payroll	1	45809	Bill Rolcik Memorial Fund	120.00	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Bill Rock Mem Fund
4092	09/05/2023	Payroll	1	45810	WCTPTF	4,236.96	Pay Cycle(s) 09/05/2023 To 09/05/2023 - Teamsters Pension Trust
511 Legislative						1,883.91	
512 Judicial						5,834.63	
513 Executive						10,194.18	
514 Financial, Recording & Elections						19,037.92	
521 Police Department						98,249.98	
522 Fire Department						13,716.94	
536 Cemetery						8,495.95	
558 Planning & Community Devel						9,104.01	
572 Libraries						9,942.32	
576 Park Facilities						5,691.23	

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City Of Cle Elum

08/07/2023 To: 09/05/2023

Time: 16:20:40 Date: 08/31/2023

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Trans	Date	Type	Acct #	Chk #	Claimant	Amount	Memo
			580 Non Expenditures			-7,980.34	
		001 Current Expense/General Fund				174,170.73	
			542 Streets - Maintenance			9,080.69	
		101 Street Fund				9,080.69	
			521 Police Department			15,517.04	
			554 Environmental Services			3,667.35	
		104 Police 3/10's Sales Tax Fund				19,184.39	
			534 Water Utilities			28,678.59	
		401 Water Fund				28,678.59	
			537 Garbage & Solid Waste			9,125.40	
		402 Sanitary Fund				9,125.40	
			535 Sewer			14,834.31	
			538 Combined Utilities			9,293.31	
		409 Sewer Fund				24,127.62	
						264,367.42 Payroll:	264,367.42

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described, or that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the city, and that I am authorized to authenticate and certify to said claim(s). Approved by the Auditing Committee:


John Glondo

Date 11 SEPT 2023


Steven Harper

Date 9/11/2023


Ken Ratliff

Date 9/11/2023


9-11-23

POLICE ITEM 6

Cle Elum 1st Half Summary

	JAN	FEB	MAR	APRIL	MAY	JUNE	TOTALS
BOOKINGS							
DUI			1		1		2
Assault DV			1	1	1	1	4
Assault						1	1
Felony Arrests					2	2	4
Other Arrests					2		2
Juvenile Arrest							0
Warrant Arrests				1	1	2	4
							0
TOTAL MONTHLY BOOKINGS	0	0	2	2	7	6	
TOTAL 1ST HALF BOOKINGS							17
Citations/Infractions	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	
Traffic Infractions		2	4	1	1	5	
Non-Traffic Infractions							
Criminal Traffic Citations			1	1	4	1	
Criminal Non- Traffic Citations	2				1	1	
DUI Traffic Criminal Citations		1	1	1	2		
Parking Citations							
MONTHLY CITATION/INFRACTIONS	2	3	6	3	8	7	
TOTAL 1ST HALF CITATIONS/INFRACTIONS							29

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15:44

CLE ELUM POLICE DEPARTMENT
Law Total Incident Report, by Incidents, Clearance

4011
Page: 1

Clearance	Total Incidents
[No Clearance]	3
ASSAULT 2ND	1
ASSAULT 4TH	2
CRIMINAL TRESPASS	4
THEFT 3RD	3
THEFT OF BICYCLE	1
VIOL PROTECTION ORDER/ NCO	2
MALICIOUS HARASSMENT	2
HARASSMENT OTHER	3
RECOVERED STOLEN VEHICLE	1
MALICIOUS MISCHIEF 3RD	3
INTRUSION ALARM	6
Animal at Large	5
ANIMAL NEGLIGENCE / ABUSE	4
LIVESTOCK ON ROADWAY	1
OTHER ANIMAL PROBLEMS	12
BARKING DOG REF ACO	13
ANIMAL BITE	1
DEPARTMENT ASSIST - CRIMINAL	5
DEPARTMENT ASSIST-NON CRIMINAL	31
DEPARTMENT ASSIST - WSP	6
AGENCY ASSIST-CPS/MENTAL HLTH	4
PUBLIC ASSIST	19
DEPARTMENT ASSIST - FIRE	4
DEPARTMENT ASSIST - EMS	6
CHECK WELFARE	15
CIVIL DISPUTE	2
CIVIL PROCESS SERVICE	2
OTHER CIVIL PROBLEMS	1
CIVIL PROCESS SERVICE ATTEMPT	2
SECURITY CHECK	10
FAMILY DISTURBANCE/DISPUTE	4
NEIGHBORHOOD DISPUTE	1
OTHER DISTURBANCE /DISPUTE	2
INFORMATION-GENERAL	6
LITTERING VIOLATION	1
LITTERING COMPLAINT	1
MISSING PERSON	1
SOCIAL CONTACT	13
OTHER NOISE PROBLEM	3
LOST PROPERTY	7
FOUND PROPERTY	14
SUSPICIOUS CIRCUMSTANCES	10
SUSPICIOUS PERSON (PROWLER)	3
SUSPICIOUS VEHICLE	12
911 HANG UP (UNFOUNDED)	2
TRAFFIC ACCIDENT-PROP DAMAGE	4
TRAFFIC ACCIDENT-HIT & RUN	2
UPPER CO TRAFFIC STOPS	1
TRAFFIC(CRIMINAL)-DUI SEE 211	3
TRAFFIC (NON CRIMINAL)	40
TRAFFIC PATROL REQUEST	3
TRAFFIC HAZARD	11
OTHER TRAFFIC PROBLEM	3
ABANDONED VEHICLE	3

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CLE ELUM POLICE DEPARTMENT
Law Total Incident Report, by Incidents, Clearance

4011
Page: 2

Clearance	Total Incidents
VEHICLE TAGGED W/24 HR NOTICE	1
PARKING ISSUE	10
WARRANT SERVICE-OUTSIDE AGENCY	2
WARRANT SERVICE - ATTEMPT	1
CIVIL MATTER	1

Total Incidents for This Report: 339

Report includes:

All dates between `00:00:00 06/01/23` and `00:00:00 07/01/23`
All agencies matching `CEPD`
All natures
All locations not matching `ROS`
All responsible officers
All dispositions
All clearance codes
All observed offenses
All reported offenses
All offense codes
All circumstance codes
All how received

*** End of Report /tmp/rptSjkldw-rplwtir.rc_1 ***

Cle Elum - Roslyn Police Department
City of Roslyn 1st Half Summary
2023

	JAN	FEB	MAR	APRIL	MAY	JUNE
BOOKINGS						
DUI	0	0	0	1	0	
Assault DV	1	0	0		0	
Assault	0	0	0		0	
Felony Arrests	0	0	0	1	0	1
Other Arrests	0	0	0		0	
Warrant Served	0	0	0		0	
Juvenile	0	0	0		0	
TOTAL MONTHLY BOOKINGS						
	1	0	0	2	0	1
TOTAL YTD BOOKINGS	4					
Citations/Infractions						
CITATIONS/INFRACTIONS						
Traffic Infractions		0	0			
Non-Traffic Infractions		0	0			
Criminal Traffic Citations		0	0			
Criminal Non- Traffic Citations		0	0			1
DUI Citations		0	0			
Parking Infractions	1	0	0	2	1	3
MONTHLY CITATION/INFRACTIONS	1	0	0	2	1	4
TOTALYTD CITATIONS/INFRACTIONS	8					

07/13/23
13:54

CLE ELUM POLICE DEPARTMENT
Law Total Incident Report, by Incidents, Clearance

4011
Page: 1

Clearance	Total Incidents
ASSAULT 4TH	1
BURGLARY 2ND	1
CRIMINAL TRESPASS	1
FIREWORKS VIOLATION	1
INTRUSION ALARM	3
Animal at Large	1
OTHER ANIMAL PROBLEMS	3
BARKING DOG REF ACO	1
DEPARTMENT ASSIST - EMS	3
TRANSPORT - OTHER	1
SECURITY CHECK	29
FAMILY DISTURBANCE/DISPUTE	1
INFORMATION-GENERAL	1
SOCIAL CONTACT	2
FOUND PROPERTY	4
SUSPICIOUS CIRCUMSTANCES	3
SUSPICIOUS VEHICLE	1
TRAFFIC ACCIDENT-PROP DAMAGE	1
TRAFFIC ACCIDENT-HIT & RUN	1
TRAFFIC (NON CRIMINAL)	8
TRAFFIC HAZARD	2
VEHICLE TAGGED W/24 HR NOTICE	2
PARKING ISSUE	11

Total Incidents for This Report: 82

Report includes:

All dates between `00:00:00 06/01/23` and `23:59:59 06/30/23`
All agencies matching `CEPD`
All natures
All locations matching `ROS`
All responsible officers
All dispositions
All clearance codes
All observed offenses
All reported offenses
All offense codes
All circumstance codes
All how received

*** End of Report /tmp/rptBz6UUO-rplwtir.rc_1 ***

ITEM 6A

Cle Elum - Rolsyn
Police Department
2022

Cle Elum 2nd Half Summary

BOOKINGS	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	TOTALS
DUI							0
Assault DV	1						1
Assault							0
Felony Arrests							0
Other Arrests	1						1
Juvenile Arrest							0
Warrant Arrests	2						2
TOTAL MONTHLY BOOKINGS	4	0	0	0	0	0	
TOTAL 2ND HALF BOOKINGS	-----	-----	-----	-----	-----	-----}	4
Citations/Infractions	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
Traffic Infractions	13						13
Non-Traffic Infractions	1						1
Criminal Traffic Citations							0
Criminal Non- Traffic Citations	1						1
DUI Traffic Criminal Citations	1						1
Parking Citations							0
MONTHLY CITATION/INFRACTION	16	0	0	0	0	0	
TOTAL 2ND HALF CITATIONS/INFRACTIONS	-----	-----	-----	-----	-----	-----}	16

09/08/23
14:02

CLE ELUM POLICE DEPARTMENT
Law Total Incident Report, by Incidents, Clearance

4011
Page: 1

Clearance	Total Incidents
CANCELED PRIOR TO OFC ARRIVAL	3
ASSAULT 4TH	1
BURGLARY 2ND	1
VEHICLE PROWL	1
CRIMINAL TRESPASS	1
THEFT 3RD	2
THEFT OF VEHICLE OVER 1500	1
THEFT OF VEHICLE LESS 1500	1
VIOL PROTECTION ORDER/ NCO	3
HARASSMENT OTHER	1
RECOVERED STOLEN VEHICLE	1
MALICIOUS MISCHIEF 3RD	1
CUSTODIAL INTERFERENCE 2ND	1
DUI	1
FIREWORKS VIOLATION	4
INTRUSION ALARM	5
FIRE ALARM	1
PANIC ALARM	1
Animal at Large	5
LIVESTOCK ON ROADWAY	1
VICIOUS DOG	1
OTHER ANIMAL PROBLEMS	17
BARKING DOG REF ACO	5
DEPARTMENT ASSIST - CRIMINAL	12
DEPARTMENT ASSIST-NON CRIMINAL	20
DEPARTMENT ASSIST - WSP	10
AGENCY ASSIST-CPS/MENTAL HLTH	3
PUBLIC ASSIST	27
DEPARTMENT ASSIST - FIRE	2
DEPARTMENT ASSIST - EMS	2
CHECK WELFARE	14
CIVIL DISPUTE	9
LANDLORD /TENANT PROBLEM	1
CIVIL PROCESS SERVICE	2
OTHER CIVIL PROBLEMS	1
CIVIL STANDBY	1
SECURITY CHECK	3
NATURAL DEATH	1
SUICIDE	1
FAMILY DISTURBANCE/DISPUTE	4
NEIGHBORHOOD DISPUTE	5
OTHER DISTURBANCE /DISPUTE	2
INFORMATION-GENERAL	1
LITTERING COMPLAINT	1
SOCIAL CONTACT	3
OTHER NOISE PROBLEM	4
LOST PROPERTY	5
FOUND PROPERTY	8
SUSPICIOUS CIRCUMSTANCES	17
SUSPICIOUS VEHICLE	8
TRAFFIC ACCIDENT-PROP DAMAGE	6
TRAFFIC ACCIDENT-HIT & RUN	3
TRAFFIC (NON CRIMINAL)	70
TRAFFIC PATROL REQUEST	3
TRAFFIC HAZARD	10

09/08/23
14:02

CLE ELUM POLICE DEPARTMENT
Law Total Incident Report, by Incidents, Clearance

4011
Page: 2

Clearance	Total Incidents
OTHER TRAFFIC PROBLEM	2
ABANDONED VEHICLE	5
VEHICLE TAGGED W/24 HR NOTICE	6
PARKING ISSUE	9
WARRANT SERVICE-OUTSIDE AGENCY	2
CIVIL MATTER	3
FALSE ALARM	1

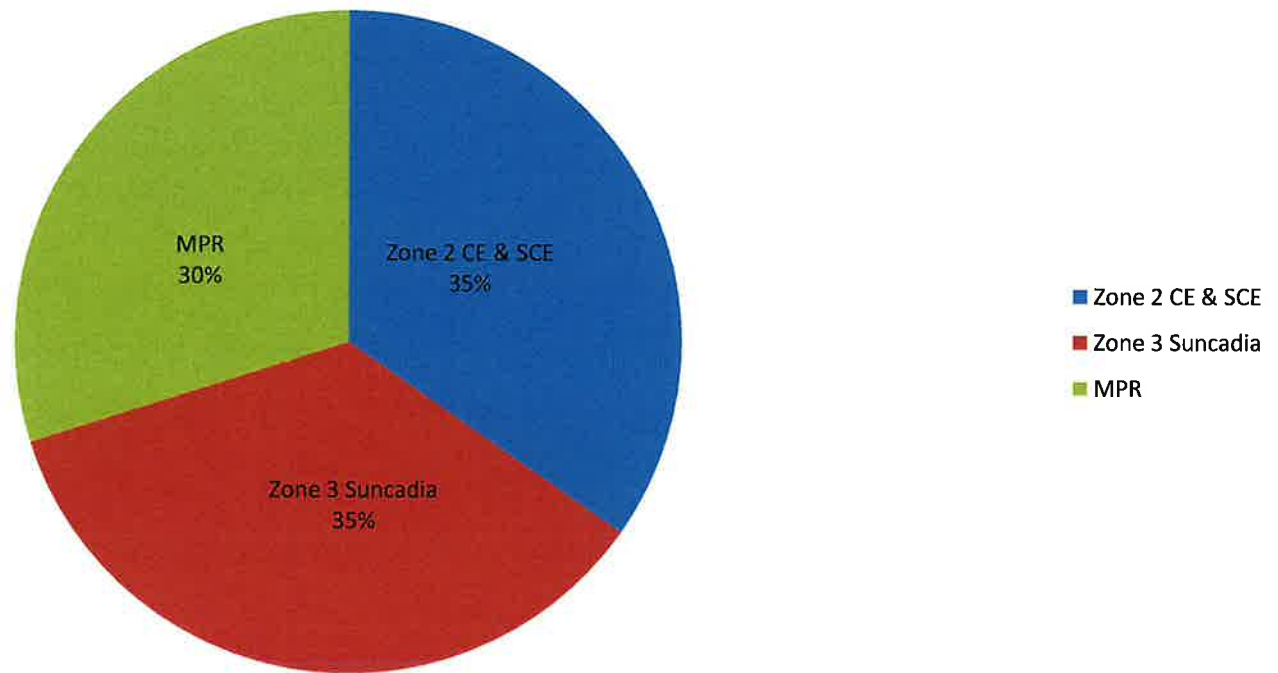
Total Incidents for This Report: 346

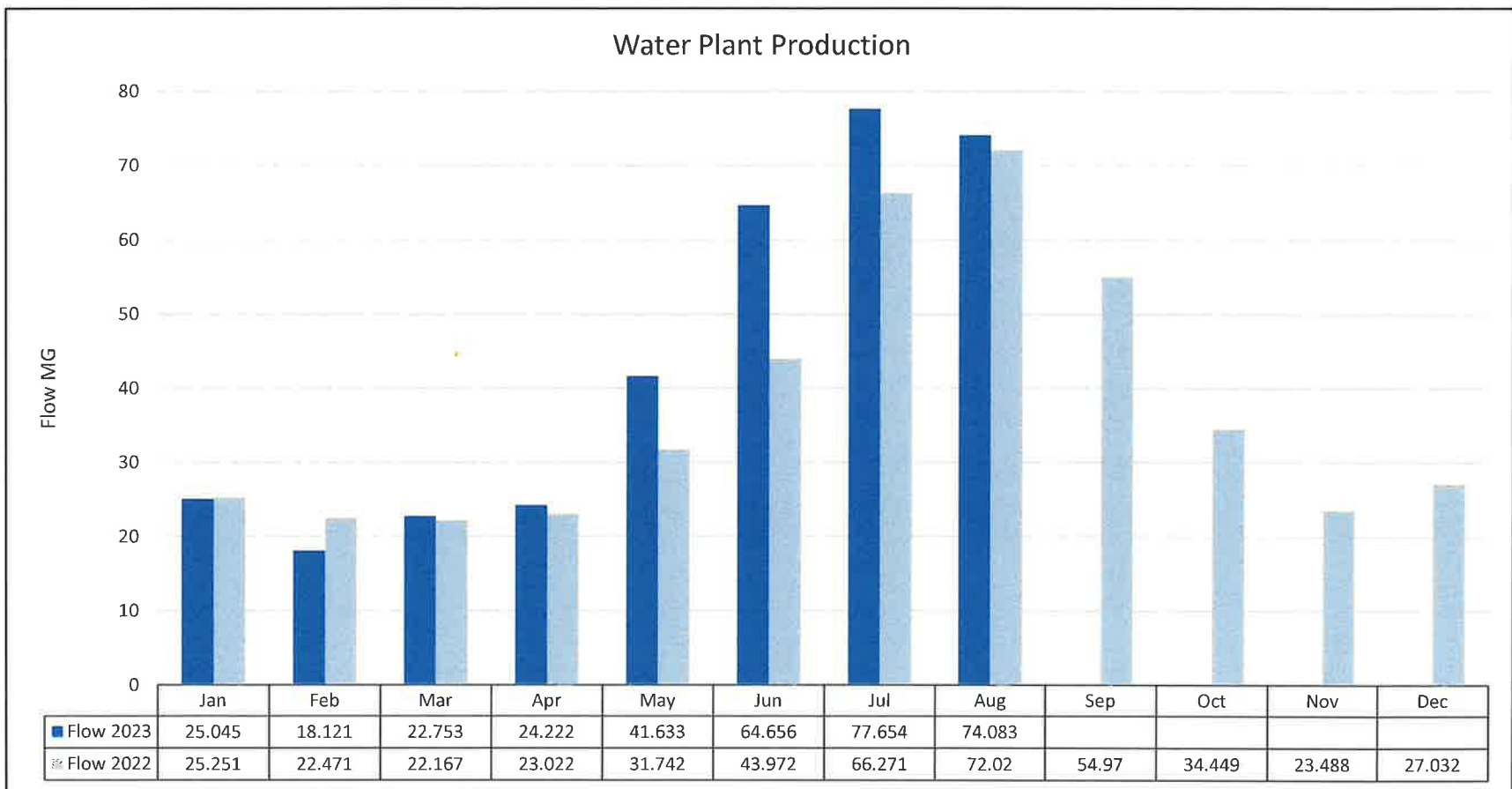
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All dates between `00:00:00 07/01/23` and `23:59:59 07/31/23`
All agencies matching `CEPD`
All natures
All locations not matching `ROS`
All responsible officers
All dispositions
All clearance codes
All observed offenses
All reported offenses
All offense codes
All circumstance codes
All how received

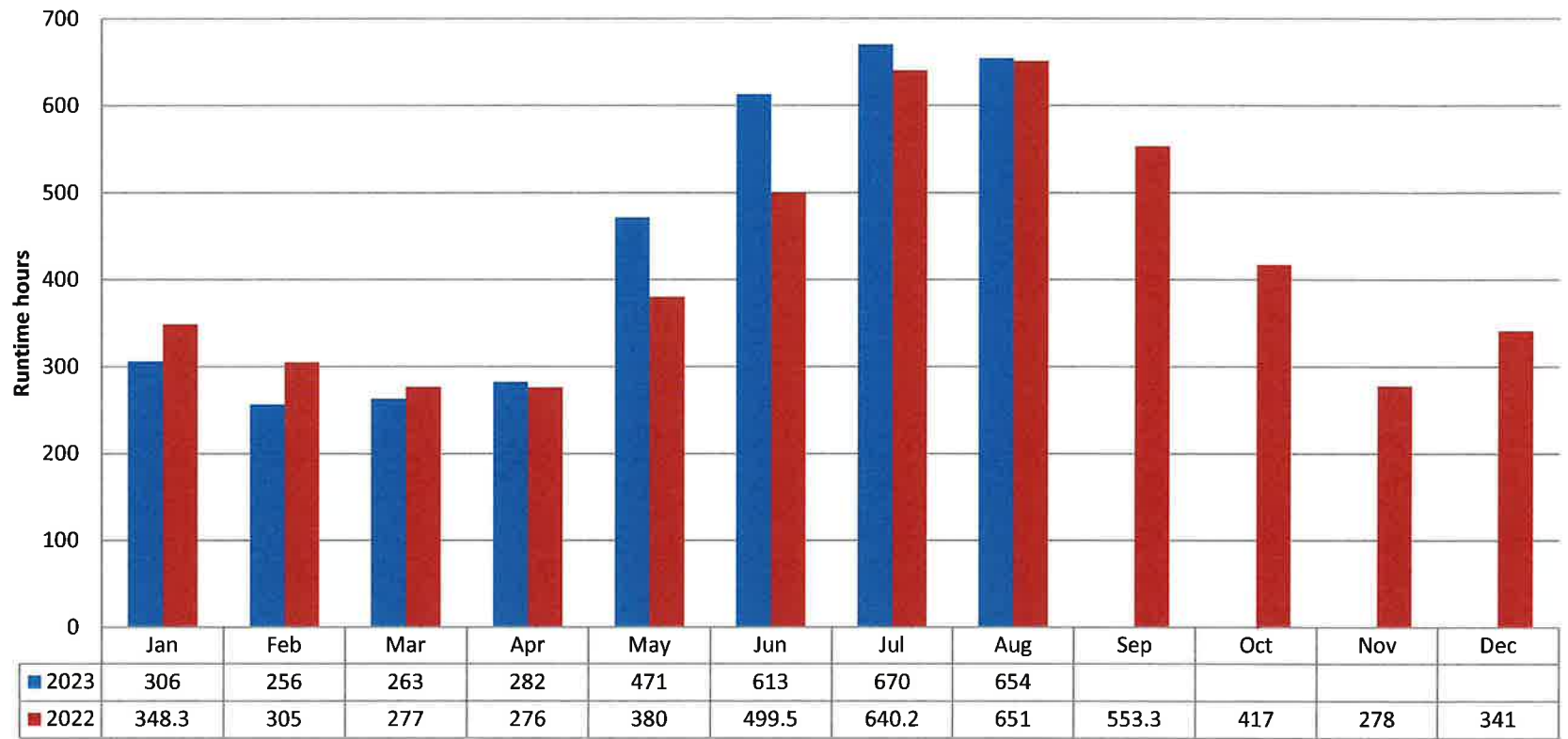
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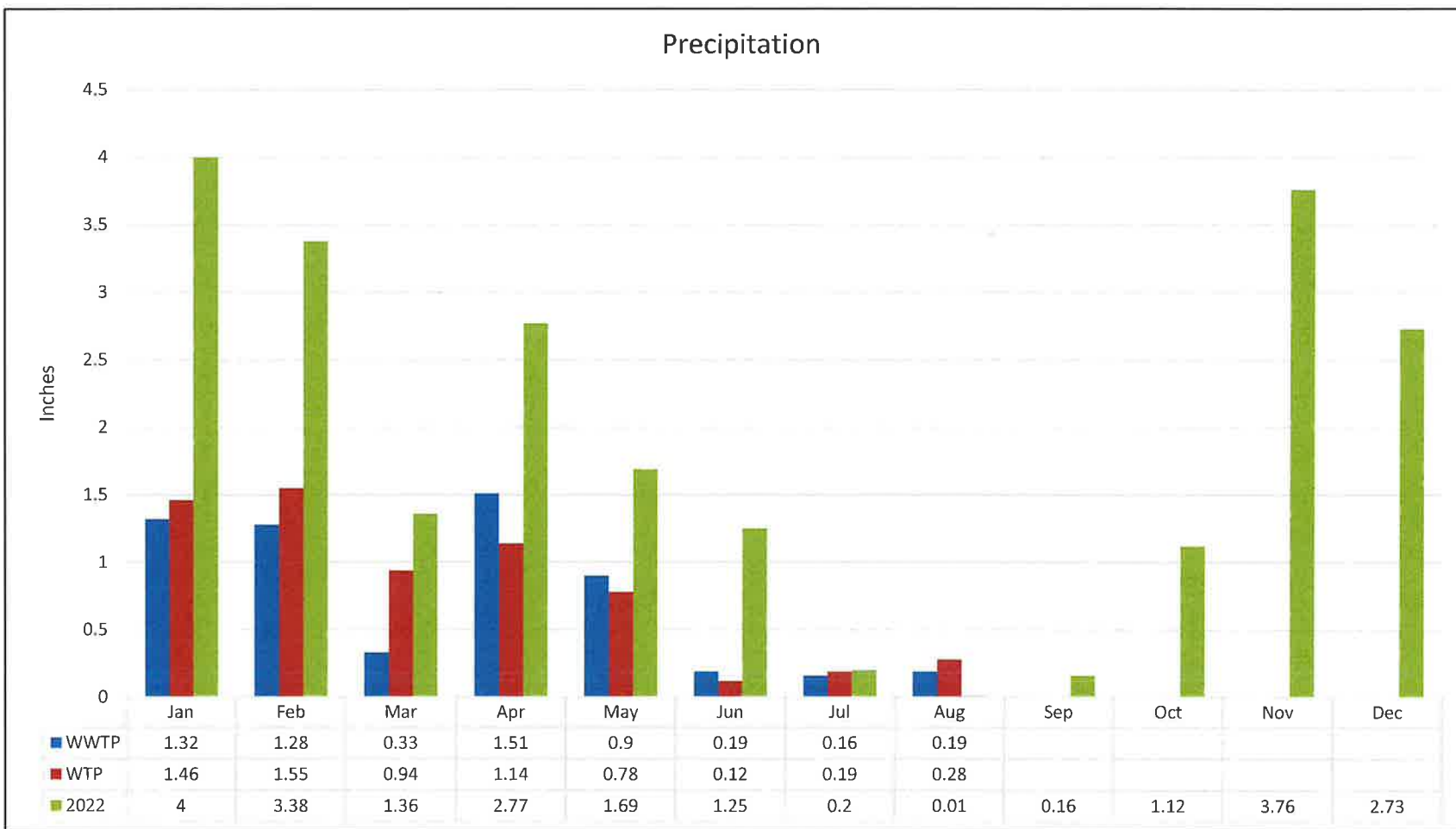
Percent of Flow - August

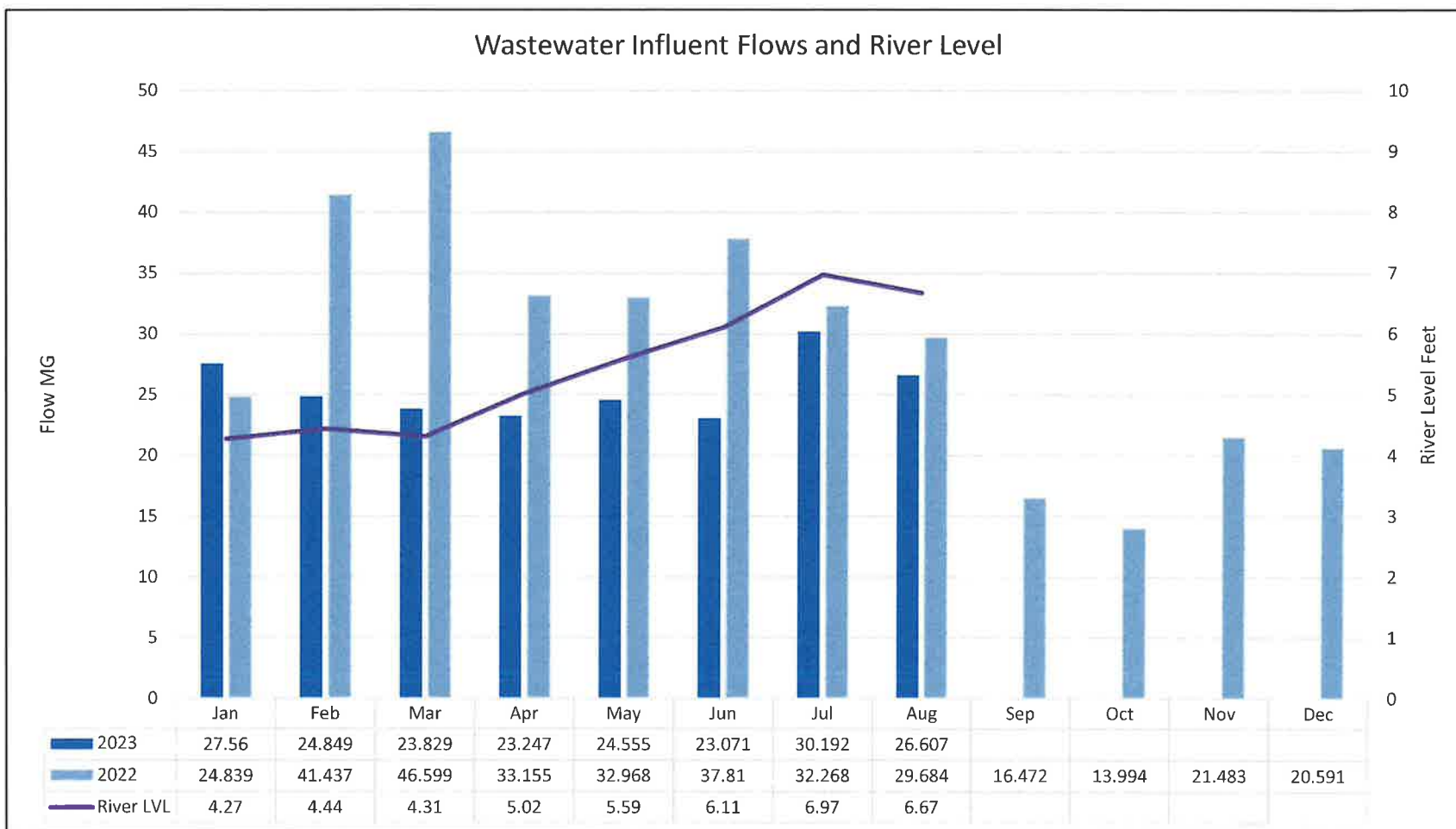


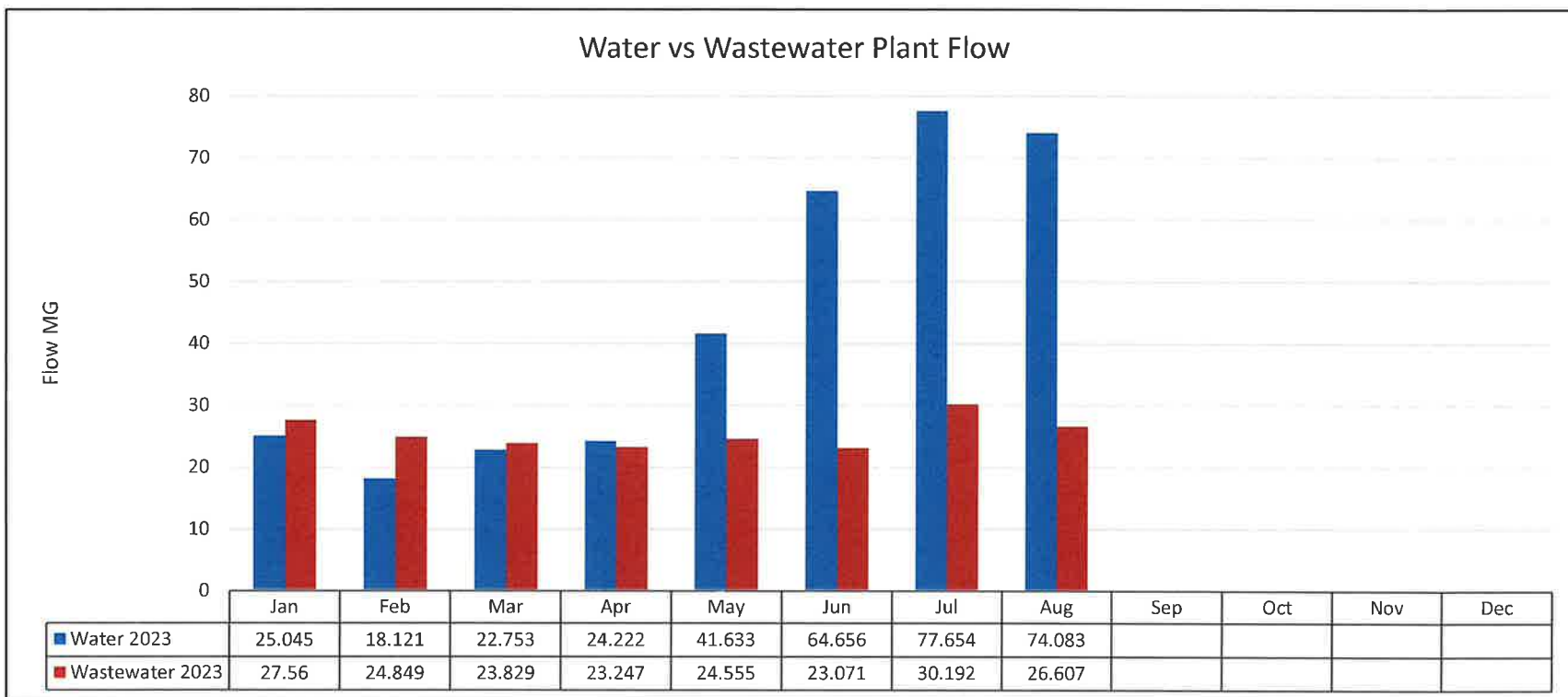


Water Plant Run Time









September 11th Council Meeting

- Good evening Honorable Mayor and members of the Council.
 - My usual graphs are enclosed in your council packet, I would be happy to answer any questions you may have about them.
 - The annual motive pump maintenance and inspections were completed at the wastewater plant.
 - The NPDES permit renewal application has been completed and submitted to DOE on August 30th, now we wait for any questions they may have.
 - The water plant is still producing over 2.0 mgd and will continue to do so until we see cooler weather.

Cle Elum Fire Department

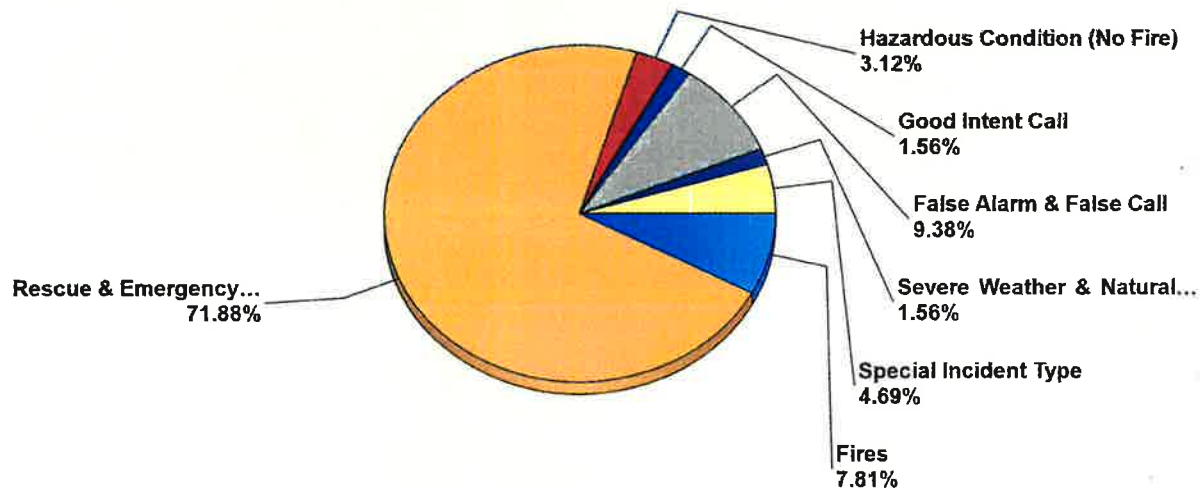
Cle Elum, WA

This report was generated on 9/11/2023 9:26:35 AM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 08/01/2023 | End Date: 08/31/2023



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	5	7.81%
Rescue & Emergency Medical Service	46	71.88%
Hazardous Condition (No Fire)	2	3.12%
Good Intent Call	1	1.56%
False Alarm & False Call	6	9.38%
Severe Weather & Natural Disaster	1	1.56%
Special Incident Type	3	4.69%
TOTAL	64	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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Doc Id: 553

Page # 1 of 2

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
131 - Passenger vehicle fire	3	4.69%
132 - Road freight or transport vehicle fire	1	1.56%
160 - Special outside fire, other	1	1.56%
311 - Medical assist, assist EMS crew	6	9.38%
321 - EMS call, excluding vehicle accident with injury	35	54.69%
322 - Motor vehicle accident with injuries	4	6.25%
324 - Motor vehicle accident with no injuries.	1	1.56%
422 - Chemical spill or leak	1	1.56%
444 - Power line down	1	1.56%
611 - Dispatched & cancelled en route	1	1.56%
700 - False alarm or false call, other	2	3.12%
733 - Smoke detector activation due to malfunction	1	1.56%
735 - Alarm system sounded due to malfunction	1	1.56%
743 - Smoke detector activation, no fire - unintentional	2	3.12%
814 - Lightning strike (no fire)	1	1.56%
900 - Special type of incident, other	2	3.12%
911 - Citizen complaint	1	1.56%
TOTAL INCIDENTS:	64	100%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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Doc Id: 553
Page # 2 of 2

Council Meeting 09-11-2023

Your honorable Mayor and city council,

1. Good evening, I want to apologize for myself not being here last month. I was on vacation. I had my assistant set up to give the report and at the time of council we got tone out for a vehicle wreck.
2. Report of calls in the month of Aug we had 5 fires 46 Ems, 13 others for a total of 64 calls. See report given.

Fire reports break down. We had one camp, cook or heating fire lite during a burn ban and a car fire out on arrival in our city limits. We were paged out for mutual aid with a car fire in Ronald and two mutual aids with district 7, a tractor trailer car hauler fire, and vehicle fire.

3. We have gone and picked up a Brush truck from a DNR grant program. This is a 2008 international type three forest service brush truck. This rig is in very great shape the pump is out of service our city mechanic has got a rebuild kit for the pump and we hope to have it in service soon. This has a 509-gal water tank. With pump and roll capability's and has 20-gal foam tank. It is 4-wheel drive and seats five. I hope to bring this out to show you all soon.
4. Battery power Extraction equipment has been picked up we plan to have this equipment on our rigs in service soon.
5. Scba G1 have been ordered this was a AFG grant the department was granted total was 185,000 to the city. They are approx. a few months out. This equipment will allow us to be updated to the same equipment that the rest of the upper county has gone to Making us all compatible during structure fires. We will also be updating our fill station and our air support rig to accommodate with quick fill capabilities. We continue to work together and with all our upper county fire departments.
6. Any questions for me currently

Public Works is still dealing with cemetery leaks.

A new 24-hour parking sign in the city parking lot has been installed.

Had a water service line leak at 3rd and Billings.

Replaced 8 meters that were not reading, those will go back to HD Fowler for warranty.

Repaired a sewer manhole in the East 400 blk between 1st and RR Street, the bottom was gone, this is one of our problem sewers.

Repaired the water main leak on Rossetti Way 12" steel main.

Installed irrigation meters along 1st, all downtown is being watered.

Filled potholes with cold mix all throughout town.

Installed new water service at 108 ½ East 3rd.

A lot of shop maintenance and clean up are currently being done.

Getting some equipment serviced for the winter.

Put up fencing at the property clean up at end of Broadway Street.

Multiple sewer backups including one of our problem sewers at Bullitt Ave, again one of our problem sewers, the manhole was full.

Getting excited for the 2nd Street Water Main Project, can't come soon enough, we are getting a lot of service line leak off that main.



LETTER OF MUTUAL PARTNERSHIP

Building the next layer of collaboration for Kittitas County



We must work together beyond individual thinking and move into a shared space of collaboration to achieve the goals established in the Kittitas County Economic Development Strategic Plan.

Our coalition includes:



Town of South Cle Elum, Washington



City of Kittitas



THE FIVE ECONOMIC DEVELOPMENT GOALS

Kittitas County Economic Development Goals

				
Collaboration	Economic Resilience	Balanced Growth	Community Investment	Preservation
Unite upper and lower county government and organizations in shared goals and action that benefit the county as a whole.	Provide residents with tools and resources to access jobs and opportunities in the area, including entrepreneurship.	Direct and manage the growth of the county to build a dynamic community that remains an attractive and affordable place to live.	Develop the county's infrastructure to meet its current and future needs and position it to amplify the advantage of its central location.	Preserve the legacy of the county, valuing its assets and resources to turn them into opportunities for future generations.

Over the course of the last year and a half, our community has participated in creating the Kittitas County Economic Development Strategic Plan. That engagement included:

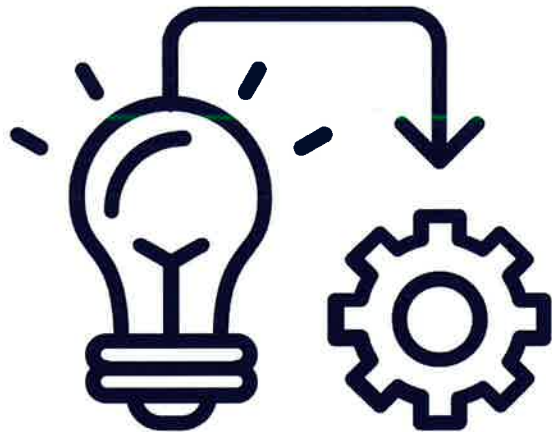
- Interviews and round table discussions
- A 24-member steering committee
- Various workshops that led us through discovery, opportunity, and ultimately, defined the strategic plan.

Implementation

From paper to pavement

Building the strategic plan took a **shared vision**.

Implementation of that plan will take the courage and commitment to work together.



Establish Implementation Team



Identify organizational lanes and single point of coordination



Define communication best practices and tools



Review goals/tasks/allocate resources/designate team to task



Let the teams do their work



Provide consistent reporting, meetings, and accountability

**LETTER OF MUTAL PARTNERSHIP
BETWEEN
KITTITAS COUNTY, CITIES, AND ORGANIZATIONS
TO IMPLEMENT STRATEGIES OF THE
KITTITAS COUNTY ECONOMIC DEVELOPMENT STRATEGIC PLAN**

We, the undersigned, are committed to regional economic vitality within Kittitas County. We recognize that our communities have experienced pressures from growth and changing economic conditions and we must work together to address our top challenges: managing growth, improving housing affordability, diversifying the economy, and sustaining our natural resources. We believe that working collaboratively and as a united front will allow us to make the greatest impact. The Kittitas County Economic Development Strategic Plan, adopted in 2023, was developed with broad stakeholder input to address these challenges. We are committed to working together with our economic development organizations to implement strategies to achieve the goals set out in the Plan, including our participation in the formation of a working group, by separate agreement, with the goal of moving forward implementation of the Economic Development Strategic Plan.

PARTICIPATING KITTITAS COUNTIES, CITIES, AND ECONOMIC DEVELOPMENT ORGANIZATIONS:

Kittitas County, WA

Printed Name

Signature

Date

City of Ellensburg, WA

Nancy N. Lillquist
Printed Name

Nancy N. Lillquist
Signature

7/17/23
Date

City of Cle Elum, WA

Jay McGowan
Printed Name

Signature

9-11-23
Date

City of Kittitas, WA

Printed Name

Signature

Date

City of Roslyn, WA

Printed Name

Signature

Date

City of South Cle Elum, WA

Printed Name

Signature

Date

Central Washington University (CWU)

Printed Name

Signature

Date

CenterFuse (EBDA)

Printed Name

Signature

Date

Kittitas County Chamber of Commerce

Printed Name

Signature

Date

Ellensburg Downtown Association

Printed Name

Signature

Date

Cle Elum Downtown Association

Printed Name

Signature

Date

Roslyn Downtown Association

Printed Name

Signature

Date

Kittitas Downtown Association

Printed Name

Signature

Date

KFACC/UKC Fuels Community Wildfire Planning

Implementing the National Cohesive Strategy



Agenda:

- Who is KFACC?
- Who is UKC Fuels?
- The threat in numbers – why we are doing this work?
- The National Cohesive Strategy in Kittitas County
- Q&A



Who is KFACC?

Kittitas Fire Adapted Communities Coalition: a stakeholder led initiative working to implement the National Cohesive Strategy for Wildland Fire in Kittitas County.

Meets 2nd Weds of the month, 1pm, at Cle Elum Fire.

All welcome. See <https://kittitasfireready.org>.

Working to implement the Kittitas County Community wildfire protection plan.



Who is UKC Fuels (Crew 421)?

- Fire District 6, Fire District 7, Roslyn Fire and WA DNR working together on wildland response planning, grants, and community hardening.
- A grant and DNR funded 20 person Type 2 crew based at RFD that works to prep potential control lines, and units for RX fire. Initial Attack (IA) available.
- Funding from congressionally designated spending \$750,000 and LSP \$325,000 grants secured.



The threat in Kittitas County

				"High or Very High Wildfire Hazard Potential"			
				Scoring Criteria			
	Name	State	"Scoring Priority" (see the followin	Wildfire Risk to Homes: State Rank (>70% qualifies)	Risk to Homes: National Rank	Hazard Potential: State Rank	Hazard Potential: National Rank
	Roslyn, WA	WA	yes	100%	99%	100%	99%
	Ronald, WA	WA	yes	99%	99%	100%	98%
	South Cle Elum, W	WA	yes	89%	93%	97%	93%
	Cle Elum, WA	WA	yes	90%	94%	96%	90%
	Thorp, WA	WA	yes	93%	96%	85%	74%
	Easton, WA	WA	yes	90%	94%	94%	88%
	Kittitas, WA	WA	yes	93%	96%	90%	81%
	Ellensburg, WA	WA	yes	85%	90%	80%	68%
Burned 2018	Paradise, CA	CA	yes	65%	93%	78%	97%
	Vantage, WA	WA	yes	87%	91%	80%	68%
Burned 2020	Malden, WA	WA	yes	77%	78%	49%	50%
	Snoqualmie Pass, W	WA	yes	71%	63%	78%	67%
Burned 2020	Detroit, OR	OR	no	54%	52%	75%	77%



The National Cohesive Strategy:

A strategic push to work collaboratively among all stakeholders and across all landscapes, using best science, to make meaningful progress towards the three goals:

- Resilient Landscapes
- Fire Adapted Communities
- Safe and Effective Wildfire Response

Vision: *To safely and effectively extinguish fire when needed; use fire where allowable; manage our natural resources; and as a nation, to live with wildland fire.*



Resilient Landscapes - UKC Fuels

- UKC Fuels Crew working for third year. Prescribed Burns, Fuels mitigation on public ROW's - Potential Control Lines (PCL's)
- Burned over 300 acres creating buffer around City of Roslyn. More RX planned each year – Moving east and west along ridge with TNC Treatments
- Working cross boundary with adjacent property owners



Fire Adapted Communities:

- Home Hardening
- Evacuation Route Planning
- Evacuation Route Hardening (\$10MM Community Wildfire Defense grant secured for work on routes).
- Evacuation Planning – pre-planned zones
- Emergency Alert Enhancements – Washington Wildfire Safety Systems pilot coming to county.



Why harden homes? A Paradise Community



Safe and Effective Wildfire Response:

- Work to build out Potential Operational Delineations (PODs) and Potential Control Lines (PCLs).

PODs are large geographic areas with similar fuels, topography, and values at risk. PCLs break PODs into smaller areas for suppression planning. The highest priority PCL and POD line in the County is the Cle Elum Ridge.

- Enhanced staffing and training. UKC Fuels has grown from 4 crew to a 20 person Type 2 Crew (421). TREX has provided multiple training opportunities for local firefighters.



Fall Prescribed Burning

UKC Fuels has multiple burns planned for the coming weeks on the Cle Elum Ridge.

- All burns permitted by WA DNR.
- All burns staffed with NWCG qualified burn boss and crews.
- There will be smoke impacts in the valleys during the Fall Burn season. Usually 2am – 9am.



Forest Resiliency Trail: More on the Why!

The forest resiliency trail is a stacked loop trail system out of Roslyn to the Cle Elum Ridge designed to demonstrate the various treatment methods used for forest health. The trail shows commercial logging, pre-commercial thinning, mechanical fuels reduction, and prescribed fire. More information can be found here:

<https://www.roslynfire.org/forestresiliencetrail>



KFACC/UKC Fuels Mapping Project:

In order to better plan for and respond to incidents and to develop a funding stream for fuels work we have developed an on-line mapping tool that tracks all aspects of the CWPP. It is publically available here:

<https://sartopo.com/m/7U1S3>



Q&A

Thank you!

Please feel free to e-mail with questions and comments:

KFACC Chair, Tony Craven: tcraven@suncadia.com

UKC Fuels, Chris Martin: chris.martin@roslynfire.org

Cle Elum Chief, Ed Mills: emills@cleelum.gov



**CITY OF CLE ELUM
WASHINGTON
ORDINANCE NO. 1653**

**AN ORDINANCE OF THE CITY OF CLE ELUM,
WASHINGTON, AMENDING THE CRITICAL AREAS
PROTECTION ORDINANCE, 18.01 CEMC; PROVIDING
FOR SEVERABILITY; AND ESTABLISHING AN
EFFECTIVE DATE**

WHEREAS, the Critical Areas Ordinance (CAO) is a set of development regulations that serves to protect sensitive areas in the City, including wetlands, steep slopes, fish and wildlife habitat areas, and critical aquifer recharge areas; and

WHEREAS, as part of the City's compliance with the Growth Management Act, the City is required to review its CAO in accordance with new best available science and make updates, as necessary; and

WHEREAS, the City's current CAO was last amended in 2010 (Ordinance No. 1335), as codified in Chapter 18.01 CEMC; and

WHEREAS, beginning in August 2020, a Best Available Science document was developed for the City to determine required amendments to bring the regulations into concurrence with state law, per the Department of Commerce Critical Areas Ordinance Checklist; and

WHEREAS, public comment was solicited throughout the process via the City's website and interested parties were kept up to date via social media and news media; and

WHEREAS, an open house was held in November 2020 which provided an opportunity for visioning and identification of high priority issues and sought specific input on several issues; and

WHEREAS, in February 2021, the City prepared draft amendments for review by other agencies and the public and feedback received was incorporated into the review and subsequent drafts; and

WHEREAS, a public hearing was held before the Cle Elum Planning Commission on March 16, 2021 to collect public comments on the proposed amendments; and

WHEREAS, following public testimony by the Washington State Department of Wildlife (WDFW), the City made additional revisions to the CAO, incorporating WDFW's guidance on

stream buffers into the ordinance for Crystal Creek, a fish-bearing stream that is not regulated under the City's Shoreline Master Program; and

WHEREAS, due to substantive WDFW comments, the City noticed a new public hearing on the CAO to incorporate feedback on the new revisions; and

WHEREAS, on May 4, 2021, the Planning Commission continued the Public Hearing, heard public comment, deliberated on the proposed action, and voted to recommend amendments to Chapter 18.01 CEMC – Critical Areas Protection to the City Council; and

WHEREAS, on September 6, 2023, the Planning Commission reviewed updated comments from the Department of Ecology and voted to accept the changes as presented and to recommend amendments to Chapter 18.01 CEMC – Critical Areas Protection to the City Council; and

WHEREAS, it is in the interest of the health, safety, and welfare of the City to adopt the regulations as described below.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 18.01 CEMC ("Critical Areas Protection"), Amended. Cle Elum Municipal Code Section 18.01 is hereby amended to read as set forth in the attached Exhibit A and incorporated herein by this reference.

Section 2. Severability. Should any portion of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

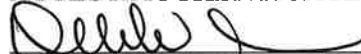
Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
14th DAY OF September 2023.

CITY OF CLE ELUM

Jay McGowan, Mayor

ATTEST/AUTHENTICATED:



Debbie Lee, City Clerk

**CITY OF CLE ELUM
Planning Department**

**Critical Areas Ordinance
Proposed Amendment**

AGENDA DATE: **September 11, 2023**

INCLUDED IN THIS PACKET:

Planning Commission recommendation 2023 and 2021
Consultant recommendation
Applicable meeting minutes
Draft ordinance 1653
Draft code with highlighted amendments
Best Available Science

CITY OF CLE ELUM
Planning Commission

Critical Areas Ordinance Update

DATE: September 11, 2023

TO: Planning Commission recommendation to the City Council to adopt the proposed Critical Areas Ordinance (CAO) amendments

FROM: Gary Berndt, Planning Commission Chair

RE: Planning Commission Recommendation for ORD 1653, amending CEMC 18.01 (CAO)

On behalf of the Planning Commission, I am pleased to forward the City Council this recommendation on the proposed amendments to the City's Critical Areas Ordinance Chapter 18.01 Cle Elum Municipal Code (CEMC).

BACKGROUND

The City's Critical Areas Ordinance (CAO) is a set of development regulations that serves to protect sensitive areas in the City, including wetlands, steep slopes, fish and wildlife habitat areas, and critical aquifer recharge areas. As part of the City's compliance with the Growth Management Act, the City is required to review its CAO in accordance with new best available science and make updates, as necessary. The City's current Critical Areas Ordinance was last amended in 2010 (Ordinance No. 1335), as codified in Chapter 18.01 CEMC. AHBL was contracted as a consultant to assist with the process and perform work for the update. AHBL sub-contracted with Herrera Environmental Consultants for review of the Best Available Science (BAS).

PROJECT HISTORY

AHBL identified items to consider amending or updating using a Department of Commerce CAO checklist and Herrera's Best Available Science report. Using that as a basis for amendments, AHBL began review of the existing CAO in August 2020.

Public comment was solicited throughout the process via the City's website and interested parties were kept up to date via social media and news media. An open house was held on November 10, 2020 which provided an opportunity for visioning and identification of high-priority issues and sought specific input on several issues. Public comments were encouraged throughout and posted to the webpage.

In February 2021, AHBL prepared draft amendments for review by other agencies and the public. Feedback received was incorporated into the review and subsequent drafts.

On March 16, 2021, the Planning Commission held a Public Hearing on the CAO amendments. Following public testimony by the Washington State Department of Wildlife (WDFW), the City made additional revisions to the CAO, incorporating WDFW's guidance on stream buffers into the ordinance for Crystal Creek, a fish-bearing stream that is not regulated under the City's Shoreline Master Program. The City noticed a new public hearing on the CAO to incorporate feedback on the new revisions.

On May 24th, 2021, City Planner, Lucy Temple; Planning Commission Chair, Gary Berndt; and two consultants from AHBL presented their findings to Council, and recommended adopting Ordinance No. 1606, noting that the City was currently out of compliance. At this meeting, discussion ensued regarding the Best Available Sciences used to determine mapping. A motion was made by Ken Ratliff and seconded by Beth Williams to table this agenda item until the next meeting. The motion carried unanimously. The Shoreline Master Plan was adopted by Council, under ORD 1606.

On June 14th, 2021, Mayor McGowan reported to the Council that the City was conducting an internal review of the Best Available Sciences and that a report would be brought back to a future meeting. The review went back to the Planning Commission.

As of September 2023, staff has met with the Department of Ecology and reviewed the proposed regulations and Best Available Science and received support as well as recommended edits to the existing documents to bring them up to date.

On September 5, 2023, The Planning Commission discussed next steps and Commissioner Brissey made a motion to forward the existing documents with the recommended changes from the Department of Ecology to the City Council. Commissioner Kantwill seconded. The motion carried unanimously.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends that the City Council adopt Ordinance No. 1653, amendments to the Critical Areas Ordinance as presented in the packet materials and attached as Exhibit A to the ordinance.



Gary Berndt
Chair, City of Cle Elum Planning Commission

SEPTEMBER 6, 2023

Date

CITY OF CLE ELUM
Planning Commission

Critical Areas Ordinance Update

DATE: May 5, 2021

TO: Planning Commission recommendation to the City Council to adopt the proposed Critical Areas Ordinance (CAO) amendments.

FROM: Gary Berndt, Planning Commission Chair

RE: Planning Commission Recommendation for ORD 1606, amending CEMC 18.01 (CAO)

On behalf of the Planning Commission, I am pleased to forward to the City Council this recommendation on the proposed amendments to the City's Critical Areas Ordinance Chapter 18.01 Cle Elum Municipal Code (CEMC).

BACKGROUND

The City's Critical Areas Ordinance (CAO) is a set of development regulations that serves to protect sensitive areas in the City, including wetlands, steep slopes, fish and wildlife habitat areas, and critical aquifer recharge areas. As part of the City's compliance with the Growth Management Act, the City is required to review its CAO in accordance with new best available science and make updates, as necessary. The City's current Critical Areas Ordinance was last amended in 2010 (Ordinance No. 1335), as codified in Chapter 18.01 CEMC. AHBL was contracted as a consultant to assist with the process and perform work for the update. AHBL sub-contracted with Herrera Environmental Consultants for review of the Best Available Science (BAS).

PROJECT HISTORY

AHBL identified items to consider amending or updating using a Department of Commerce CAO checklist and Herrera's Best Available Science report. Using that as a basis for amendments, AHBL began review of the existing CAO in August 2020.

Public comment was solicited throughout the process via the City's website and interested parties were kept up to date via social media and news media. An open house was held on November 10, 2020 which provided an opportunity for visioning and identification of high-priority issues and sought specific input on several issues. Public comments were encouraged throughout and posted to the webpage.

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Master Program. The City noticed a new public hearing on the CAO to incorporate feedback on the new revisions.

PLANNING COMMISSION RECOMMENDATION

On May 4, 2021, the Planning Commission continued the Public Hearing, heard public comment, deliberated on the proposed action, and voted 4-0 to recommend amendments to Chapter 18.01 CEMC – Critical Areas Protection to the City Council.

The Planning Commission recommends that the City Council adopt Ordinance No. 1606, amendments to the Critical Areas Ordinance as presented in the May 4, 2021 Planning Commission packet materials and attached as Exhibit A to the ordinance.



Gary Berndt
Chair, City of Cle Elum Planning Commission

5/5/2021
Date

PROJECT MEMO



TO: Lucy Temple,
City Planner
City of Cle Elum

DATE: March 30, 2021

FROM: Brittany Port, AICP
Josh Kubitzka, AICP
Tacoma - (253) 383-2422

PROJECT NO.: 2200315.30

PROJECT NAME: Cle Elum Critical Areas Ordinance Update

SUBJECT: WDFW CAO Stream Buffer Response Memo

On March 16, 2021, the City of Cle Elum Planning Commission requested that AHBL look into how incorporating the Washington Department of Fish and Wildlife (WDFW) comments into the City of Cle Elum Critical Area Ordinance would impact the periodic update schedule.

On March 17, 2021, Lucy Temple, City Planner for the City of Cle Elum, along with AHBL and Herrera Environmental Staff met to discuss Washington Department of Fish and Wildlife comments on the City of Cle Elum's Critical Area Ordinance (CAO) Update and next steps.

Summary:

The WDFW Riparian Ecosystems, Volume 2: Management Recommendations (2020 Stream Guidance) was published in December 2020. The 2020 Stream Guidance was published after the City's consultants (AHBL and Herrera Environmental) completed the Best Available Science and prepared amendments to the City's Critical Area Ordinance updates. The City of Cle Elum received comments on its CAO amendments from the WDFW requesting the City incorporate the Stream Guidance on February 16, 2021 following the distribution of City's SEPA Notice of Decision.

WDFW is requesting that the City of Cle Elum incorporate the new stream guidance into its CAO update. The 2020 Stream Guidance utilizes Site-Potential-Tree Height (SPTH) to determine stream buffers, as opposed to prior guidance that relied on standard buffers assigned based on stream typing. Additionally, the new stream guidance measures the stream buffer from the Channel Migration Zone (CMZ) instead of the Ordinary High-Water Line (OHWL) that is used within the City's Shoreline Master Program. It appears from the WDFW SPTH Map that the 2020 Stream Guidance would require a stream buffer between a minimum of 100 feet to 169 feet in the City of Cle Elum. It does not appear from the guidance if WDFW would allow stream buffer reduction or buffer averaging that would reduce the stream buffer less than 100-feet. WDFW does not currently have template code language to assist the City in incorporating the Stream Guidance.

Currently, the City does not require buffers on streams not regulated by the City's Shoreline Master Program which addresses the Yakima and Cle Elum Rivers and does not include Crystal Creek or any ephemeral (seasonal) streams. Prior to the 2020 Stream Guidance, the Best Available Science recommended utilizing a 25-foot buffer for all non-fish bearing streams and a 50-foot buffer for fish bearing streams measured from the OHWL. Increasing the stream buffer from zero (as the CAO previously did not require buffers for any streams in the City) to 25 and 50 feet is a significant regulatory change for the City. If the City incorporated the 2020 Stream Guidance, the City's stream buffers would go from zero to between 100- and 165-feet as measured from the CMZ. This would require Town Ditch and other waterways going through the City to have a minimum of a 100-foot buffer causing many properties within heavily developed parts of the City to become legal non-conforming properties. The increase in non-conforming status will cause hardships for the City to regulate and property owners to develop.

Additionally, the City is already heavily developed in the areas that would be affected. The main area of the City that could see additional development pressure is along Crystal Creek. Crystal Creek is a fish bearing stream, with established vegetation, that flows into the Yakima River (Shoreline of the State). There are sections along Crystal Creek that have not been developed or feature less intensive development. If the intent of the 2020 Stream



Guidance is to protect streams and existing riparian habitat, it appears that Crystal Creek would provide the most benefit from the new stream guidance.

Recommendation:

We recommend that the City of Cle Elum Planning Commission take one of two strategies to addressing the comments presented by the WDFW:

1. CAO Version 1: Move forward with the Draft CAO Amendments Version 1 that was presented at the March 16, 2021 Planning Commission and does not address WDFW stream buffer comments;
2. CAO Version 2 (preferred option): Move forward with the Draft CAO Amendments Version 2 that has been included with this packet and adopts site-potential-tree-height buffers for Crystal Creek only.

Full incorporation of the 2020 Stream Guidance would significantly increase non-conformities within the City and would likely cause avoidance of redevelopment due to stream buffer impacts. Additionally, Crystal Creek is the only stream with major development pressure. It is recommended that the City continues with the proposed 25-foot and 50-foot buffers measured from the OHWL for all non-fish and fish bearing streams, except Crystal Creek. On Crystal Creek, we recommend that the buffer be based on the SPTH measured from the CMZ as recommended by the 2020 Stream Guidance. This will allow the City to protect the streams within the developed portions of the City without causing significant non-conformity issues, while also allowing for greater protections along Crystal Creek where the City may see future development. The Draft CAO Amendments Version 2 includes the WDFW recommended definitions, reference to the 2020 Stream Guidance, new stream report requirements, and streams buffers for Crystal Creek based on Site-Potential-Tree Height. All other streams would be regulated by water type and standard buffer as recommended by the BAS and previously reviewed by the Planning Commission.

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CITY OF CLE ELUM
PLANNING COMMISSION MEETING
Meeting Minutes
March 16, 2021 6:00

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6 **1. Call to Order & Roll Call**

7 *Commissioner Berndt called the meeting to order at 6:01pm. All Commissioners were*
8 *present.*

9 **Set Agenda**

10 *Commissioner Hawk motioned and Commissioner Torrey seconded to set the agenda as*
11 *presented. Motion passed.*

12 **2. Review of the minutes**

13 *Review minutes from February 16, 2021. Commissioner Torrey motioned and*
14 *Commissioner Hawk seconded to accept the minutes as presented. Motion passed.*

15 **3. Staff Report**

16 *Staff yielded their time in light of full agenda.*

17 **4. Citizen Comments on Non-Agenda Items (limited to 5 minutes)**

18 *None.*

19 **5. Public Appearances**

20 *None.*

21 **6. New Business**

22 **a. Draft 2021 Planning Commission Work Program – Gregg Dohrn**

23 *Mr. Dohrn requested to review the work program at a later meeting because of*
24 *potential changes based on the outcome from hearings on this agenda and whether*
25 *there are any submittal for comprehensive plan amendments [due March 31]. Mr.*
26 *Dohrn anticipates reviewing the work program at the Commission's next meeting and*
27 *then as needed and quarterly or as-needed thereafter.*

28 **b. Future Land Use Map (FLUM) – Gregg Dohrn**

29 *Planning consultant Gregg Dohrn introduced the Future Land Use Map and the*
30 *iterative process the Commission can expect. Mr. Dohrn introduced the Future Land*
31 *Use Map (FLUM), which is used to evaluate changes to the zoning map. The FLUM*
32 *presented by Mr. Dohrn is what is in effect today and stated that there are planned*
33 *changes. Discussion will ultimately be provided to the City Council for adoption.*

34 *The FLUM shows a mix of industrial, commercial, and residential along First Street.*
35 *Mr. Dohrn asked if the City's vision is to have residences next to industrial and*
36 *commercial or whether that area would be additional industrial and commercial.*

37 *Discussion included foreseeable future development of the First Street corridor,*
38 *planning for more attractive downtown entrances, rezoning some of the industrial*
39 *areas away from downtown, developing downtown "gateways", and different*
40 *levels/types of commercial zoning.*

41 *Mr. Dohrn asked for the Commission's thoughts on the future of Second Street,*
42 *particularly on the south side. Discussion ensued regarding potential commercial*
43 *zoning along West Second Street*

Commissioner Berndt asked how the Commission could develop a set of recommendations to be the most productive. Mr. Dohrn responded that after each Commission discussion, revised maps with notes will be presented to the Commission for follow-up discussion.

Official Zoning Map (OZM) – Gregg Dohrn

The agenda did not allow time for this agenda item.

7. **Business Requiring Open Hearing**

a. **Joint Public Hearing on Shoreline Master Program Periodic Update – City/Ecology**

- City consultant Josh Kubitza of AHBL presented a PowerPoint introducing proposed changes to the Shoreline Master Program (SMP).
- Commissioner Torrey recused herself since she is an agency representative for the Washington Department of Fish & Wildlife (WDFW) who submitted comments. Commissioner Torrey muted her microphone and did not participate in the discussion.
- Commissioner Berndt opened the public hearing at 7:16pm.
- Testimony was taken from Jennifer Nelson from WDFW who made the Commission aware that the agency submitted comments on the SMP earlier in the day. Commissioners should be aware of the draft online Habitat and Species Maps and channel migration maps. Encourage city to incorporate and implement best available science of the WDFW proposed aquatic area protection.
- Public comment portion of the hearing was closed at 7:22pm.
- Discussion of the SMP and proposed changes and how the WDFW comments might alter the draft SMP as presented to the Commission. AHBL added that the WDFW comments do add some complexity to the process which has already been presented to the public through the hearing notices and the SEPA process.
- The Ecology checklist includes the best guidance and state law updates that the City is required to include. If the discussions with the Ecology based on WDFW changes require additional changes to be made would result in a schedule change that would delay the City's adoption of the WDFW proposed changes.
- Chelsea Benner of Ecology informed the Commission that the joint comment period ends on March 3, 2021. Once the comment period is over, the comments are formally responded to and the comments and drafts are submitted to Ecology. If amendments are added to the draft that was circulated, the City can bring the SMP review back to the Commission at their discretion. Ms. Benner highlighted the complete timeline of the review, approval, and appeals process. After the June 30, 2021 deadline all work must be paid for by the City.
- The City could cover the amendment in a locally-initiated amendment at any time.
- Public hearing was closed at 7:48pm and Commissioner Berndt asked the Commission for action on how to move forward.
- Ecology needs comments and the proposed SMP to be submitted within 30 days of the close of the joint public comment period, which allows time for AHBL to present a high-clip assessment of how WDFW SMP comments would change the

scope, schedule, and budget of the project, which has a June 30, 2021 deadline requirement.

- Commissioner Berndt asked for a motion to continue the discussion of the SMP action to the April 6th meeting where the Commission will hear from AHBL on extent of SMP comments and how the process might change accordingly. Commissioner Graham moved and Commissioner Hawk seconded. Motion passed.

b. Public Hearing on Critical Areas Ordinance Update – City

- City consultant Josh Kubitza of AHBL presented a PowerPoint introducing proposed changes to the Critical Areas Ordinance (CAO).
- Commissioner Torrey remained recused during this portion of the meeting since she is an agency representative for WDFW who submitted comments on the draft CAO. Commissioner Torrey's microphone remained muted and she did not participate in the discussion.
- Commissioner Berndt opened the public hearing at 8:12pm.
- Testimony was taken from Jennifer Nelson from WDFW who made the Commission aware that there are other critical areas besides Crystal Creek. Ms. Nelson stated that the riparian protection area should be no less than 100 feet and should be based on the height of trees used horizontally within the riparian zone.
- Public comment portion of the hearing was closed at 8:16 pm.
- The Commission and staff discussion included how the proposed changes would impact the process. Staff provided an overview of how the SMP and CAO are different, and how they may overlap, in addition to why the City chose to run the SMP/CAO processes simultaneously.
- The discussion of the WDFW comments surrounded the Site Potential Tree Height (SPTH) rather than standard stream buffers.
- Public hearing was closed at 8:56 pm and Commissioner Berndt asked the Commission for action on how to move forward.
- Commissioner Hawk made a motion to continue the discussion of the proposed CAO to the next Commission meeting on April 6th, 2021. Staff and consultants will provide WDFW comments and proposed recommended changes.

8. Unfinished Business

None.

9. Report of Committees

None.

10. Commissioner Comments and Discussion

Deliverables for the next meeting: SMP – AHBL will assess how comments might be addressed reasonably to reach a Commission decision for recommendation to City Council, and CAO – AHBL will assess how WDFW comments might be addressed reasonably and how that might change the scope, schedule, and budget for the project.

11. Adjournment

Commissioner Fluegge motioned and Commissioner Hawk seconded to adjourn the meeting at 9:02pm. Next regular meeting Tuesday, April 6, 2021, 6:00 pm.

CITY OF CLE ELUM
PLANNING COMMISSION MEETING
Meeting Minutes
April 6, 2021 6:00

1. Call to Order & Roll Call

Commissioner Berndt called the meeting to order at 6:00pm. Commissioners Peterson and Graham were absent. Commissioner Hawk motioned and Commissioner Fluegge seconded to excuse Commissioner Graham. Motion passed.

Set Agenda

Commissioner Fluegge motioned and Commissioner Hawk seconded to set the agenda as presented. Motion passed.

2. Review of the minutes

Review minutes from March 16, 2021. Commissioner Torrey motioned and Commissioner Hawk seconded to accept the minutes as presented. Motion passed.

3. Staff Report

Staff yielded their time considering the full agenda.

4. Citizen Comments on Non-Agenda Items (limited to 5 minutes)

None.

5. Public Appearances

None.

6. Business Requiring Open Hearing

None.

7. New Business

a. First and Second Street plans – Lucy Temple

Staff presented the City's First and Second Street plans in response to a discussion at the March 16th Commission meeting when consultant Gregg Dohrn and the Commission discussed future land use plans for the commercial and industrial areas. The City is pursuing a pedestrian/bike (residential) focus on Second Street, a commerce/tourism/dining focus on First in the Downtown Core, and an industrial/freight focus on Railroad Street.

8. Unfinished Business

a. Announcements, appointments, awards, & recognition

i. Summary of training for Commission meetings – Pam Hawk/Lucy Temple

The City Planner provided a summary of the Jurassic Parliament course she, Commissioners Berndt and Hawk, the City's Mayor, and Clerk all attended in February.

b. Continued Review of Future Land Use Map

Planning consultant Gregg Dohrn led the Commission through a continued discussion about updating the Future Land Use Map. Mr. Dohrn with specific areas of discussion.

Mr. Dohrn also introduced a discussion about vacant parcels based on their current zoning.

c. Shoreline Master Program – ongoing discussion

1 Staff presented the Shoreline Master Program (SMP) periodic review
2 recommendation based on best available science and WDFW comments, and
3 commissioner discussion followed.

4 *Commissioner Hawk motioned to accept the SMP as proposed as part of the SMP*
5 *periodic review, without incorporating the 2020 Stream Guidance until Ecology has*
6 *worked with WDFW to publish guidance for how local jurisdictions can incorporate*
7 *this guidance. Commissioner Fluegge seconded. Motion passed.*

8 d. **Critical Areas Ordinance – ongoing discussion**

9 Staff presented the Critical Areas Ordinance (CAO) recommendations from the CAO
10 consultants based on best available science and WDFW comments, and commissioner
11 discussion followed.

12 *Commissioner Hawk moved to accept the consultant recommendation of CAO*
13 *Version 2 establishing 25-50-ft buffers from the O~~W~~WL, except on Crystal Creek*
14 *where the buffer will be based on SPTH measured from the CMZ as recommended by*
15 *the 2020 Stream Guidance. The motion was seconded by Commissioner Fluegge. The*
16 *motion passed.*

17
18 *Commissioner Berndt requested a motion to recommend amendments to the SMP and*
19 *CAO as proposed to the City Council. Commissioner Hawk moved and Commissioner*
20 *Fluegge seconded. Motion passed.*

21
22 9. **Report of Committees**

23 None.

24 10. **Commissioner Comments and Discussion**

25 None.

26 **Adjournment**

27 *Commissioner Berndt adjourned the meeting at 8:15pm. Next regular meeting Tuesday,*
28 *April 20, 2021, 6:00 pm.*

CITY OF CLE ELUM
PLANNING COMMISSION MEETING
Meeting Minutes
April 20, 2021 6:00

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6 **1. Call to Order & Roll Call**

7 *Commissioner Berndt called the meeting to order at 6:00pm. Commissioner Peterson was*
8 *absent.*

9 **Set Agenda**

10 *Commissioner Fluegge motioned and Commissioner Torrey seconded to set the agenda*
11 *as presented. Motion passed.*

12 **2. Review of the minutes**

13 *Review minutes from April 6, 2021. Commissioner Torrey motioned and Commissioner*
14 *Fluegge seconded to accept the minutes as presented. Motion passed.*

15 **3. Staff Report**

16 *Staff reported that on April 9, 2021 the City issued a notice of an application for a minor*
17 *modification to the City Heights development agreement with a two-week comment*
18 *period ending on April 23, 2021. Staff also reported that on April 16, 2021 the City*
19 *published the Final Supplemental Environmental Impact Statement for and that an*
20 *application for the development is anticipated now that the EIS process is complete. Staff*
21 *advised that additional information for both projects are on the City's website.*
22 *Commissioners commented that the notice for City Heights did not include sufficient*
23 *detail on the proposed modification and that commissioners did not receive the*
24 *notifications. Gregg Dohrn discussed the modification in terms of a limited potential for*
25 *public comment at this time, the modification of Summit View Road, and concerns of the*
26 *City for park dedications. Mr. Dohrn encouraged the Commissioners to review the terms*
27 *of the approval. Mr. Dohrn also included a recommendation to review the City's website.*

28 **4. Citizen Comments on Non-Agenda Items (limited to 5 minutes)**

29 *None.*

30 **5. Public Appearances**

31 *None.*

32 **6. Business Requiring Open Hearing**

33 *None.*

34 **7. Unfinished Business**

35 **a. Announcements, appointments, awards, & recognition**

36 *None.*

37 **b. Posting Commission packets to website.**

38 *Staff advised that the Commission's packets have been posted to the Planning*
39 *Commission's agendas and minutes page on the City's website and would be*
40 *available at that location in the future.*

41 **c. Request for update on Commission's role in recommending the SMP/CAO to City**
42 **Council**

43 *Staff updated the Commission on the status of the SMP/CAO with an additional*
44 *Planning Commission public hearing at the May 4, 2021 meeting. This will be*

1 followed by a presentation of the formal recommendation to City Council at one of
2 their May meetings.

3 d. Review of Future Land Use Map – Gregg Dohrn

4 Planning consultant Gregg Dohrn led the Commission through a continued discussion
5 about updating the Future Land Use Map (FLUM). Mr. Dohrn highlighted several
6 sections of the FLUM and asked the commissioners for their preferences in each area.
7 Discussions focused on best locations for industrial, commercial, and residential
8 areas. Mr. Dohrn informed the Commissioners that a further discussion about multi-
9 family zoning would commence at the next meeting. Commissioners also discussed
10 the potential for a green space in the vicinity of Crystal Creek south of First Street.

11 Mr. Dohrn also highlighted the Urban Growth Areas adjacent to the City limits and a
12 discussion ensued about these areas and their potential to annex into the City.

13 8. New Business

14 a. Introduce Comprehensive Plan amendment received – Gregg Dohrn

15 Agenda did not reach this item.

16 b. Introduce Official Zoning Map and Table of Permitted Uses – Gregg Dohrn

17 Agenda did not reach this item.

18 9. Report of Committees

19 None.

20 10. Commissioner Comments and Discussion

21 Mr. Dohrn said he will provide the updated maps and provide large poster copies to the
22 Commission before their next meeting.

23 Staff announced the Commission's iPads should be available by the next regular meeting
24 and that Commissioners will need to sign a document acknowledging receipt.

25 Adjournment

26 *Commissioner Berndt called for a motion to adjourn. Commissioner Fluegge motioned*
27 *and Commissioner Hawk seconded to adjourn the meeting at 7:32pm. Next regular*
28 *meeting Tuesday, May 4, 2021, 6:00 pm.*

CITY OF CLE ELUM
PLANNING COMMISSION MEETING
Meeting Minutes
May 4, 2021 6:00

1. **Call to Order & Roll Call**

Commissioner Berndt called the meeting to order at 6:00pm. Commissioner Fluegge was absent. Commissioner Torrey motioned and Commissioner Hawk seconded to excuse Commissioner Fluegge.

Set Agenda

Commissioner Torrey motioned and Commissioner Hawk seconded to set the agenda as presented. Motion passed.

2. **Adoption of Minutes**

Review minutes from April 20, 2021. Commissioner Hawk motioned and Commissioner Torrey seconded to accept the minutes as presented. Motion passed.

3. **Staff Report**

Staff announced the Commission's iPads will be distributed when setup is complete. Staff reported on older developments or approvals in response to an email request from Commissioner Torrey. Mr. Dohrn assisted with filling in details for Cle Elum Pines West and City Heights current statuses, neither of which are likely to come before the Planning Commission. Mr. Dohrn advised that the Commission might see the 47 Degrees North project, which may need a public hearing for modifications to the master site plan. Mr. Dohrn

4. **Citizen Comments on Non-Agenda Items (limited to 5 minutes)**

None.

5. **Public Appearances**

None.

6. **Business Requiring Open Hearing**

a. **Proposed Critical Areas Ordinance amendments**

- Staff provided a brief background before the hearing on the proposed Critical Areas Ordinance and reason for the second hearing.
- Commissioner Torrey recused herself since she is an agency representative for the Washington Department of Fish & Wildlife (WDFW) who submitted comments. Commissioner Torrey muted her microphone and did not participate in the discussion.
- Commissioner Berndt opened the public hearing at 6:38pm.
- No comments were received.
- Commissioners discussed the proposed ordinance amendment.
- Commissioner Berndt asked for a motion to adopt a recommended version. Commissioner Graham moved to recommend version 2 of the Critical Areas Ordinance to the City Council and Commissioner Hawk seconded. Motion passed.

7. **Unfinished Business**

a. **Announcements, appointments, awards, & recognition**

1 None.

2 b. Continued Review of potential Future Land Use Map amendments – Gregg Dohrn

3 Mr. Dohrn presented the potential Future Land Use Map (FLUM) and a draft of the

4 potential amendments to the goals and policies of the Comprehensive Plan that will

5 accompany the FLUM.

6 **8. New Business**

7 a. Introduce Official Zoning Map and Table of Permitted Uses – Gregg Dohrn

8 Mr. Dohrn presented the draft Official Zoning Map and will plan to provide

9 additional information at the next meeting. The next meeting will discuss potential

10 changes to the draft Zoning map and particularly multi-family zoning.

11 Mr. Dohrn will provide this information to the Commissioners and a map that

12 highlights priority areas for future property acquisition areas.

13 Time did not allow for a presentation of the Table of Permitted Uses by Mr. Dohrn.

14 **9. Report of Committees**

15 None.

16 **10. Commissioner Comments and Discussion**

17 Commissioner Berndt requested staff and Mr. Dohrn to discuss a work plan at the next

18 meeting. Commissioners brought up a design guideline priority, particularly at entrance

19 points into the City.

20 **Adjournment**

21 *Commissioner Berndt called for a motion to adjourn. Commissioner Torrey motioned*

22 *and Commissioner Hawk seconded to adjourn the meeting at 7:31pm. Next regular*

23 *meeting Tuesday, May 18, 2021, 6:00 pm.*

Chapter 18.01 CRITICAL AREAS PROTECTION*

Sections:

18.01.010	Purpose.
18.01.020	Definitions.
18.01.030	Designation and mapping of critical areas.
18.01.040	Construction with other laws.
18.01.050	Permitting.
18.01.055	Determination.
18.01.060	New permits required for activities in critical areas.
18.01.070	Performance standards.
18.01.080	Exemptions.
<u>18.01.085</u>	<u>Notice and financial securities.</u>
18.01.090	Reasonable use.
18.01.100	Penalties <u>Enforcement.</u>
18.01.110	Administrative appeals.
18.01.120	Nonconforming activities.
18.01.130	Severability.

* Editor's note: Ord. No. 1335, § 1, adopted Nov. 9, 2010, amended Ch. 18.01 in its entirety to read as herein set out. Former ch. 18.01, §§ 18.01.010 – 18.01.520, pertained to maintenance, enhancement and preservation of critical areas, and derived from Ord. 1039, adopted 1996.

18.01.010 Purpose.

The purpose of this chapter is to protect the functions and values of critical areas, and to protect the public health, safety, and welfare of the citizens of Cle Elum. Additionally, this chapter is intended to protect public and private property and natural ecosystems found within city limits. The City of Cle Elum shall regulate all uses, activities and developments within, adjacent to, or likely to affect, one or more critical areas, consistent with the best available science and the provisions herein. The City of Cle Elum finds that development in and/or near critical areas may pose a threat to public and private property, to natural ecosystems and to the public health, safety and welfare. This chapter aims to protect critical areas and to channel development to less ecologically sensitive areas.

(Ord. 1335 § 1, 2010)

18.01.020 Definitions.

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

"Anadromous fish" means fish that spawn and rear in freshwater and mature in the marine environment.

"Best available science" means current scientific information used in the process to designate, protect, or restore critical areas, that is derived from a valid scientific process as defined by WAC 365-195-900 through 925. Sources of best available science are included in "Best Available Science For the City of Cle Elum, Washington" prepared dated October 28, 2020 or amended --

"Buffer" means an area contiguous to and protects a critical area that is required for the continued maintenance, functioning, and/or structural stability of a critical area. "Buffer" or "wetland buffer" shall mean those standard buffer widths as shown on attached in CEMC 18.01.070 Table 18.01-12.

Table 18.01-1. Table Wetland Buffer Requirements

Wetland Category	Standard Buffer Width
<u>Category I: Based on total score</u>	<u>75 ft</u>
<u>Category I: Forested</u>	<u>75 ft</u>
<u>Category I: Bogs</u>	<u>190 ft</u>
<u>Category I: Alkali</u>	<u>150 ft</u>
<u>Category I: Natural Heritage Wetlands</u>	<u>190 ft</u>
<u>Category II: Based on total score</u>	<u>75 ft</u>
<u>Category II: Vernal Pool</u>	<u>150 ft</u>
<u>Category II: Forested</u>	<u>75 ft</u>
<u>Category III: (all)</u>	<u>60 ft</u>
<u>Category IV: (all)</u>	<u>40 ft</u>

"Critical areas" include the following areas and ecosystems: "

1. Wetlands;

2. Areas with a critical recharging effect on aquifers used for potable water;

~~3. Fish and wildlife habitat conservation areas;~~

~~4. Frequently flooded areas; and~~

~~5. Geologically hazardous areas.~~

"Channel migration zone (CMZ)" means the area along a river within which the channel(s) can be reasonably predicted to migrate over time as a result of natural and normally occurring hydrological and related processes when considered with the characteristics of the river and its surroundings. ~~"Fish and wildlife habitat conservation areas"~~

"Compensatory mitigation" means replacing project-induced critical areas losses or impacts, and includes, but is not limited to restoration, creation, enhancement, and/or preservation.

"Creation" means actions performed to intentionally establish a critical area at a site where it did not formerly exist.

"Critical aquifer recharge area (CARA)" means an area designated by WAC 365-190-100 that is determined to have a critical recharging effect on aquifers (i.e., maintain the quality and quantity of water) used for potable water as defined by WAC 365-190-030(3). These areas include the following:

1. Wellhead Protection Areas;
2. Sole Source Aquifers;
3. Susceptible Ground Water Management Areas;
4. Special Protection Areas;
5. Moderately or Highly Vulnerable Aquifer Recharge Areas; and
6. Moderately or Highly Susceptible Aquifer Recharge Areas.

"Enhancement" means actions performed within an existing degraded shoreline, critical area, and/or buffer to intentionally increase or augment one or more ecological functions or values of the existing area. Enhancement actions include, but are not limited to, increasing plant diversity and cover, increasing wildlife habitat and structural complexity (snags, woody debris); installing environmentally compatible erosion controls; or removing non-indigenous plant or animal species.

"Fish and wildlife habitat conservation areas" are areas that serve a critical role in sustaining needed habitats and species for the functional integrity of the ecosystem, and which, if altered, may reduce the likelihood that the species will persist over the long term. These areas may include, but are not limited to, rare or vulnerable ecological systems, communities, and habitat or habitat elements including seasonal ranges, breeding habitat,

winter range, and movement corridors, and areas with high relative population density or species richness. Counties and cities may also designate locally important habitats and species.

1. "Habitats of local importance" designated as fish and wildlife habitat conservation areas include those areas found to be locally important by counties and cities.
2. "Fish and wildlife habitat conservation areas" does not include such artificial features or constructs as irrigation delivery systems, irrigation infrastructure, irrigation canals, or drainage ditches that lie within the boundaries of, and are maintained by, a port district or an irrigation district or company.
include:
1. Areas with which endangered, threatened, and sensitive species have primary association;
2. Habitats and species of local importance;
3. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish and wildlife habitat;
4. Waters of the state;
5. State natural area preserves and natural resource conservation areas;

"Frequently flooded areas" means lands in the floodplain subject to a one percent (1%) or greater chance of flooding in any given year, or within areas subject to flooding due to high groundwater and those lands that provide important flood storage, conveyance, and attenuation functions. These areas include, but are not limited to, streams, rivers, lakes, wetlands, and areas where high groundwater forms ponds on the ground surface include those flooded areas in the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program, and Crystal Creek and ephemeral drainages identified by DNR and the Washington Department of Fish and Wildlife (WDFW) and other frequently flooded areas.

"Floodway" are all areas designated as regulatory floodways, potholes and shaded X zones that are three feet or greater in depth, and active stream channels.

"Floodplain" are all areas subject to inundation by the base flood, but outside the limits of the floodway. Those portions of the A, AE, AH, and shaded X zones not defined as floodway, and that portion of a pothole and FEMA shaded X zone area that is between zero feet (base flood elevation) and three feet in depth.

"Geologically hazardous area" means an area that is not suited to commercial, residential, or industrial development because of its susceptibility to erosion, sliding, earthquakes, or other geological events hazardous to public health or safety.

"In-kind compensation" means to replace critical areas with substitute areas whose characteristics and functions closely approximate those destroyed or degraded by a regulated activity. -The determination of in-

kind versus out-of-kind compensation for wetlands is dependent upon equivalency in wetland functions, not wetland categories.

"Mitigation" -means avoiding, minimizing or compensating for adverse critical areas impacts. Mitigation, in the following order of preference, is:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. 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 redesign, relocation, or timing, to avoid or reduce impacts;
3. Rectifying the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by repairing, rehabilitating or restoring the affected environment to the conditions existing at the time of the initiation of the project;
4. Minimizing or eliminating the hazard by restoring or stabilizing the hazard area through engineered or other methods;
5. Reducing or eliminating the impact or hazard over time by preservation and maintenance operations during the life of the action;
6. Compensating for the impact to wetlands, critical aquifer recharge areas, and habitat conservation areas by replacing, enhancing, or providing substitute resources or environments; and
7. Monitoring the hazard or other required mitigation and taking remedial action when necessary.

Mitigation for individual actions may include a combination of the above measures.

"Moderately or highly susceptible aquifer recharge areas" means aquifer recharge areas moderately or highly susceptible to degradation or depletion because of hydrogeologic characteristics are those areas meeting the criteria established by the Washington State Department of Ecology (Ecology).

"Moderately or highly vulnerable aquifer recharge areas" means aquifer recharge areas that are moderately or highly vulnerable to degradation or depletion because of hydrogeologic characteristics are those areas delineated by a hydrogeologic study prepared in accordance with Ecology guidelines.

"Monitoring" means evaluating the impacts of development proposals on the biological, hydrological, and geological elements of such systems and assessing the performance of required mitigation measures throughout the collection and analysis of data by various methods for the purpose of understanding and documenting changes in natural ecosystems and features; and includes gathering baseline data.

"Ordinary high watermark (OHWM)" on all lakes, rivers, and streams means that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the

abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the Washington State Department of Ecology; provided that in any area where the OHWM cannot be found, the OHWM salt water shall be the line of mean higher high tide and the OHWM adjoining freshwater shall be the line of mean high water.

"Priority habitat" means a habitat type with a unique or significant value to one (1) or more species. An area classified and mapped as priority habitat must have one (1) or more of the following attributes: comparatively high fish or wildlife densities; comparatively high fish or wildlife species diversity; fish spawning habitat; important wildlife habitat; important fish or wildlife seasonal range; important fish or wildlife movement corridors; rearing and foraging habitat; refuge; limited availability; high vulnerability to habitat alteration; unique or dependent species; or shellfish beds. A priority habitat may be described by its unique vegetation type or by a dominant plant species that is of primary importance to fish and wildlife (such as oak woodlands or eelgrass meadows). A priority habitat may also be described by a successional stage (such as old growth and mature forests). Alternatively, a priority habitat may consist of a specific habitat element (such as talus slopes, caves, snags) of key value to fish and wildlife. A priority habitat may contain priority and/or non-priority fish and wildlife (WAC 173-26-020(28)).

"Priority species" means species requiring protective measures and/or management guidelines to ensure their persistence at genetically viable population levels. Priority species are those that meet any of the criteria listed in WAC 173-26-020(29).

"Rehabilitation" means a type of restoration action intended to repair natural or historic functions and processes. Activities could involve breaching a dike to reconnect wetlands to a floodplain or other activities that restore the natural water regime.

"Restore," "restoration" or "ecological restoration" means the re-establishment or upgrading of impaired ecological shoreline processes or functions. This may be accomplished through measures including, but not limited to, re-vegetation, removal of intrusive shoreline structures and removal or treatment of toxic materials. Restoration does not imply a requirement for returning the shoreline area to aboriginal or pre-European settlement conditions.

"Riparian" means alongside a waterbody: stream, river, lake, pond, bay, sea, and ocean. Riparian areas are sometimes referred to by different names: riparian ecosystems, riparian habitats, riparian corridors, or riparian zones.

"Riparian Management Zone (RMZ) means a delineable area defined in a land use regulation; often synonymous with riparian buffer. For the purposes of this document, we define the RMZ as the area that has the potential to provide full riparian functions. In many forested regions of the state this area occurs within one 200-year site-potential tree height (SPTH) measured from the edge of the stream channel. In situations where a channel migration zone is present, this occurs within one site-potential tree height measured from the edges of the channel migration zone. In non-forest zones the RMZ is defined by the greater of the outermost point of the riparian vegetative community or the pollution removal function, at 100-feet.

"Site-Potential Tree Height" means the average maximum height of the tallest dominant trees for a given age and site class.

"Sole source aquifers" means areas that have been designated by the U.S. Environmental Protection Agency pursuant to the Federal Safe Water Drinking Act.

"Special protection areas" means those areas defined by WAC 173-200-090.

"Susceptible ground water management areas" means areas that have been designated as moderately or highly vulnerable or susceptible in an adopted ground water management program developed pursuant to WAC 173-100.

"Type F waters" means segments of natural waters other than Type S Waters, which are within the bankfull widths of defined channels and periodically inundated areas of their associated wetlands, or within lakes, ponds, or impoundments having a surface area of 0.5 acre or greater at seasonal low water and which in any case contain fish habitat or are described by one of the following categories:"

1. Waters, which are diverted for domestic use by more than 10 residential or camping units or by a public accommodation facility licensed to serve more than 10 persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type F Water upstream from the point of such diversion for 1,500 feet or until the drainage area is reduced by 50 percent, whichever is less;
2. Waters, which are diverted for use by federal, state, tribal or private fish hatcheries. Such waters shall be considered Type F Water upstream from the point of diversion for 1,500 feet, including tributaries if highly significant for protection of downstream water quality. The department may allow additional harvest beyond the requirements of Type F Water designation provided the department determines after a landowner-requested on-site assessment by the department of fish and wildlife, Ecology, the affected tribes and interested parties that:
 - a. The management practices proposed by the landowner will adequately protect water quality for the fish hatchery; and
 - b. Such additional harvest meets the requirements of the water type designation that would apply in the absence of the hatchery;
3. Waters, which are within a federal, state, local, or private campground having more than 10 camping units: Provided, That the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within 100 feet of a camping unit, trail or other park improvement;
4. Riverine ponds, wall-based channels, and other channel features that are used by fish for off-channel habitat. These areas are critical to the maintenance of optimum survival of fish. This habitat shall be identified based on the following criteria:

- a. The site must be connected to a fish habitat stream and accessible during some period of the year, and
- b. The off-channel water must be accessible to fish.

Crystal Creek is a Type F stream throughout its length in the City of Cle Elum.

"Type Np Water" mean all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow.

"Type Ns Water" means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for a least some portion of a year of normal rainfall and are not located downstream from and stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to Type S, F, or Np Waters.

"Type S Waters" means all waters, within their bankfull width, as inventoried as "shorelines of the state" under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW including periodically inundated areas of their associated wetlands. As of August 2020, the only known Type S waters in Cle Elum are the Yakima and Cle Elum rivers.

"Qualified professional" means a person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology, or related field, and have at least five years related work experience.

- a1. A qualified professional for wetlands must be a professional wetland scientist with at least two years of full time work experience as a wetlands professional, including delineating wetlands using the state or federal manuals, preparing wetlands reports, conducting function assessments, and developing and implementing mitigation plans.
- b2. A qualified professional for habitat must have a degree in biology or a related degree and professional experience related to the subject species.
- e3. A qualified professional for a geological hazard must be a professional engineer or geologist, licensed in the State of Washington.
- e4. A qualified professional for critical aquifer recharge areas means a hydrogeologist, geologist, engineer, or other scientist with experience in preparing hydrogeologic assessments.

~~“Qualified scientific expert” has the expertise appropriate to the relevant critical areas and is determined by the person’s professional credentials and/or certification; any advanced degrees earned in the pertinent scientific discipline from a recognized university; the number of years experience in the pertinent scientific discipline; formal training in the specific area of expertise; and field and/or laboratory experience with evidence of the ability to produce peer-reviewed publications or other professional literature. No one factor is determinative in deciding whether a person is a qualified scientific expert.~~

“Waters of the state” include lakes, rivers, ponds, streams, inland waters, underground waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington, as classified in RCW 90.48.020.

“Wellhead protection areas” are areas defined by the boundaries of the ten (10) year time of ground water travel, or boundaries established using alternate criteria approved by the Department of Health in those settings where ground water time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135.

“Wetland or wetlands” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and other similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate the conversion of wetlands.

(Ord. 1335 § 1, 2010)

18.01.030 Designation and Mapping of critical areas.

A. All areas within the city meeting the definition of one or more critical areas defined above are hereby designated critical areas and are subject to the provisions of this chapter except for critical areas within the City of Cle Elum shorelines. The City of Cle Elum Shoreline Master Program supersedes this chapter for only those critical areas within shoreline designations.

AB. The City of Cle Elum shall regulate all uses, activities and developments within, adjacent to, or likely to affect, one or more critical areas, consistent with the best available science and the provisions herein.

~~B. Critical areas regulated by this chapter include:~~

C4. Wetlands Designation:

Wetlands are those areas, designated in accordance with the procedures outlined in WAC 173-22-035. All areas within the city meeting the wetland designation criteria as outlined in WAC 173-22-035 are hereby designated critical areas and are subject to the provisions of this chapter. Wetlands shall be rated according to the ~~Washington State Department of Ecology~~ wetland rating system found in the Washington State Wetland Rating System documents (Eastern Washington, Ecology Publication #04-06-~~45030~~) or as revised by Ecology. Wetland delineations are valid for five years; after such date the City shall determine whether a revision or additional assessment is necessary.

1. The approximate location and extent of known wetlands are shown on the adopted critical area map, or the latest revision of this map, as derived from the National Wetlands Inventory. ~~The City's critical area mapping, National Wetland Inventory Map, Soil Surveys, and any Washington Department of Natural Resource wetland is map is mapping are~~ to be used as a guide for the City, project applicants, and/or property owners to identify potential wetland areas, ~~but do not provide a conclusive or definitive indication of wetland presence or extent. Other wetlands may exist that do not appear on the maps and some wetlands that appear on these maps may not meet all of the wetland designation criteria, and may be continuously updated as new critical areas are identified. It is a reference and does not provide a final critical area designation.~~
2. The exact location of a wetland's boundary shall be determined through the performance of a field investigation by a qualified professional

D2. Critical aquifer recharge areas (CARAs) are those areas with a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(2). CARAs have prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water. Aquifer recharge areas shall be rated as having high, moderate, or low susceptibility based on soil permeability, geologic matrix, infiltration, and depth to water as determined by the criteria established by ~~the state Department of Ecology~~. ~~These areas include the following:~~

- ~~1. a. Wellhead Protection Areas. Wellhead protection areas may be defined by the boundaries of the ten year time of ground water travel or boundaries established using alternate criteria approved by the Washington State Department of Health in those settings where ground water time of travel is not a reasonable delineation criterion, in accordance with WAC 246-290-135.~~
- ~~2. Sole Source Aquifers. Sole source aquifers are areas that have been designated by the U.S. Environmental Protection Agency pursuant to the Federal Safe Water Drinking Act.~~
- ~~3. Susceptible Ground Water Management Areas. Susceptible ground water management areas are areas that have been designated as moderately or highly vulnerable or susceptible in an adopted ground water management program developed pursuant to WAC 173-100.~~
- ~~4. Special Protection Areas. Special protection areas are those areas defined by WAC 173-200-090.~~
- ~~5. Moderately or Highly Vulnerable Aquifer Recharge Areas. Aquifer recharge areas that are moderately or highly vulnerable to degradation or depletion because of hydrogeologic characteristics are those areas delineated by a hydrogeologic study prepared in accordance with the state Department of Ecology guidelines.~~

~~Moderately or Highly Susceptible Aquifer Recharge Areas. Aquifer recharge areas moderately or highly susceptible to degradation or depletion because of hydrogeologic characteristics are those areas meeting the criteria established by the state Department of Ecology. The city lies over alluvial soil deposits. There are unconsolidated materials composed of silt, sand and gravel, which in places are several hundred feet in depth. This deposit material is important as a water conveying unit and supplies the groundwater of stream flow (recharge). In general, areas of permeable soils in combination with geological transfer structure may be aquifer recharge areas. Based on the information and maps contained in hydrology of the Upper Yakima River Basin and landscape planning, environmental applications, the city is an aquifer recharge area. This is a preliminary determination until further studies of geology and hydrology are conducted on an overall or individual property specific basis to either include or exclude them as an aquifer recharge area.~~

~~E3. Frequently flooded areas are those areas subject to at least a one percent or greater chance of flooding in any given year, or within areas subject to flooding due to high ground water. These areas include that have a one percent or greater chance of flooding in any given year. These areas may include, but are not limited to,~~

- ~~1. Waterways: Including (streams, rivers, lakes, coastal areas, wetlands, and areas where high ground water forms ponds on the ground surface), streams (including intermittent ones), draws/ravines, rivers, wetlands, draws and the like. This includes Crystal Creek, Crystal Creek and ephemeral drainages identified by DNR and the Washington Department of Fish and Wildlife (WDFW).~~
- ~~2. b. Floodways Floodways and Floodplains. Identified in the most recent, the May 5, 1984 FEMA Flood Insurance Rate Map, and as subsequently revised and amended. c. Crystal Creek, Crystal Creek and ephemeral drainages identified by DNR and the Washington State Department of Fish and Wildlife (DFW).~~

~~E4. Geologically hazardous areas are areas susceptible to erosion, sliding, earthquake, or other geological events, that are not suited to the siting of commercial, residential, or industrial development consistent with public health or safety concerns. Geological hazardous areas as designated by WAC 365-190-080 include those with the following areasecharacteristics:~~

- ~~1. a.—Erosion Hazard Areas. Erosion hazard areas are at least those areas identified by the U.S. Department of Agriculture's Natural Resources Conservation Service as having a "moderate to severe," "severe," or "very severe" rill and inter-rill erosion hazard. Erosion hazard areas are also those areas impacted by shore land and/or stream bank erosion and those areas within a river's channel migration zone.~~
- ~~2. b.—Landslide Hazard Areas. Landslide hazard areas are areas potentially subject to landslides based on a combination of geologic, topographic, and hydrologic factors. They include areas susceptible~~

because of any combination of bedrock, soil, slope (gradient), slope aspect, structure, hydrology, or other factors, and include, at a minimum, the following (per WAC 365-190-120(6)):-

- a. Areas of historic failures, such as:
 - i. Those areas delineated by the United States Department of Agriculture Natural Resources Conservation Service as having a significant limitation for building site development;
 - ii. Those coastal areas mapped as class u (unstable), uos (unstable old slides), and urs (unstable recent slides) in the Ecology coastal atlas; or
 - iii. Areas designated as quaternary slumps, earthflows, mudflows, lahars, or landslides on maps published by the United States Geological Survey or Washington department of natural resources.
- b. Areas with all three of the following characteristics:
 - i. Slopes steeper than fifteen percent;
 - ii. Hillside intersecting geologic contacts with a relatively permeable sediment overlying a relatively impermeable sediment or bedrock; and
 - iii. Springs or groundwater seepage.
- c. Areas that have shown movement during the holocene epoch (from ten thousand years ago to the present) or which are underlain or covered by mass wastage debris of this epoch;
- d. Slopes that are parallel or subparallel to planes of weakness (such as bedding planes, joint systems, and fault planes) in subsurface materials;
- e. Slopes having gradients steeper than eighty percent subject to rockfall during seismic shaking;
- f. Areas potentially unstable as a result of rapid stream incision, stream bank erosion, and undercutting by wave action, including stream channel migration zones;
- g. Areas that show evidence of, or are at risk from snow avalanches;
- h. Areas located in a canyon or on an active alluvial fan, presently or potentially subject to inundation by debris flows or catastrophic flooding; and
- i. Any area with a slope of forty percent or steeper and with a vertical relief of ten or more feet except areas composed of bedrock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.

- j. Any area with a slope of forty percent or steeper and with a vertical relief of ten or more feet except areas composed of bedrock. A slope is delineated by establishing its toe and top and measured by averaging the inclination over at least ten feet of vertical relief.
 - k. Known landslide areas documented by the Washington State Department of Natural Resources (DNR)(2020) and those areas with slopes greater than 35%.
 - l. Known mass wasting areas identified in the 2005 Landslide Hazard Zonation Project – Mass Wasting Assessment prepared by Powell, L.
3. e—Seismic Hazard Areas. Seismic hazard areas are areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement or subsidence, soil liquefaction, lateral spreading, or surface faulting. Settlement and soil liquefaction conditions occur in areas underlain by cohesionless soils of low density, typically in association with a shallow groundwater table. One indicator of potential for future earthquake damage is a record of earthquake damage in the past. Ground shaking is the primary cause of earthquake damage in Washington, and ground settlement may occur with shaking. As specified in WAC 365-190-120(7), The strength of ground shaking is primarily affected by:
- a. The magnitude of an earthquake;
 - b. The distance from the source of an earthquake;
 - c. The type of thickness of geologic materials at the surface; and
 - d. The type of subsurface geologic structure.
- The Washington Department of Natural Resources Seismic scenario catalog, liquefaction susceptibility, and U.S. Department of Agriculture Natural Resource Conservation Service soil surveys should be consulted. These maps are a reference and do not provide a conclusive or final critical area designation. Seismic hazard areas are areas subject to severe risk of damage as a result of earthquake induced ground shaking, slope failure, settlement, soil liquefaction, lateral spreading, or surface faulting. Settlement and soil liquefaction conditions occur in areas underlain by cohesionless, loose, or soft saturated soils of low density, typically in association with a shallow ground water table.
4. d—Mine Hazard Areas. Mine hazard areas are those areas underlain by, adjacent to, or affected by mine workings such as adits, gangways, tunnels, drifts, or air shafts. Factors which should be considered include: Proximity to development, depth from ground surface to the mine working, and geologic material. Mine hazard areas are those areas underlain by or affected by mine workings such as adits, gangways, tunnels, drifts, or air shafts, and those areas of probable sink holes, gas releases, or subsidence due to mine workings. Coal mining activities during the early part of this century left some areas in the Upper Kittitas County honeycombed with abandoned mine workings. Many of these abandoned workings pose a danger to collapse or sinking, especially during a seismic event. Factors

~~that should be considered include: proximity to development, depth from ground surface to the mine working, and geologic material.~~

5. ~~e.~~ Volcanic Hazard Areas. Volcanic hazard areas are areas subject to pyroclastic flows, lava flows, debris avalanche, and inundation by debris flows, lahars, mudflows, or related flooding resulting from volcanic activity.
6. ~~f.~~ Steep Slopes: Known landslide areas documented by the Washington State Department of Natural Resources (DNR)(2020) and are those areas with steep slopes greater than 35%.
7. ~~g.~~ Other Hazard Areas. Geologically hazardous areas shall also include areas determined by the ~~{director}~~ to be susceptible to other geological events including mass wasting, debris flows, rock falls, and differential settlement.

G5. Fish and wildlife habitat conservation areas include ~~those with the following characteristics:~~

1. ~~a.~~ Federally Designated Endangered, Threatened and Sensitive Species. Areas with which federally designated endangered, threatened and sensitive species have a primary association. Federally designated endangered and threatened species are those fish and wildlife species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service that are in danger of extinction or threatened to become endangered. The U.S. Fish and Wildlife Service and the National Marine Fisheries Service should be consulted for current listing status.
2. ~~b.~~ State Designated Endangered, Threatened and Sensitive Species. Areas with which state designated endangered, threatened and sensitive species have a primary association. State designated endangered, threatened, and sensitive species are those fish and wildlife species native to the state of Washington identified by the Washington Department of Fish and Wildlife, that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. State designated endangered, threatened, and sensitive species are periodically recorded in WAC 232-12-014 (state endangered species) and WAC 232-12-011 (state threatened and sensitive species). The state Department of Fish and Wildlife maintains the most current listing and should be consulted for current listing status.
3. ~~c.~~ State Priority Habitats and Areas Associated With State Priority Species. Priority habitats and species (PHS) are considered to be priorities for conservation and management. ~~Priority species-PHS~~ require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance. ~~Priority-PHS~~ habitats are those habitat types or elements with unique or significant value to a diverse assemblage of species. A priority PHS habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element. Priority habitats and species are identified by the state Department of Fish and Wildlife.

4. ~~d.~~ Habitats and Species of Local Importance. Habitats and species of local importance are those identified by the ~~city/county~~ City of Cle Elum, including but not limited to those habitats and species that, due to their population status or sensitivity to habitat manipulation, warrant protection. Habitats may include a seasonal range or habitat element with which a species has a primary association, and which, if altered, may reduce the likelihood that the species will maintain and reproduce over the long term.

5. Waters of the State.

6. Streams. All streams that meet the criteria for Type S, F or N (Np and Ns) waters as set forth in WAC 222-16-030 and provided in definitions in CEMC 18.01.020. Official Water Type Reference Maps maintained by the Department of Natural Resources should be consulted. These maps are a reference and do not provide a conclusive or final critical area designation.

7. Naturally occurring and man-made ponds under twenty (20) acres in size.

~~GC. All areas within the city meeting the definition of one or more critical areas defined above are hereby designated critical areas and are subject to the provisions of this chapter.~~

(Ord. 1335 § 1, 2010)

18.01.040 Construction with other laws.

~~A. Abrogation and Greater Restrictions. It is not intended that this chapter repeals, abrogates, or impairs any existing regulations, easements, covenants, or deed restrictions. However, when this chapter imposes greater restrictions, the provisions of this chapter shall prevail.~~

~~B.A. Interpretation.~~ The provisions of this chapter shall be liberally construed to serve the purposes of this chapter.

(Ord. 1335 § 1, 2010)

18.01.050 Permitting.

All applications for permits to conduct activities having a possible significant impact on critical areas that are located on or near a project site must identify the areas affected and make an estimate of the probable impact. The city of Cle Elum shall deny all requests for permits which would result in activities degrading a wetland or fish and/or wildlife habitat conservation area, which would put people or property in a position of unacceptable

risk with respect to floods or geologic hazards, which would tend to aggravate geologic hazards, or which would harm critical recharging areas for aquifers not otherwise in accordance with this Chapter. The city of Cle Elum may, however, grant permits which include mitigation measures if the mitigation measures adequately protect the critical area and people involved. In granting a permit that includes mitigation measures, best available science, which shall be determined utilizing the criteria set out in WAC 365-195-900 through 365-195-925, shall be used to develop and approve the mitigation measures. Applicable permit fees, as set forth by resolution of the city council, are due at the time of application. The applicant shall be responsible for the initiation, preparation, submission, and expense of all required reports, assessment(s), studies, plans, reconnaissance(s), peer review(s) by qualified consultants, and other work prepared in support of or necessary to review the application.

(Ord. 1543 § 1, 2019; Ord. 1335 § 1, 2010)

18.01.055 Determination.

A. Each development permit shall be reviewed to determine if the proposal is within a critical area or critical area buffer. City staff shall use maps and data maintained by the city and a site inspection if appropriate.

~~B. If it is determined that a critical area(s) is present additional assessments prepared by a qualified professional best suited for the type of identified critical area(s) may be required.~~

B. Wetlands. A wetland assessment prepared by a qualified wetlands specialist is required for projects situated within 200 feet of a known or suspected wetland and shall include the following: of a critical area, and or its buffers. The wetland assessment should provide results of a preliminary environmental agency data resources review applicable to the site, field investigation data forms and site photographs, and a map of the delineated critical area and associated buffer areas as it relates to the property's extent and the proposed project footprint.

1. The category and precise location of the boundary of the wetland(s); and
2. Delineated wetlands and required buffers within 200 feet of the project area shall be depicted on the site plan. Best available information includes, but is not be limited to, aerial photos, soils maps, and/or topographic maps; and
3. An analysis of the onsite wetland(s) including the following site- and proposal-related information:
 - a. Documentation of any fieldwork performed on the site, including but not limited to field delineation data sheets for delineations, the wetland rating forms, and baseline hydrologic data;
 - b. A description of the methodologies used to conduct the wetland delineations; and ~~the~~ the vegetative, faunal, and hydrologic characteristics of the wetland.

C. Critical Aquifer Recharge Area.

1. As stated in CEMC 18.01.030 C, the entire city limits is presumed to be located within in critical aquifer recharge area unless a hydrogeologic study demonstrates otherwise. This is a preliminary determination until further studies of geology and hydrology are conducted on an overall or individual property specific basis to either include or exclude them as an aquifer recharge area.
2. All critical aquifer recharge areas shall be classified as having either a high, medium, or low aquifer recharge potential. At a minimum, classification shall be based on soil permeability and recharge potential as described within the Soil Survey of Kittitas County. Where adequate information is available, aquifer recharge potential shall be further classified based on the recharge potential of surficial geologic materials, presence or absence of restrictive layers, surface and groundwater monitoring data, wellhead protection areas, depth to groundwater, topography (i.e., slopes), and locally adopted groundwater protection plans and studies. Land classified as having a high, medium, or low aquifer recharge potential shall also be classified as having a high, medium, or low susceptibility to contamination of an underlying aquifer, respectively. Based on these criteria, the potential for recharging aquifers or transmitting contaminants to the underlying aquifer is greatest where the aquifer is close to the ground surface, where ground surface slopes are minimal, and where the recharge potential of the soils and/or surficial geologic material is greatest. All wellhead protection areas shall be designated as highly susceptible critical aquifer recharge areas. This can be provided in the hydrogeologic study or separate memo prepared by a qualified professional.

D. Fish Habitat Conservation Area.

1. A critical areas report prepared by a qualified biologist is required if a proposed use or development is located within two hundred (200) feet of a designated fish habitat conservation area and shall include the following:
 - a. Identify the water type as classified according to WAC 222-16-030 and Waters of the State; all streams as classified according to WAC 222-16-030.
 - b. The location of the ordinary high watermark; If located within 200 feet from Crystal Creek, identify the Riparian Management Zone, per Chapter 2 of the Washington Department of Fish and Wildlife Riparian Ecosystems, Volume 2: Management Recommendations. This includes identifying and denoting the Channel Migration Zone and the Site-Potential Tree Height.
 - c. All Fish Habitat and Wildlife Habitat Conservation Areas and required buffers within two hundred (200) feet of the project area shall be depicted on the site plan;
 - d. The vegetative, faunal, topographic, and hydrologic characteristics of the Fish and Wildlife Habitat Conservation Areas; and

- e. A detailed discussion of the direct and indirect potential impacts on Fish and Wildlife Habitat Conservation Areas by the project. Such discussion shall include a discussion of the ongoing management practices that will protect habitat after the project site has been developed.
2. A habitat management plan prepared by a qualified biologist is required for projects situated within 200 feet of a known or suspected fish and wildlife habitat conservation areas. The habitat management plan shall include a discussion of the potential direct and indirect impacts, as well as a discussion of the ongoing management practices that will protect habitat after the project site has been developed. The habitat management plan will include any relevant information and recommendations from the Washington Department of Fish and Wildlife habitat guidelines for the affected species and/or habitat. Based on the characteristics of the site, the City may require that all or a portion of the following be included in a habitat management plan:
- a. A map drawn to scale or survey showing the location of the fish and wildlife habitat conservation area on the subject property, as well as the approximate location of any potential fish and wildlife habitat conservation area within two hundred (200) feet of the subject property;
- b. A description of the methodologies used to classify the water type and the associated fish
- c. Detailed description of vegetation and habitat characteristics within and adjacent to the site;
- d. Identification of any endangered, threatened, sensitive, or candidate species that have a primary association with habitat on the project area, and assessment of potential project impacts to use of the buffer and critical area on the site by the species;
- e. Methods and measures to avoid, minimize and/or compensate for adverse impacts associated with the proposed development, including but not limited to:
- i. Prohibition or limitation of development activities within the fish and wildlife habitat conservation area;
- ii. Establishment of a buffer around the fish and wildlife habitat conservation area;
- iii. Retention of vegetation and/or revegetation of areas / habitats critically important to species;
- iv. Special construction techniques;
- v. Implementation of erosion and sediment control measures;
- vi. Habitat enhancement (i.e., fish passage barrier removal);
- vii. Seasonal restrictions on construction activities on the subject property;
- viii. Clustering of development on the subject property; and

ix. Any other requirements and/or recommendations from WDFW's habitat management guidelines.

E. Frequently Flooded Areas. A Federal Emergency Management Agency (FEMA) elevation certificate shall be required for new construction, any addition affixed to the side of a structure, and substantial improvements located within flood hazard areas. The most current version of the FEMA elevation certificate must be completed and certified by a professional land surveyor, currently licensed in the state of Washington, kept on file by the city for public inspection, recording the actual (as-built) elevation (in relation to mean sea level) of:

1. The lowest floor, including basement, of all new or substantially improved structures, whether or not the structure contains a basement;
2. For floodproofed nonresidential structures, where the structure was floodproofed (including floodproofing certifications).

F. Geological Hazard Areas Risk Assessment. If it is determined that a landslide, erosion, mine, volcanic and seismic hazard area hazard may be present on or adjacent to a proposed development site, the applicant shall submit a geologic hazard area risk assessment prepared by a professional engineer, engineering geologist, or geologist. The geologic hazard area risk assessment shall include a description of the geology of the site and the proposed development; an assessment of the potential impact the project may have on the geologic hazard; an assessment of what potential impact the geologic hazard may have on the project; appropriate mitigation measures, if any; and a conclusion as to whether further analysis is necessary. The assessment shall be signed by and bear the seal of the engineer or geologist that prepared it. No further analysis shall be required if the geologic hazard area risk assessment concludes that there is no geologic hazard present on the site, nor will the project affect or be affected by any potential geologic hazards that may be nearby. If the professional preparing the geologic hazard area risk assessment concludes that further analysis is necessary, the applicant shall submit a geotechnical report.

G. Geological Hazard Areas Geotechnical Report. If the geological hazard areas risk assessment requires further analysis, a geotechnical report is required. The geotechnical report shall include a certification from the professional preparing the report, including the professional's stamp and signature. The geotechnical report shall include the following:

1. A detailed description of the geology and soil conditions of the site;
2. Evaluation of the geologic conditions giving rise to the geologic hazard;
3. An evaluation of the safety of the proposed project;
4. Conclusions and recommendations regarding the effect of geologic conditions on the proposed development;

5. Conclusions and recommendations on the suitability of the site to be developed;
6. A statement regarding the risk of damage from the project, both on- and off-site; and whether or not the project will materially increase the risk of occurrence of the hazard;
7. The report shall make a recommendation for the minimum no-disturbance buffer and minimum building setback from any geologic hazard based upon the geotechnical analysis;
8. Recommendations concerning drainage practices, vegetation retention and other mitigation and monitoring measures which may be needed to ensure slope stability;
9. Recommended erosion and sediment control measures;
10. A bibliography of scientific citations; and
11. Any other specific measures which must be incorporated into the design and operational plan of the project to eliminate or reduce the risk of damage due to the hazard. This shall include a recommendation on the required buffer or setback distance that must be maintained between the proposed development and the hazard to ensure the safety of the development.~~In cases related to geohazards, the assessment shall include a description of the geology of the site and the proposed development, and assessment of the potential impact the project may have on the geologic hazard; an assessment of what potential impact the geologic hazard may have on the project; appropriate mitigation measures, if any; a conclusion as to whether further analysis is necessary; and be signed by and bear the seal of the engineer or geologist that prepared it.~~~~DE. When a geotechnical report is required it shall include a certification from the engineer preparing the report, including the engineer's professional stamp and signature, stating all of the following: 1. The risk of damage from the project, both on- and off- site. 2. The project will not materially increase the risk of occurrence of the hazard; and 3. The specific measures incorporated into the design and operational plan of the project to eliminate or reduce the risk of damage due to the hazard.~~

~~EH.~~ All mitigation measures, construction techniques, recommendations and technical specifications provided in the geotechnical report shall be applied during the implementation of the proposal. The engineer of record shall submit sealed verification at the conclusion of construction that development occurred in conformance with the approved plans.

~~FG.~~ A proposed development cannot be approved if it is determined by the geotechnical report that either the proposed development or adjacent properties will be at risk of damage from the geologic hazard, or that the project will increase the risk of occurrence of the hazard, and there are no adequate mitigation measures to alleviate the risks. (Ord. 1335 § 1, 2010)

18.01.060 New permits required for activities in critical areas.

The following activities shall require a critical areas permit if they are not already reviewed through a more general permit in which the applicant has reported a possible impact on a critical area:

- A. In Wetlands: The removal, excavation, grading, or dredging of soil, sand, gravel, minerals, organic matter or material of any kind; dumping, discharging, or filling with any material; the draining, flooding, or disturbing of the water level or water table; the driving of piling; the placing of obstructions; the construction, reconstruction, or demolition or expansion of any structure; the destruction or alteration of wetlands vegetation through clearing, harvesting, shading, intentional burning, or planting of vegetation that would alter the character of a regulated wetland, or activities that result in a significant change of water temperature, a physical or chemical characteristics ~~or of the~~ wetland water sources, including quantity, or the introduction of pollutants.
- B. In Critical Aquifer Recharge Areas: Any land use, agricultural activity, or other activity having significant potential to contaminate the water.
- C. In Fish and Wildlife Habitat Conservation Areas: Any land use or other activity having the potential to significantly degrade the habitat or harm wildlife.
- D. In Frequently Flooded Areas: Any land use or other activity likely to contribute to a significant increase in flood hazards or to place a significant number of people in danger.
- E. In Geologically Hazardous Areas: Any land use or other activity likely to contribute to a significant increase in geological hazards or to place people in danger.
- F. Designated critical areas and any associated buffers shall be designated and disclosed on the final plats, maps, documents, etc., as critical area tracts, non-buildable lots and buffer areas or common areas.

(Ord. 1335 § 1, 2010)

18.01.070 Performance standards.

The following general performance standards shall apply to activities permitted with-in critical areas or critical area buffers. Additional standards may be necessary based on site specific considerations or proposed development impacts.

~~A. General Performance Standards:~~

The Cle Elum Municipal Code is current through Ordinance 1588, passed June 8, 2020.

- ~~1. Areas of new permanent disturbance and all areas of temporary disturbance shall be mitigated and/or restored pursuant to a mitigation and restoration plan based off of Wetland Mitigation in Washington State, Part 1: Agency Policies and Guidance (Version 1, Publication #06-06-011a, March 2006, or as amended) and Wetland Mitigation in Washington State, Part 2: Developing Mitigation Plans (Version 1, Publication #06-06-011b, March 2006, or as amended).~~
- ~~2. Mitigation plans shall include a discussion of mitigation alternatives (sequencing) as they relate to:~~
- ~~a. Avoiding the impact altogether by not taking a certain action or parts of an action;~~
 - ~~b. Minimizing impacts by limiting the degree or magnitude of the actions and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;~~
 - ~~c. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;~~
 - ~~d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;~~
 - ~~e. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or~~
 - ~~f. Monitoring the impact and taking appropriate corrective measures.~~
- ~~3. All boundaries of critical areas or any associated buffers shall be delineated prior to development activity on site.~~
- ~~4. Mitigation Ratios shall mean those wetland mitigation ratios as shown on attached Table 18.01-2.~~

Table 18.01-21 Table Wetland Mitigation Ratios

Category and Type of Wetland	Creation or Re-establishment	Rehabilitation	Enhancement	Preservation
Category I: Bog, Natural Heritage Site	Not considered possible	6:1	Case by case	10:1
Category I: Mature Forested	6:1	12:1	24:1	24:1
Category I: Based on functions	4:1	8:1	16:1	20:1
Category II	3:1	6:1	12:1	20:1
Category III	2:1	4:1	8:1	15:1

The Cle Elum Municipal Code is current through Ordinance 1588, passed June 8, 2020.

Category and Type of Wetland	Creation or Re-establishment	Rehabilitation	Enhancement	Preservation
Category IV	1:5:1	3:1	6:1	10:1

AB. Wetland ~~Area~~ Performance Standards.

1. General measures to minimize impacts to wetlands:
 - a. Lights shall be directed away from the wetland.
 - b. Activities that generate noise shall be located away from the wetland, or noise impacts shall be minimized through design or insulation techniques.
 - c. Toxic runoff from new impervious surface area shall be directed away from wetlands.
 - d. Treated storm water runoff may be allowed into vegetated wetland buffers in accordance with provisions of the Eastern Washington Stormwater Manual. Channelized flow shall be prohibited.
 - e. Use of pesticides, insecticides and fertilizers within 150 feet of wetland boundary shall be limited and follow Best Management Practices (BMPs) in Table 18.02-2.
- ~~6. The outer edge of the wetland buffer shall be marked, identified, planted with dense native vegetation and/or fenced with wildlife permeable fencing for the purposes of identifying the wetland buffer area and to discourage human disturbance.~~
2. The following buffer widths have been established in accordance with the best available science. They are based on the category of wetland and the habitat score as determined by a qualified wetland professional using the Washington State Wetland Rating System for Eastern Washington: 2014 Update (Ecology Publication #14-06-030, or as revised and approved by Ecology). The adjacent land use intensity is assumed to be high. Buffer widths are established to protect the integrity, functions, and values of all regulated wetlands and are measured horizontally in all directions from the regulated wetland edge as marked in the field. The prescribed buffer widths are based on the wetland category and the expected level of impact of the proposed adjacent land use:
 - a. For wetlands that score 6 points or more for habitat function, the buffers in Table 18.01-1 can be used if both of the following criteria are met: High impact land use: Commercial, urban, industrial, institutional, retail sales, residential (more than 1 unit/acre), hobby farms, and high intensity recreation (golf course, ball fields, etc.) and conversion to high intensity agricultural (dairies, nurseries, greenhouses, growing and harvesting crops requiring annual tilling and raising, and maintaining animals, etc).
 - b. Moderate-For wetlands that score 3-5 habitat points, only the measures in Table 18.01-2 are required for the use of Table 18.01-1 impact land use: Residential development (1 unit/acre or less), parks with biking, jogging, etc., paved trails, building of logging roads, conversion or

agriculture-related to orchards, hay fields, etc., and utility corridor or right-of-way shared by several utilities.

bc. ~~Low~~ If an applicant chooses not to apply the mitigation measures in Table 18.01-2, or is chooses not to provide a protected corridor where available, then Table 18.01-3 must be used ~~impact land use includes forestry (cutting of trees only), open space (hiking, bird watching, preservation of natural resources, etc.), unpaved trails, and utility corridors without a maintenance road and little or no vegetation management.~~

d. The buffer widths in Table 18.01-1 and 18.01-3 assume that the buffer is vegetated with a native plant community appropriate for the ecoregion. If the existing buffer is unvegetated, sparsely vegetated, or vegetated with invasive species that do not perform needed functions, the buffer should either be planted to create the appropriate plant community or the buffer should be widened to ensure that adequate functions of the buffer are provided.

Table 18.01-1 Standard Wetland Buffer Requirements, in feet, if Table 18.01-2 is Implemented and a habitat corridor is provided.

<u>Category of wetland</u>	<u>Habitat Score 3-5 points (corridor not required)</u>	<u>Habitat Score 6-7 points</u>	<u>Habitat Score 8-9 points</u>	<u>Buffer width based on special characteristics</u>
<u>Category I & II: Based on rating of wetland functions (and not listed below)</u>	<u>75</u>	<u>110</u>	<u>150</u>	<u>NA</u>
<u>Category I & II: Forested</u>	<u>75</u>	<u>110</u>	<u>150</u>	<u>NA</u>
<u>Category I: Bogs, calcareous fens, and Wetlands of High Conservation Value</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>190</u>
<u>Category I: Alkali</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>150</u>
<u>Category II: Vernal pool</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>150</u>
<u>Category III</u>	<u>60</u>	<u>110</u>	<u>150</u>	<u>NA</u>
<u>Category IV</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>NA</u>

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	<u>Buffer Width (in feet) Based on Habitat Score</u>		
<u>Wetland Category</u>	<u>3-5</u>	<u>6-7</u>	<u>8-9</u>
<u>Category I:</u> <u>Based on total score</u>	<u>75</u>	<u>110</u>	<u>150</u>
<u>Category I:</u> <u>Forested</u>	<u>75</u>	<u>110</u>	<u>150</u>
<u>Category I:</u> <u>Bogs and Wetlands of</u> <u>High Conservation</u> <u>Value</u>	<u>190</u> <u>(buffer width not based on habitat score)</u>		
<u>Category I:</u> <u>Alkali</u>	<u>150</u> <u>(buffer width not based on habitat scores)</u>		
<u>Category II:</u> <u>Based on total score</u>	<u>75</u>	<u>110</u>	<u>150</u>
<u>Category II:</u> <u>Vernal Pool</u>	<u>150</u> <u>(buffer width not based on habitat scores)</u>		
<u>Category II:</u> <u>Forested</u>	<u>75</u>	<u>110</u>	<u>150</u>
<u>Category III (all)</u>	<u>60</u>	<u>110</u>	<u>150</u>
<u>Category IV (all)</u>	<u>40</u>		

Impact minimization measures

Developments that produce the listed disturbances and are requesting a buffer reduction are required to address the disturbance through the use of applicable minimization measures.

This is not a complete list of measures, nor is every example measure required. Though not every measure is required, all effort should be made to implement as many measures as possible. Regulatory staff should determine, in coordination with the applicant, which measures are applicable and practicable.

Table 18.01-2. Required Measures to Minimum Impacts to Wetlands

<u>Examples of disturbance</u>	<u>Activities and uses that cause disturbances</u>	<u>Examples of measures to minimize impacts</u>
<u>Lights</u>	<u>• Parking lots</u>	<u>• Direct lights away from wetland</u>

The Cle Elum Municipal Code is current through Ordinance 1588, passed June 8, 2020.

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	• <u>Commercial/Industrial</u> • <u>Residential</u> • <u>Recreation (eg., athletic fields)</u> • <u>Agricultural buildings,</u>	• <u>Only use lighting where necessary for public safety and keep lights off when not needed</u> • <u>Use motion-activated lights</u> • <u>Use full cut-off filters to cover light bulbs and direct light only where needed</u> • <u>Limit use of blue-white colored lights in favor of red-amber hues</u> • <u>Use lower-intensity LED lighting</u> • <u>Dim light to lowest acceptable intensity</u>
Noise	• <u>Commercial</u> • <u>Industrial</u> • <u>Recreation (eg., athletic fields)</u> • <u>Residential Agriculture,</u>	• <u>Locate activity that generates noise away from wetland</u> • <u>Construct a fence to reduce noise impacts on adjacent wetland and buffer</u> • <u>Plant a strip of dense shrub vegetation adjacent to wetland buffer</u>
Toxic Runoff	• <u>Parking Lots</u> • <u>Roads</u> • <u>Commercial/industrial</u> • <u>Residential areas</u> • <u>Application of pesticides</u> • <u>Landscaping</u> • <u>Agriculture</u>	• <u>Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered</u> • <u>Establish covenants limiting use of pesticides within 150 ft. of wetland</u> • <u>Apply integrated pest management (Note: These examples are not necessarily adequate for minimizing toxic runoff if threatened or endangered species are present at the site.)</u>
Stormwater runoff	• <u>Parking Lots</u> • <u>Roads</u> • <u>Residential areas</u> • <u>Commercial/industrial</u> • <u>Recreation Landscaping/lawns</u> • <u>Other impermeable surfaces, compacted soil, etc.</u>	• <u>Retrofit stormwater detention and treatment for roads existing adjacent development</u> • <u>Prevent channelized or sheet flow from lawns that directly enters the buffer</u> • <u>Infiltrate or treat, detain, and disperse new runoff from impervious surfaces and lawns</u>

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<u>Examples of disturbance</u>	<u>Activities and uses that cause disturbances</u>	<u>Examples of measures to minimize impacts</u>
<u>Pets and human disturbance</u>	<u>Residential areas</u> <u>Recreation</u>	<u>Use privacy fencing</u> <u>Plant dense native vegetation to delineate buffer edge and to discourage disturbance</u> <u>Place wetland and its buffer in a separate tract</u> <u>Place signs around the wetland buffer every 50-200 ft., and for subdivisions place signs at the back of each residential lot</u> <u>When platting new subdivisions, locate greenbelts, stormwater facilities, or other lower-intensity land uses adjacent to wetland buffers</u>
<u>Dust</u>	<u>Tilled Fields</u> <u>Roads</u>	<u>Use best management practices to control dust</u>

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<u>Disturbance</u>	<u>Required Measures to minimize Impacts</u>
<u>Lights</u>	<u>Direct lights away from wetland</u>
<u>Noise</u>	<u>Locate activity that generates noise away from wetland</u> <u>If warranted, enhance existing buffer with native vegetation plantings adjacent to noise source</u> <u>For activities that generate relatively continuous, potentially disruptive noise, such as certain heavy industry or mining, establish an additional 10' heavily vegetated buffer strip immediately adjacent to the outer wetland buffer</u>
<u>Toxic Runoff</u>	<u>Route all new, untreated runoff away from wetland while ensuring wetland is not dewatered</u>

	Establish covenants limiting use of pesticides within 150 ft of wetland Apply integrated pest management
<u>Stormwater Runoff</u>	Retrofit stormwater detention and treatment for roads and existing adjacent development Prevent channelized flow from lawns that directly enters the buffer Use Low-Intensity Development techniques (for more information refer to the drainage ordinance and manual)
<u>Changes in water regime</u>	Infiltrate or treat, detain, and disperse into buffer new runoff from impervious surfaces and new lawns
<u>Pets and human disturbance</u>	Use privacy fencing OR plant dense vegetation to delineate buffer edge and to discourage disturbance Using vegetation appropriate for the ecoregion Place wetland and its buffer in a separate tract or protect with a conservation easement
<u>Dust</u>	Use best management practices to control dust

Table 18.01-3. Standard Wetland Buffer Requirements if Table 18.01-2 is NOT Implemented

	<u>Buffer width (in feet) based on habitat score</u>		
<u>Wetland Category</u>	<u>3-5</u>	<u>6-7</u>	<u>8-9</u>
<u>Category I:</u> <u>Based on total score</u>	<u>100</u>	<u>150</u>	<u>200</u>
<u>Category I:</u> <u>Forested</u>	<u>100</u>	<u>150</u>	<u>200</u>
<u>Category I:</u> <u>Bogs and Wetlands of</u> <u>High Conservation Value</u>	<u>250</u> <u>(buffer width not based on habitat scores)</u>		
<u>Category I:</u> <u>Alkali</u>	<u>200</u> <u>(buffer width not based on habitat scores)</u>		
<u>Category II:</u> <u>Based on total score</u>	<u>100</u>	<u>150</u>	<u>200</u>

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Category II: Vernal Pool	200 (buffer width not based on habitat scores)		
Category II: Forested	100	150	200
Category III (all)	80	150	200
Category IV (all)	50		

3. All wetland buffers shall be measured perpendicular from the wetland boundary as surveyed in the field. The buffer for a wetland created, restored, or enhanced as compensation for approved wetland alterations shall be the same as the buffer required for the category of the created, restored, or enhanced wetland. Buffers must be fully vegetated in order to be included in buffer area calculations.
4. Interrupted buffer: When a wetland buffer contains an existing legally established public road or private access road, the City may allow development on the landward side of the road provided that the development will not have a detrimental impact to the wetland. The applicant may be required to provide a wetland critical area report to describe the potential impacts. In determining whether a critical areas report is necessary, the City shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the buffer interruption.
5. Increased wetland buffers: The City shall increase wetland buffer zone widths for a development project on a case-by-case basis when a larger buffer is necessary to protect wetland functions and values. Such determination shall be based on site-specific and project-related conditions which include, but are not limited to, the following circumstances:
 - a. Wetland sites with known locations of state priority or federally listed endangered, threatened, or sensitive species for which a habitat management plan indicates a larger buffer is necessary to protect habitat values for such species; or
 - b. The adjacent land is susceptible to severe erosion, and erosion control best management practices will not effectively prevent adverse wetland impacts
 - c. Wetland sites in geologically hazardous areas or where adjacent land has slopes greater than 30%.
6. Wetland buffer condition: Wetland buffer areas shall be retained in a natural condition or may be improved to enhance buffer functions and values. Where buffer disturbance is allowed pursuant to this section, revegetation with native vegetation shall be required. Alterations of the buffer that are not associated with a development or listed as an exemption under CEMC 18.01.080 shall be prohibited.
7. Building setback: A 15-foot building setback is required from the landward edge of any wetland buffer. Minor intrusions into the area of the building setback may be allowed if the City determines that such intrusions will not negatively impact the wetland. The setbacks shall be shown on all site plans submitted with the application.

8. Buffer Averaging: The City may allow, at its sole discretion, modification of standard wetland buffer width in accordance with the report and the best available science on a case-by-case basis by averaging buffer widths. Where the City allows modification of standard wetland buffer width this modification may only be allowed where a qualified wetlands professional demonstrates that:

 - a. It will not reduce wetland functions or values;
 - b. The wetland contains variations in sensitivity due to existing physical characteristics or the character of the buffer varies in slope, soils, or vegetation, and the wetland would benefit from a wider buffer in places and would not be adversely impacted by a narrower buffer in other places;
 - c. The total area contained in the buffer area after averaging is equal to the area required without averaging; and
 - d. The minimum width of the buffer at any given point is at least seventy-five percent (75%) of the standards width unless the applicant demonstrates an acceptable reasonable use as described in CEMC 18.01.090. Total buffer area after averaging must equal the area required without averaging.
9. Before impacting any wetland or its buffer, an applicant shall demonstrate that the following actions have been taken. Mitigation plans shall include a discussion of mitigation alternatives (sequencing) as they relate to:

 - a. Avoid the impact altogether by not taking a certain action or parts of an action.
 - b. Minimize impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts.
 - c. Rectify the impact by repairing, rehabilitating, or restoring the affected environment.
 - d. Reduce or eliminate the impact over time by preservation and maintenance operations.
 - e. Compensate for the impact by replacing, enhancing, or providing substitute resources or environments.
 - f. Monitor the required compensation and take remedial or corrective measures when necessary.
10. Wetland Compensatory Mitigation: Compensatory mitigation is required for all alterations to wetlands or their buffers, except for City approved buffer averaging.
11. Requirements for Compensatory Mitigation:

 - a. Compensatory mitigation for alterations to wetlands shall be used only for impacts that cannot be avoided or minimized and shall achieve equivalent or greater biologic functions.

- b. Compensatory mitigation plans shall be consistent with Wetland Mitigation in Washington State – Part 2: Developing Mitigation Plans--Version 1, (Ecology Publication #06-06- 011b, Olympia, WA, March 2006 or as revised), and Selecting Wetland Mitigation Sites Using a Watershed Approach (Eastern Washington) (Publication #10-06-07, November 2010 or as revised).
- c. Mitigation ratios shall be consistent with Table 18.01-2.
- d. Preference of mitigation actions: Mitigation actions that require compensation by replacing, enhancing, or substitution shall occur in the following order of preference:
 - i. Restoring and/or rehabilitating filled or altered wetlands to their pre-development or near pre-development condition.
 - ii. Creating wetlands on disturbed upland sites such as those with vegetative cover consisting primarily of nonnative introduced species. This should only be attempted when there is a consistent source of hydrology and it can be shown that the surface and subsurface hydrologic regime is conducive for the wetland community that is being designed.
 - iii. Enhancing significantly degraded wetlands in combination with restoration or creation.
- e. Mitigation for lost or affected functions: Compensatory mitigation actions shall replace functions affected by the alteration and shall provide equal or greater functions compared to the impacted wetland.
- f. Mitigation timing: Mitigation projects shall be completed prior to activities that will disturb wetlands. In all other cases, mitigation shall be completed immediately following disturbance and prior to use or occupancy of the activity or development. Construction of mitigation projects shall be timed to reduce impacts to existing fisheries, wildlife, and flora.
- g. Delay in mitigation: The City may authorize a one-time temporary delay, up to one hundred twenty (120) days, in completing minor construction and landscaping when environmental conditions could produce a high probability of failure or significant construction difficulties. The delay shall not create or perpetuate hazardous conditions or environmental damage or degradation, and the delay shall not be injurious to the health, safety, and general welfare of the public. The request for the temporary delay must include a written justification that documents the environmental constraints which preclude implementation of the mitigation plan. The justification must be verified and approved by the City and include a financial guarantee.
- h. Mitigation ratios for wetland impacts: Mitigation ratios shall be used when impacts to wetlands cannot be avoided, as specified in Table 4.2-2. The first number specifies the acreage of replacement wetlands and the second specifies the acreage of wetlands altered. -Compensatory mitigation shall restore, create, rehabilitate or enhance equivalent or greater wetland functions. The ratios shall apply to mitigation that is in-kind, is on-site, is the same category, is timed prior to or concurrent with alteration, and has a high probability of success. If available, these ratios do

not apply to remedial actions resulting from unauthorized alterations; greater ratios shall apply in those cases. These ratios do not apply to the use of credits from a certified wetland mitigation bank or in-lieu fee program. When credits from a certified bank or in-lieu fee program are used, replacement ratios should be consistent with the requirements of the bank's/program's certification.

Table 18.01-4. Wetland Mitigation Ratios for Unavoidable Wetland Impacts:

<u>Category and Type of Wetland</u>	<u>Creation or Re-establishment^{1,2}</u>	<u>Rehabilitation^{1,2}</u>	<u>Enhancement^{1,3}</u>
<u>Category I: Bog, Natural Heritage Site</u>	<u>Not considered possible</u>	<u>Case-by-case</u>	<u>Case-by-case</u>
<u>Category I: Mature Forested</u>	<u>6:1</u>	<u>12:1</u>	<u>24:1</u>
<u>Category I: Based on functions</u>	<u>4:1</u>	<u>8:1</u>	<u>16:1</u>
<u>Category II</u>	<u>3:1</u>	<u>6:1</u>	<u>12:1</u>
<u>Category III</u>	<u>2:1</u>	<u>4:1</u>	<u>8:1</u>
<u>Category IV</u>	<u>1.5:1</u>	<u>3:1</u>	<u>6:1</u>

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Table Footnotes:

¹ Natural heritage sites, alkali wetlands, and bogs are considered irreplaceable wetlands because they perform special functions that cannot be replaced through compensatory mitigation. Impact to such wetlands would therefore result in a net loss of some functions no matter what kind of mitigation is provided.

² Provides gains in a whole suite of functions both at the site and landscape scale. Rehabilitation actions often focus on restoring environmental processes that have been disturbed or altered by previous ongoing human activity.

³ Actions which provide gains in only a few functions. Enhancement actions often focus on structural or superficial improvements to a site and generally do not address larger scale environmental processes.

⁴ Compensatory mitigation for vernal pool impacts must be seasonally ponded wetland area(s).

i. Increased replacement ratios: The City shall increase the wetland mitigation ratios under the following circumstances:

i. Uncertainty exists as to the probable success of the proposed restoration or creation;

ii. A significant period of time will elapse between impact and replication of wetland functions;

- C. Critical Aquifer Recharge Areas (CARA).

- ~~1. The city lies over alluvial soil deposits. There are unconsolidated materials composed of silt, sand and gravel, which in places are several hundred feet in depth. This deposit material is important as a water-conveying unit and supplies the groundwater of stream flow (recharge). In general, areas of permeable soils in combination with geological transfer structure may be aquifer recharge areas. Based on the information and maps contained in hydrology of the Upper Yakima River Basin and landscape planning, environmental applications, the city is as an aquifer recharge area. This is a preliminary determination until further studies of geology and hydrology are conducted on an overall or individual property specific basis to either include or exclude them as an aquifer recharge area.~~
- ~~2. All structures shall be placed to provide a maximum buffer to known specific CARA.~~
- ~~3. Impervious coverage of the lot shall be minimized.~~
- ~~4. Best Management Practices shall be used during construction.~~
1. New development in a critical aquifer recharge area shall meet the following standards:
 - a. The proposed development will not cause contaminants to enter the aquifer and will not significantly adversely affect the recharging of the aquifer.
 - b. The proposed development must comply with applicable water source protection requirements and recommendations of the Federal Environmental Protection Agency, Washington State Department of Health, and the Kittitas County health department.
 - c. The proposed development must be designed and constructed in accordance with applicable storm water management standards.
 - d. Impervious coverage of the lot shall be minimized.
2. When located within an area of medium or high aquifer susceptibility, aboveground/underground storage tanks or vaults for the storage of hazardous substances, animal wastes, sewage sludge, fertilizers, or other chemical or biological hazards or dangerous wastes as defined in Chapter 173-303 WAC, or any other substances, solids, or liquids in quantities identified by Kittitas County Public Health, consistent with WAC 173-303, as a risk to groundwater quality, shall be designated and constructed so as to:
 - a) Prevent the release of such substances to the ground, groundwaters, or surface waters;
 - b) Be contained or enclosed by an impervious containment area with a volume greater than the volume of the storage tank or vault to avoid an overflow of the containment area;
 - c) Provide for release detection;
 - d) Provide written spill response and spill notification procedures to the local fire district;

- e) Use material in the construction or lining of the storage containment area which is compatible with the substance to be storage to protect against corrosion or leakage, or otherwise designed in a manner to prevent the release or threatened release of any storage substance; and
 - f) Comply with Chapters 173-303 and 173-360 WAC.
 - g) The tanks must comply with Ecology regulations contained in Chapters 173-360 and 173-303 WAC as well as International Building Code requirements.
- 3. The City may grant a waiver from one or more of the above requirements (in 3 a through g) upon a finding that the aboveground storage activity would not create a significant risk to groundwater quality. Aboveground or underground storage facilities designed and maintained according to an approved plan from the Natural Resources Conservation Service or Kittitas County Conservation District are exempt from these requirements but remain under the jurisdiction of the City to ensure compliance with the protective features of this Section and for enforcement purposes.
- 4. The use of fertilizers, herbicides, pesticides, or other chemical for vegetation management within critical aquifer recharge areas shall adhere to the best management practices to prevent impacts to water quality and water supply. Where the application of such chemicals covers five (5) or more acres, a mitigation plan shall be required pursuant the regulations listed below.
- 5. The following development activities, when proposed in medium or high susceptibility critical aquifer recharge areas, have the potential to adversely affect groundwater quality and/or quantity and may only be allowed subject to the City's review and approval of a special hydrogeological assessment prepared by a qualified professional:
 - a) Vehicle repair, servicing and salvaging facilities; provided that the facility must be conducted over impermeable pads and within a covered structure capable of withstanding normally expected weather conditions. Chemicals used in the process of vehicle repair and servicing must be stored in a manner that protects them from weather and provides containment should leaks occur. Dry wells shall not be allowed on sites used for vehicle repair and servicing. Dry wells existing on the site prior to facility establishment must be abandoned using techniques approved by Ecology prior to commencement of the proposed activity.
 - b) Use of reclaimed wastewater must be in accordance with adopted water or sewer comprehensive plans that have been approved by Ecology.
 - c) Any other development activity that the City determines is likely to have a significant adverse impact on groundwater quality or quantity, or on the recharge of the aquifer. The determination must be made based on credible scientific information.

- d) New landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste of more than two thousand (2,000) cubic yards, and inert and demolition waste landfills.
- e) Underground injection wells, Class I, III, and IV wells and subclasses 5F01, 5D03, 5F04, 5W09, 5W10, 5W11, 5W31, 5X13, 5X14, 5X15, 5W20, 5X28, and 5N24 of Class V wells.
- f) Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces (both natural and manmade).
- g) Facilities that store, process, or dispose of chemicals containing perchloroethylene (PCE) or methyl tertiary butyl ether (MTBE).

6. State and Federal Regulations. The uses listed below shall be conditioned as necessary to protect critical aquifer recharge areas in accordance with the applicable state and federal regulations.

<u>Activity</u>	<u>Statute - Regulation - Guidance</u>
<u>Above Ground Storage Tanks</u>	<u>Chapter 173-303 -640 WAC</u>
<u>Animal Feedlots</u>	<u>Chapter 173-216 WAC, Chapter 173-220 WAC</u>
<u>Automobile Washers</u>	<u>Chapter 173-216 WAC, Best Management Practices for Vehicle and Equipment Discharges (Ecology, WQ-R-95-56)</u>
<u>Below Ground Storage Tanks</u>	<u>Chapter 173-360 WAC</u>
<u>Chemical Treatment Storage and Disposal Facilities</u>	<u>Chapter 173-303-182 282 WAC</u>
<u>Hazardous Waste Generator (Boat Repair Shops, Biological Research Facility, Dry Cleaners, Furniture Stripping, Motor Vehicle Service Garages, Photographic Processing, Printing and Publishing Shops, etc.)</u>	<u>Chapter 173-303-170 WAC</u>
<u>Injection Wells</u>	<u>Federal 40 CFR Parts 144 and 146, Chapter 173-218 WAC</u>
<u>Spills and Discharges into the Environment</u>	<u>Chapter Section 173-303-145 WAC</u>

<u>Activity</u>	<u>Statute - Regulation - Guidance</u>
<u>Junk Yards and Salvage Yards</u>	<u>Chapter 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Vehicles Recycler Facilities (Washington State Department of Ecology WDOE 94-146)</u>
<u>Oil and Gas Drilling</u>	<u>Chapter Section 332-12-450 WAC, WAC, Chapter 173-218 WAC</u>
<u>On-Site Sewage Systems (Large Scale)</u>	<u>Chapter 173-240 WAC</u>
<u>On-Site Sewage Systems (< 14,500 gal/day)</u>	<u>Chapter 246-272 WAC, Local Health Ordinances</u>
<u>Pesticide Storage and Use</u>	<u>Chapter 15.54 RCW, Chapter 17.21 RCW</u>
<u>Sawmills</u>	<u>Chapter 173-303 WAC, 173-304 WAC, Best Management Practices to Prevent Stormwater Pollution at Log Yards (Washington State Department of Ecology WDOE 95-53)</u>
<u>Solid Waste Handling and Recycling Facilities</u>	<u>Chapter 173-304 WAC</u>
<u>Surface Mining</u>	<u>Chapter Section 332-18-015 WAC</u>
<u>Waste Water Application to Land Surface</u>	<u>Chapter 173-216 WAC, Chapter 173-200 WAC, WDOE Washington State Department of Ecology Land Application Guidelines, Best Management Practices for Irrigated Agriculture</u>

~~5. Activities involving fertilizers, herbicides, and pesticides will require a hydrogeological study prepared by a qualified professional for critical aquifer recharge areas and in accordance with the state Department of Ecology guidelines.~~

D. Fish and Wildlife Habitat Conservation Areas Performance Standards.

~~1. Flora (plant life) and Fauna (animal life) identified as protected, shall be sheltered from construction activities using Best Management Practices.~~

~~2. Replacement of any flora shall be maintained by the applicant for three years to establish viable plant life.~~

13. Fish and Wildlife Habitat Conservation Areas Regulations:

- a. Stream buffer widths are established to protect the integrity, functions and values of all streams as classified according to WAC 22-16-030 based on best available science that meet the criteria for Type S, F or N (Np and Ns) waters. The City's stream buffer widths are based on the specific Fish and Wildlife Conservation Areas as follows: have been determined in accordance with the best available science and are measured horizontally from the ordinary high water mark.
- i. Type S streams are Shorelines of the State that are regulated by the City's Shoreline Master Program (SMP). The buffer widths for these streams are provided within the City's SMP.
 - ii. Crystal Creek buffer width is the width of the Riparian Management Zone (RMZ) based on the Site-Potential Tree Height at 200 years (SPTH) measured horizontally from the Channel Migration Zone.
 - iii. All other WAC 22-16-030 classified streams, not located within the Shoreline Master Program Shoreline Jurisdiction, shall have stream buffers based on Stream Typing as detailed in Table 18.01-5, and measured horizontally from the ordinary high-water mark.

Table 18.01-5. Stream Buffer Requirements

<u>Stream Type Standard Buffer Width</u>	
<u>Type S</u>	<u>200 ft</u>
<u>Type F</u>	<u>50 ft</u>
<u>Type Np</u>	<u>25 ft</u>
<u>Type Ns</u>	<u>25 ft</u>

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- b. Wildlife buffer widths are established to protect the integrity, functions, and values of all listed and/or priority wildlife species. Buffer widths have been determined in accordance with the best available science. The city shall require a 100-foot buffer from the documented present listed and or priority wildlife species.
- c. Multiple buffers: In the event that buffers for any fish habitat conservation areas or other critical areas are contiguous or overlapping, the landward-most edge of all such buffers shall apply.
- d. Stream buffers shall not be altered except as authorized by this section.

- e. No clearing of vegetation or land disturbances shall be allowed within the wildlife habitat conservation area or associated terrestrial buffer area without an approved mitigation plan and written authorization from the City.
- f. Increased buffers: If there is credible evidence of historic or current fish use within a non-Type S stream, the City shall increase the non-Type S water buffer up to a maximum of two hundred (200) feet to protect fish habitat forming processes. The City has the authority to increase the stream and wildlife buffer widths when such buffers to protect priority PHS species utilizing the Fish and Wildlife Habitat Conservation Areas. This determination shall be supported by appropriate documentation from the Department of Ecology and Fish and Wildlife, showing that the increased buffer width is reasonably related to the protection of the fish and/or wildlife. The increased buffer distance may be limited to those areas that provide connectivity or are necessary to protect habitat functions. Increasing the buffer widths will only be done where necessary to preserve the structure, function and value of habitat.
- g. Buffer condition: Fish and wildlife habitat conservation area buffers shall be maintained in a predominantly well-vegetated and undisturbed condition. No alterations shall occur without written authorization from the City.
- h. Interrupted buffer: When an Fish and Wildlife Habitat Conservation Area buffer contains a is impacted by an existing legally established public road or private access road, and/or buildings, the City may determine that the Fish and Wildlife Habitat Conservation Areas buffer does not extend landward of the existing improvements, provided that the proposed use and/or allow a use and/or development on the landward side of the road provided that the use and/or development will not have a detrimental impact to the habitat area stream. The applicant may be required to provide a Critical Areas Report to describe the impacts ensure that there is no determinantal impact to the stream of a loss of ecological function. In determining whether a critical Fish and Wildlife Habitat Conservation Area critical areas report is necessary, the City shall consider the hydrologic, geologic, and/or biological habitat connection potential and the extent and permanence of the buffer interruption.
- i. Buffer averaging: The City may allow modification of standard fish and wildlife habitat conservation area buffer in accordance with an approved critical area report on a case-by-case basis. With buffer averaging, the buffer width may be reduced in one location and increased in another location to maintain the same overall buffer area provided there is no net loss in the function or value of the buffer. Proposals for buffer averaging shall not require compensatory mitigation if the following conditions are met:
- i. The development is not a residential subdivision of more than four (4) lots;
 - ii. The buffer has not been averaged or reduced by any prior actions administered by the City;
 - iii. No feasible site design could be accomplished without buffer averaging;

- iv. The buffer averaging will not reduce stream or habitat functions or adversely affect salmon or trout habitat.
- v. The minimum width of the Crystal Creek stream buffer, if applicable, is not less than 100 feet. All other WAC 222-16-030 classified streams shall have a minimum buffer width at any given point ~~is of~~ at least seventy-five percent (75%) of the standards width, or twenty-five (25) feet, whichever is greater unless the applicant demonstrates an acceptable reasonable use as described in CEMC 18.01.090; and
- vi. The area that is added to the buffer to offset the reduction is well-vegetated. The City may require vegetation enhancement if needed to ensure this criterion is met.
- j) Prior to approving a request for buffer averaging, the City shall ensure the development is designed to separate and screen the stream from impacts such as noise, glare, and vegetation trampling. The site design shall consider the varying degrees of impacts of different land uses. For example, parking lots, store entrances, and roads generally have higher noise and glare impacts than the rear of the store. Site screening should take advantage of natural topography or existing vegetation, wherever possible. Where natural screening is not available, berms, landscaping, and structural screens should be implemented (e.g., orient buildings to screen parking lots and store entrances from critical areas).
- k) Building setback: A 15-foot building setback ~~line equal to the side yard setback requirement of the applicable zoning district is~~ required from the landward edge of any stream buffer. Minor intrusions into the area of the building setback may be allowed if the City determines that such intrusions will not negatively impact the stream. The setbacks shall be shown on all site plans submitted with the application.
- l) Anadromous Fish Habitat Standards.
 - i. All activities, uses, and alterations proposed to be located in water bodies used by anadromous fish or in areas that affect such water bodies shall adhere to the following standards:
 - (a) Activities shall be timed to occur only during the allowable work window as designated by the Department of Fish and Wildlife for the applicable species;
 - (b) An alternative alignment or location for the activity is not feasible;
 - (c) The activity is designed so that it will not degrade the functions or values of the fish habitat or other critical areas; and
 - (d) Any impacts to the functions or values of the habitat conservation area are mitigated in accordance with an approved critical area report.

- The Cle Elum Municipal Code is current through Ordinance 1588, passed June 8, 2020.

- iv. A detailed description of the proposed project's effect on the habitat conservation area, and a discussion of any federal, state or local management recommendations which have been developed for the species or habitats in the area;
- v. An explanation of how any adverse impacts created by the proposed development will be mitigated, including the following techniques:
 - (a) Establishment of buffer zones;
 - (b) Preservation of critically important plants and trees;
 - (c) Special construction techniques;
 - (d) Implementation of erosion and sediment control measures;
 - (e) Limitation of access to the habitat conservation area;
 - (f) Seasonal restriction of construction activities;
 - (g) Habitat enhancement (i.e., fish passage barrier removal);
 - (h) Any other requirements and/or recommendations from WDFW's habitat management guidelines
 - (i) Establishment of a timetable for periodic review of the plan. This includes a program for monitoring construction of the compensation project, and for assessing a completed project. The project shall be monitored for a period necessary to establish that performance standards have been met, but not for a period less than five years; and
 - (j) Contingency plan if monitoring and evaluation indicates project performance standards are not being met.

E. Frequently Flooded Areas Performance Standards.

1. General Standards. The following standards apply to all frequently flood areas:

- a. All structures and other improvements shall be located on the buildable portion of the site out of the area of flood hazard. Where necessary residential buildings may be elevated.
- b. 2.—Utilities shall either be located three or more feet above the base flood elevation (BFE), or be engineered to the City of Cle Elum Engineers requirements appropriate for the conditions.
- c. 3.—All new construction and substantial improvements shall be constructed using flood resistant materials and using methods and practices that minimize flood damage.

~~d. 4.~~ All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

~~e. 5.~~ No rise in the BFE shall be allowed. Post and piling techniques are preferred and are presumed to produce no increase in the BFE.

~~f. 6. Modification of stream channels shall be avoided.~~

~~f. In areas within base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.~~

~~2. Floodways. Any development, encroachment, clearing and grading, new construction, or substantial improvements, including structures that do not require a building permit, shall be prohibited within the floodway, except as allowed in CEMC 18.01.080 Exceptions and the following:~~

~~a. Agricultural activities that do not require the installation of structures and that do not have any associated fill.~~

~~b. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications, which are solely necessary to assure safe living conditions.~~

~~c. Prior to the repair or replacement of a substantially damaged residential structure located within a floodway, a recommendation shall be obtained from the Washington Department of Ecology in accordance with WAC 173-158-076.~~

~~3. All developments shall be subject to provisions of Chapter 15.24, Flood Hazard Prevention CEMC. If Chapter 15.24, Flood Hazard Prevention CEMC standards conflicts with the Frequently Flood Area Performance Standards provided above, the later shall supersede.~~

~~4. When compensatory mitigation is required, the flooded areas mitigation plans shall be prepared by a civil engineer licensed in the State of Washington and familiar with hydrology, hydraulics, and fluvial geomorphology.~~

F. Geologically Hazardous Areas Performance Standards.

1. The following general standards apply to proposed development activities within or near geologically hazardous areas:

a. Will not increase the threat of the geological hazard to adjacent properties beyond pre-development conditions;

- b. Will not adversely impact other critical areas;
 - c. Are designed so that the hazard to the project is eliminated or mitigated;
 - d. Structures and improvements should be located to preserve the most critical portion of the site and its natural landforms and vegetation;
 - e. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography; and
 - f. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer.
 - g. A proposed development cannot be approved if it is determined by the City, following review of the geotechnical report, that either the proposed development or adjacent properties will be at risk of damage from the geologic hazard, or that the project will increase the risk of occurrence of the hazard, and there are no adequate mitigation measures to alleviate the risks.
2. A buffer shall be established from all edges of erosion and landslide hazard areas. The size of the buffer shall be determined by the Planning Director to eliminate or minimize the risk of property damage, death, or injury resulting from landslides caused in whole or part by the development, based upon review of, and concurrence with, a geotechnical report prepared by a qualified professional;
- a. The minimum buffer shall be equal to the height of the slope or 50 feet, whichever is greater;
 - b. The buffer may be reduced to a minimum of 10 feet based on a finding by the City following review of the geotechnical report recommendations that the reduction will adequately protect the proposed development, adjacent developments and uses, and the subject critical area;
 - c. The buffer may be increased where based on a finding by the City following review of the geotechnical report determines a larger buffer is necessary to prevent risk of damage to proposed and existing development;
3. A building setback of 20-feet shall be provided from all edges of the geological hazard area buffers. The building setback may be reduced based on a finding by the City following review of the geotechnical report recommendations that the reduction will adequately protect the proposed development, adjacent developments and uses, and the subject critical area
4. Alterations of an erosion or landslide hazard area and/or buffer may only occur for activities for which a hazards analysis is submitted and based on findings by the City following review of the geotechnical report that:
- a. The development will not increase surface water discharge or sedimentation to adjacent properties beyond pre-development conditions;

- b. The development will not decrease slope stability on adjacent properties; and
- c. Such alterations will not adversely impact other critical areas and- are certified as safe as designed and under anticipated conditions by a qualified professional, licensed in the state of Washington.
- 5. Unless otherwise provided or as part of an approved alteration, removal of vegetation from an erosion or landslide hazard area or related buffer shall be prohibited.
- 6. On-site sewage disposal systems, including drain fields, shall be prohibited within erosion and landslide hazard areas and related buffers.
- 7. Critical facilities, such as hospitals and emergency response centers, shall not be sited within geologically hazardous areas unless there is no other practical alternative.
- ~~Seasonal Restriction. Clearing shall be allowed only from May 1st to October 1st of each year; provided, that the city may extend or shorten the dry season on a case-by-case basis depending on actual weather conditions, except that timber harvest, not including brush clearing or stump removal, may be allowed pursuant to an approved forest practice permit issued by the city or the Department of Natural Resources;~~
- 8. When compensatory mitigation is required, the geologically hazardous areas mitigation plan shall be prepared by a qualified professional who is either a geologist or a geotechnical engineer, or a civil engineer licensed in the State of Washington, who is knowledgeable of regional geologic conditions and who has professional experience in landslide and erosion hazard evaluation, mitigation plan design, implementation, and monitoring.~~1. Structures and improvements shall minimize alterations to the natural contour of the slope, and foundations shall be tiered where possible to conform to existing topography.~~
- ~~2. Structures and improvements shall be located to preserve the most critical portion of the site and its natural landforms and vegetation.~~
- ~~3. The proposed development shall not result in greater risk or a need for increased buffers on neighboring properties.~~
- ~~4. Development shall be designed to minimize impervious surfaces within the critical area and critical area buffer.~~
- ~~G. Additional Considerations-~~
- ~~1. Site specific considerations may warrant additional performance standards, to be determined during the permit process, to ensure the protection of critical areas.~~
- ~~2. Development specific considerations may warrant additional performance standards based on level of impact to critical areas.~~

(Ord. 1335 § 1, 2010; Ord. 1039 (part), 1996)

18.01.080 Exemptions.

The following developments, activities and associated uses may be determined by the City to shall be exempt from the provisions of this chapter, provided that they are otherwise consistent with the provisions of other local, state, and federal laws and requirements:

- A. **Emergencies.** Those activities necessary to prevent an immediate threat to public health, safety, or welfare, or that pose an immediate risk of damage to private property and that require remedial or preventative action in a timeframe too short to allow for compliance with the requirements of this chapter. Emergency actions that create an impact to a critical area or its buffer shall use reasonable methods to address the emergency; in addition, they must have the least possible impact to the critical area or its buffer. Once the immediate threat has been addressed, any adverse impacts on critical areas as subject to the provisions of this chapter, including but not limited to, minimizing and mitigating any impacts to critical areas.
- B. **Operation, Maintenance, or Repair.** Operation, maintenance, or repair of existing structures, infrastructure improvements, utilities, public or private roads, dikes, levees, or drainage systems, that do not require construction permits, if the activity does not further alter or increase the impact to, or encroach further within, the critical area or buffer and there is no increased risk to life or property as a result of the proposed operation, maintenance, or repair. Operation and maintenance includes vegetation management performed in accordance with best management practices that is part of ongoing maintenance of structures, infrastructure, or utilities, including those vegetation removal activities as necessary for fire reduction. provided that such management actions are part of regular and ongoing maintenance, do not expand further into the critical area, are not the result of an expansion of the structure or utility, and do not directly impact an endangered or threatened species; and
- C. **Passive Outdoor Activities.** Recreation, education and scientific research activities that do not degrade the critical area, including fishing, hiking, and bird watching.
- D. Forest Practices Regulated by the State. Forest practices regulated and conducted in accordance with provisions of Chapter 76.09 RCW and forest practices regulations, title 222 WAC, are exempt, except for conversions to forestry uses.

(Ord. 1335 § 1, 2010)

18.01.085 Notice and Financial securities.

- A. Notice. The owner of any property containing critical areas or buffers on which a development project is submitted shall record with Kittitas County notice of said critical areas or buffers in a format approved by the City. Such notice shall ~~provide notice in the public record of identify~~ or provide notice of the presence of any critical areas or buffers on the property. The owner shall submit proof to the city that the notice has been filed for record within 30 days after the approval of a development permit. The notice shall run with the land, and failure to provide such notice to any purchase prior to transferring any interest in the property shall be a violation of this chapter. Development proposals which are defined as normal repair and maintenance of existing structures or development, including but not limited to roof repair, interior remodeling, wood stove permits, and on-site sewage disposal systems repairs, are exempt from this requirement
- B. When mitigation is required pursuant to a development proposal is not completed prior to the city final permit approval, such as final plat approval or final building inspection, the city shall require of the applicant an assignment of funds or post a performance bond or other security in a form and amount deemed acceptable by the city. If the development proposal is subject to mitigation, the applicant shall post mitigation security in a form and amount deemed acceptable by the city to ensure mitigation is fully functional.
- C. The performance security shall be in the amount of one hundred and twenty-five percent (125 %) of the estimated cost of the uncompleted actions or the estimated cost of restoring the functions and values of the critical area that are at risk, whichever is greater, and the cost of maintenance and monitoring for a five-year period.
- D. The security shall be in the form of assignment of funds, a surety bond, performance bond, assignment of savings account, or an irrevocable letter of credit guaranteed by an acceptable financial institution with terms and conditions acceptable to the city attorney.
- E. The security authorized by this section shall remain in effect until the city determines, in writing, that the standards bonded for have been met. Security shall be held by the city for a minimum of five years to ensure that the required mitigation has been fully implemented and demonstrated to function and may be held for longer periods when necessary.
- F. Depletion, failure, or collection of security funds shall not discharge the obligation of an applicant or violator to complete required mitigation, maintenance, monitoring, or restoration.

- G. Public development proposals shall be relieved from having to comply with the security requirements of this section if public funds have previously been committed for mitigation, maintenance, monitoring, or restoration.
- H. Any failure to satisfy critical areas requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within 30 days after it is due or comply with other provisions of an approved mitigation plan shall constitute a default, and the city may demand payment of any financial guarantees or require other action authorized by the city code or any other law.
- I. Any funds recovered pursuant to this section shall be used to complete the required mitigation.

18.01.090 Reasonable use.

- A. Where the provisions of this chapter would prevent all reasonable use of those properties completely encumbered by critical areas, the property owner may apply for a reasonable use exception if it is demonstrated that all of the following five conditions exist:
 - 1. No reasonable use of the property is possible without some impact to the critical area.
 - 2. No feasible and reasonable onsite alternative to the proposed activities is possible, including possible changes in site layout, reductions in density, and similar factors that would allow a reasonable economic use with fewer adverse impacts.
 - 3. The proposed activities, as conditioned, will result in the minimum possible impacts to affected critical areas, considering their functions and values and/or the risks associated with proposed development. The inability to derive reasonable economic use is not the result of the applicant's actions or that of a previous property owner, such as by segregating or dividing the property and creating an undevelopable condition.
 - 4. Any alteration of a critical area approved under this section shall be subject to appropriate conditions and will require mitigation under an approved mitigation plan.
- B. The responsibility of proving the presence of the above criteria shall be on the applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.
- C. A request for a reasonable use exception shall be made to the City of Cle Elum and shall be processed as a Type III application according to the provisions in CEMC 17.100 "quasi-judicial review of applications." The request shall include a critical areas report, including a habitat management plan and a mitigation

plan, if necessary; and any other related project documents, such as permit applications to other agencies, special studies, and environmental documents prepared pursuant to the State Environmental Policy. the city planner shall prepare a recommendation to the city's planning commission based on review of the submitted information, a site inspection, and the proposal's ability to comply with reasonable use exception criteria identified above.

- D. The Planning Commission shall review and decide upon the request for reasonable use, and shall approve, approve with conditions, or deny the request based on the proposal's ability to comply with the reasonable use exception criteria identified above.

(Ord. 1335 § 1, 2010)

18.01.100 ~~Penalties~~ Enforcement.

A. Applicability: Enforcement action by the department or local government may be taken whenever a person has violated this chapter. The choice of enforcement action and the severity of any penalty should be based on the nature of the violation, the damage or risk to the public or to public resources, and/or the existence or degree of bad faith of the persons subject to the enforcement action.

B. Site Inspections. The City is authorized to make site inspections and take such actions as necessary to enforce this chapter. The City shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.

C. Unauthorized Alterations

1. The city shall have the authority to issue a stop work order to cease all ongoing development work, and order restoration, rehabilitation or replacement measures at the responsible party's expense to compensate for violation of provisions of this chapter. At a minimum, the structural and functional values of the critical area shall be restored and any hazard shall be reduced to a level equal to, or less than, the predevelopment conditions.
2. All development work shall remain stopped until a restoration plan has been approved by the city. Such a plan shall be prepared by a qualified professional. The city may, at the violator's expense, seek expert advice in determining the adequacy of the plan. Inadequate plans shall be returned to the applicant or violator for revision and resubmittal.

D. Order to cease and desist

1. Authority. The City shall have the authority to serve upon a person a cease and desist order if an activity being undertaken in critical areas, upon a reasonable belief, in violation of RCW 90.58 or this master program critical areas ordinance.
 2. Contents. The order shall set forth:
 - a. A description of the specific nature, extent, and time of violation and the damage or potential damage;
 - b. A notice that the violation or the potential violation cease and desist or, in appropriate cases, the specific corrective action to be taken within a given time;
 - c. The amount of the civil penalty;
 - d. A statement that the person to whom the order is directed may request an administrative appeal hearing to review the violation and/or imposed penalty. Such request must be in writing, accompanied by applicable fees, and received by the City within 10 working days after the Order has been served.
 3. Effective date. The cease and desist order shall become effective immediately upon receipt by the person to whom the order is directed.
 4. Compliance. Failure to comply with the terms of a cease and desist order can result in enforcement actions including, but not limited to, the issuance of a civil penalty.
- E. Penalties. Any person, party, firm, corporation, or other legal entity convicted of violating any of the provisions of this chapter shall be guilty of a misdemeanor. Each day or portion of a day during which a violation of this chapter is committed or continued shall constitute a separate offense. Any development carried out contrary to the provisions of this chapter shall constitute a public nuisance and may be enjoined as provided by the statutes of the state of Washington. The city may levy civil penalties against any person, party, firm, corporation, or other legal entity for violation of any of the provisions of this chapter. The civil penalty shall be assessed at a maximum rate of \$1,000 per day per violation. Daily fines shall not be levied until after a violator has received a notice of violation and shall not be levied while the violator is making a good faith and diligent effort to correct the violation in cooperation with City enforcement personnel nor while a notice of violation is under appeal through the applicable appeal process. The city shall process violations of this chapter in accordance with the procedures identified in Chapter 8.60 Code Enforcement, of the Cle Elum Municipal Code.

(Ord. 1335 § 1, 2010)

18.01.110 Administrative appeals.

Any aggrieved person dissatisfied with a permitting decision may appeal the decision in accordance with the procedures identified in Chapter 17.100.130 Appeals, of the Cle Elum Municipal Code.

(Ord. 1335 § 1, 2010)

18.01.120 Nonconforming activities.

A regulated activity that was approved prior to the passage of this chapter and to which significant economic resources have been committed pursuant to such approval but which does not conform to this chapter may be continued subject to the following:

- A. No such activity shall be expanded, changed, enlarged, or altered in any way that increases the extent of its nonconformity without a permit issued pursuant to the provisions of this chapter.
- B. Except for cases of discontinuance as part of a normal agricultural activity, if a nonconforming activity is discontinued for twelve consecutive months, any resumption of the activity shall conform to this chapter.
- C. If a nonconforming use or activity is destroyed by human activities or an act of God, it shall not be resumed except in conformity with the provisions of this chapter.
- D. Activities or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming activities.

(Ord. 1335 § 1, 2010)

18.01.130 Severability.

If any clause, sentence, paragraph, section or part of this chapter or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any part thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

(Ord. 1335 § 1, 2010)

The Cle Elum Municipal Code is current through Ordinance 1588, passed June 8, 2020.

Disclaimer: The city clerk's office has the official version of the Cle Elum Municipal Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited here.

Note: This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

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Code Publishing Company

BEST AVAILABLE SCIENCE

FOR THE CITY OF CLE ELUM, WASHINGTON

**Prepared by
Herrera Environmental Consultants, Inc.**

**On Behalf Of
AHBL, Inc.**



Note:

Some pages in this document have been purposely skipped or blank pages inserted so that this document will print correctly when duplexed.

BEST AVAILABLE SCIENCE

FOR THE CITY OF CLE ELUM, WASHINGTON

**Prepared for
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October 28, 2020

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LIST OF ABBREVIATIONS

BAS	best available science
City	City of Cle Elum
CEMC	Cle Elum Municipal Code
Ecology	Washington Department of Ecology
FWHCA	Fish and Wildlife Habitat Conservation Area
GIS	geographic information system
GMA	Growth Management Act of Washington
GWMA	Ground Water Management Area
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
NWPL	National Wetland Plant List
PHS	Priority habitats and species
RCW	Revised Code of Washington
SR	State Route
UGA	urban growth area
USACE	United States Army Corps of Engineers
USGS	United States Geological Survey
WAC	Washington Administrative Code
WDFW	Washington Department of Fish and Wildlife
WDNR	Washington State Department of Natural Resources

DISCLAIMER

The recommendations included herein are purely based on the review and analysis of the best available scientific information cited in this document. These recommendations have not been evaluated from the legal perspective. The legal implications of these recommendations should be evaluated by the City's counsel/attorney.

EXECUTIVE SUMMARY

The City of Cle Elum (the City) is mandated by the Growth Management Act of Washington (GMA) to review and update its comprehensive plan and development regulations according to RCW 36.70A.130(5). The City is also mandated to update its shoreline master program. The update must include a review and update of critical area regulations per RCW 36.70A.130(1)(c). If the review shows that the plan or regulations do not comply with GMA, then revisions must be made. The review of critical area regulations under RCW 36.70A.172(1) must be based on best available science (BAS). This report serves as the first BAS review.

The City's critical areas regulations have a deficiency in that they do not contain any discussion of buffers for any critical areas other than wetlands. Buffers are an integral component to critical areas regulations and to protect human safety and environmental quality. In addition to buffers, there are updates that will be required that reflect best available science, as outlined by this document. Finally, there are some updates that should be considered based upon the results of this document. Table ES-1 provides a summary of required changes (shown in bold) and suggested updates for specific critical area regulatory elements covered in this report. The required code changes and updates to be considered are discussed in more detail within the main body of the report.

Table ES-1. Recommendations for Certain Critical Area Regulatory Elements for the City of Cle Elum.

Code Section	Regulatory Element	Compliant with Best Available Science	Recommendations and Notes
Fish and Wildlife Habitat Conservation Areas (CEMC 18.01.030.B.5)	Classification, designation, and determination	No	To be consistent with City's definition of Fish and Wildlife Conservation Areas (Section 18.01.020), the classifications of Waters of the State according to the State's Water Typing system should be included at a minimum.
	Buffers	No	Buffers should be established for fish bearing (Type F) streams based upon the findings of this document.
	Non-fish bearing streams	No	Non-fish bearing streams (Water Types Ns and Np) should also be included as protected critical areas and designated buffers established as protective measure.
	Terrestrial wildlife	No	Consider protective measures for the species in Table 5-1.
Wetlands (CEMC 18.01.030)	Designation	Yes – however citations of approved methodology resource documents could be more effective.	Wetlands delineation is according to the field methodologies outlined in the federal wetland delineation manual (Environmental Laboratory 1987) and applicable regional supplement (USACE 2008). Ecology Publication #14-06-030 is the Updated 2014 Version of the Washington State Wetland Rating System for Wetlands in Eastern Washington (Hruby 2014).
Wetlands (CEMC 18.01.055.A and B)	Determination	No – Qualified Professional Assessments are limited to areas City staff has identified as a critical area, rather than incorporating a review of a greater general area (200-feet, for example) of the project limits.	The City could increase requirements for environmental assessments to include review of projects located within the general vicinity (200-feet, for example) of a potential critical area. The City should define standards for technical report submittals to include the results of a preliminary environmental data review of available information applicable to the site in addition to a field investigation.
Wetlands (CEMC 18.01.020)	Buffers	No	Best available science recognizes that standard designated wetland buffer widths may not be the most protective measure. Considerations of habitat, as scored on the Ecology's revised 2014 wetland rating forms, and proposed changes in land use are additionally recommended for evaluating varying widths of wetland buffers that may be more effective in protecting wetlands according to their individual characteristics.

Table ES-1(continued). Recommendations for Certain Critical Area Regulatory Elements for the City of Cle Elum.			
Code Section	Regulatory Element	Compliant with Best Available Science	Recommendations and Notes
Geologically Hazardous Areas (CEMC 18.01.020)	Buffers	No	Buffers should be considered to the known landslide and steep slope hazards identified by DNR (2020) and ESA (2012), respectively. Careful consideration and possible prohibition or regulation of activities identified by Powell (2005) that exacerbate risks (vegetation removal, regrading, loading, and recreational vehicle activity) should occur.
Geologically Hazardous Areas (CEMC 18.01.030.B.4)	Designation	No	The known landslide areas documented by DNR (2020) should be included explicitly in the geologically hazardous areas designated in CEMC 18.01.030.B.4.
Wildfire	N/A	N/A	Consider formalizing some of the wildfire protection elements in existing Firewise communities in the city. These elements could be integrated across the city to fold in areas currently not covered by this program.
Frequently Flooded Areas (CEMC 18.01.030.B.3)	Designation	No	Consider adopting floodway from the latest FEMA Flood Insurance Rate Map. Add additional protection to those areas in the floodway, as development could impact existing development elsewhere by rerouting river floodwaters. Consider designating Crystal Creek and other ephemeral drainages identified by WDNR and WDFW (shown in Figure 4-1). Prohibit development in active stream channels, as defined in the designation.
Critical Aquifer Recharge Areas (CEMC 18.01.030.B.2)	Designation	Yes	Known intermingling of the local groundwater and the Yakima River system presents the risk of contaminants entering the City's water supply, which has not been documented previously. Existing code sufficiently documents the designated areas correctly but is speculative. The code could be edited to be more definitive considering recent work.
Critical Aquifer Recharge Areas (CEMC 18.01.060)	Permits	Yes, but it is not specific	Code section could be more specific about the types of activities and the substances of concern. The City could use ESA (2014) as the basis for the determination.
Mitigation-Performance Standards (CEMC 18.01.070.4)	Mitigation Ratios and Measures	No	Mitigation ratios for impacts to City designated Wetland and Fish and Wildlife Conservation Area buffers are not provided and should be for all Type S and F streams. Measures for wetland buffer width averaging, reduction or increasing and or enhancement are not provided, but should be considered.

NWI = National Wetlands Inventory

CEMC = Cle Elum Municipal Code

UGA = urban growth area

INTRODUCTION

The Growth Management Act of Washington (GMA) requires counties and cities to review their comprehensive plans and development regulations according to a schedule established by RCW 36.70A.130(5). Under the GMA, the periodic review or "update" means to review comprehensive plan and development regulations and make amendments necessary to ensure internal consistency and compliance with the GMA. Compliance with GMA comes via the City's Critical Areas Ordinance (CAO).

Chapter 173-26-090 of the Washington Administrative Code (WAC) require local municipalities to update their shoreline master programs (SMPs) according to a schedule laid out in WAC 173-26-090.1. The chapter states that "local governments are encouraged to consult department guidance for applicable new information on emerging topics such as sea level rise [and climate change]." The City does not have a Best Available Science document that guides its code development, so it was determined that the City would develop one as a part of both the update of its SMP and its periodic update of its Critical Areas Ordinance.

Critical areas and shorelines are recognized by the City and, therefore, addressed in this document. These areas include wetlands, fish and wildlife habitat conservation areas, critical aquifer recharge areas, frequently flooded areas and geologically hazardous areas. The City's review of critical area regulations under RCW 36.70A.172(1) must be based on best available science (BAS) and consider conservation and protection of anadromous fisheries. This report serves as the City's first BAS review.

The science presented in this addendum was gathered following the BAS rules contained in WAC 365-195-900 thru 925. The rules define BAS as science that has the characteristics of a valid scientific process. Those characteristics include peer review, following a replicable method, making logical conclusions based on reasonable assumptions and supported by data, using appropriate statistical or quantitative methods for analysis, and referencing relevant and credible information sources [WAC 365-195-905(5)(a)]. Common sources of scientific information include research, monitoring, inventory and survey data, mathematical modeling, site-specific assessment, and synthesized information by experts and expert opinion [WAC 365-195-905(5)(b)].

METHODS

Analysis and conclusions presented in this report are based on a review of existing information including published studies, technical reports and databases prepared by private and public entities, geographic information system (GIS)-based information and mapping, and aerial and oblique photography of critical areas within the city and its urban growth area (UGA). This report was prepared using the most current, accurate, and complete scientific and technical information, peer-reviewed research, best available science summaries, technical literature, and other scientific information related to critical areas and their functions. For this report, scientific and technical information was defined according to the criteria provided by WAC 173-26-201(2)(a). Information sources used in the BAS review are listed in Section 9, *Literature Cited*.

GEOGRAPHIC AND GEOLOGIC SETTING

The City of Cle Elum is in Kittitas County, in central Washington state, on the eastern slopes of the Cascade Mountains (Figure 3-1). The City straddles Interstate 90 (I-90) from exits 80 to 85.

Cle Elum is located 1900 feet above sea level just east of the Cascade crest, which marks the transition between the North Cascades and the Eastern Cascade Slope and Foothills ecoregions. This area is characterized by glaciated valleys and narrow-crested ridges, surrounded by high relief peaks up to 8000 feet in elevation. Forested areas are composed of fir, hemlock and in drier areas; ponderosa and lodgepole pine. The area is like the North Cascades but has more undulating terrain, receives less precipitation, and has higher temperature extremes.

The upper valley of the Yakima River surrounds the Cle Elum, with the Cascade Mountains to the west, and Wenatchee Mountains to the north. The Kittitas Valley and Wenatchee Mountains are a valley and ridge systems resulting from the Yakima Fold Belt. Regional tectonic stresses create the southeast trending ridges and valleys, which are still active today. The valley is filled with alluvial materials from the surrounding mountains and glacial deposits (ESA 2014). It is underlain by various consolidated rocks, ranging in age from Tertiary to Quaternary age.

WETLANDS

DESIGNATION

The City defines wetlands as designated critical areas in Section 18.01.030 according to the procedures outlined in WAC 173-22-035, which references the approved federal wetland delineation manual and applicable regional supplements as methodologies for the identification and delineation of wetland boundaries.

The current federal manual is the 1987 Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory 1987) and all applicable guidance that is not superseded by the Regional Supplement to the 1987 Wetland Delineation Manual developed by the USACE, which, for the Cle Elum area is the Arid West Regional Supplement (Environmental Laboratory 2008). In addition, the following two documents must be used as resources in the methodology for delineating a jurisdictional wetland boundary:

1. [National Wetland Plant List \(NWPL\)](#). The current NWPL (USACE 2018) should be used in any wetland delineations or determinations. The USACE plans to update the NWPL annually, so each wetland critical areas report must use the most current list and reference it in the documentation.
2. [Field Indicators of Hydric Soils in the United States](#) (NRCS 2018). The soil field indicators presented in the USACE regional supplements are a subset of the National Technical Committee for Hydric Soils "Field Indicators of Hydric Soils in the United States" that are commonly found in the region. Any change to those field indicators represents a change to the subset of indicators for the regions. Field indicators for hydric soils may be updated occasionally in regional supplements.

Additionally, Ecology Publication #14-06-30 is the most current updated version of the Washington State Wetland Rating System for Wetlands in Eastern Washington (Hruby 2014). The City should consider providing precise references to these resources, and as updated, for clarification of methodologies required.

DETERMINATION

Section 18.01.055A of CEMC states that maps and data maintained by the City and a site inspection, if appropriate, may be reviewed to determine if a proposal is within a critical area or critical area buffer. Section 18.01.055B of CEMC states that if a critical area is present, additional assessments, prepared by a qualified professional best suited for the type of identified critical area, may be required.

The City may consider modifying these sections of the code to allow for more flexibility by City staff to request qualified professional assessments for projects that may be **situated within the vicinity (200-feet, for example) of a potential critical area, and or its buffer based on** applicable environmental data resources or maps that are made publicly available by other resource agencies. For example, the National Wetland Inventory (NWI) identifies a concentration of riverine and palustrine emergent, forested and shrub wetland areas and freshwater ponds in association with the Yakima and Cle Elum rivers near the southern and western edges of the city (USFWS 2020) (Figure 4-1). Although the NWI data is based on aerial imagery and is not complete; it may provide guidance for determining if a project proposed within the vicinity of the mapped wetland areas may require additional assessment.

Local soil maps, as provided on the NRCS web soil survey, can additionally be utilized as a reference for identifying areas where potential wetlands may be present (NRCS 2020). Hydric Xerofluvents (Soil Unit #205) are mapped in areas with slopes of zero to five percent along the Yakima River floodplain. Although not mapped as a hydric soil unit, Quicksell loam (Soil Unit #207) that is associated with terraces of zero to five percent slopes, includes a clay loam component, that could limit drainage capacity and thus contribute towards jurisdictional wetland conditions. Adjacent to Crystal Creek, the mapped Quicksell soil unit is mapped downstream of the local gravel mine facility near the northwest end of the city. Non-hydric Patnish-Mippon-Myzel soil complex (Soil Unit #208) (0 to 3 percent slopes) and non-hydric Roslyn ashy sandy loams (#201) (0 to 5 percent slopes) are the dominant identified soil units mapped, respectively, in the City's developed areas and the relatively non-developed areas near its west end. Non-hydric Nard ashy loam (#164), Ampad ashy sandy loam, warm (#166), Dystroxepts (#206), and Teenaway ashy loams (#211, 1441) are mapped on terraces and or in surrounding areas of the city with slopes greater than 5 percent.

These and other agency data resources and maps (FEMA, WDNR, WDFW) could be referenced for applicants to review prior to project designing and or submittal of permit applications to City staff.

Details outlining a qualified expert's technical report submittal could also be defined to facilitate City staff review and applicant understanding of a project's requirements. For example, a wetland delineation report should provide the results of a preliminary environmental agency data resources review applicable to the site, field investigation data forms and site photographs, and a map of the delineated critical area and associated buffer area as it relates to the property's extent and the proposed project footprint. Appendix H of Ecology's March 2006 publication #06-06-11b, Mitigation in Washington State, Part 2, Version 1 includes a checklist and sample outline for a delineation report (Ecology 2016).

Figure 4-1. NWI-Mapped Wetlands and WDFW Mapped Streams Within and Near Cle Elum, and Near Cle Elum,

WETLAND BUFFERS

Ecology guidance uses the following four basic criteria for determining the width of a wetland buffer:

- The functions and values of the aquatic resource to be protected by the buffer;
- The characteristics of the buffer itself and of the watershed contributing to the aquatic resource;
- The intensity of the adjacent land use (or proposed land use) and the expected impacts that result from that land use and;
- The specific functions that the buffer is supposed to provide, including the targeted species to be managed and an understanding of their habitat needs.

Ecology's 2013 *Update on Wetland Buffers: The State of the Science*, recommends a focused approach to buffer widths that is based on the many functions provided by a buffer and specifies buffer widths that are larger than those previously recommended in the 2005 synthesis (Hruby 2013; Sheldon, et al. 2005).

Section 18.01.020 of CEMC defines standard wetland buffer widths according to the wetland's category, as scored on Ecology's rating forms. Table 4-1 compares the standard width buffers currently designated in CEMC with those recommended by Ecology based on the categories of wetlands in eastern Washington (Ecology 2014). **According to Ecology's recommendations, the City's existing wetland buffer regulations, based on the wetland's categorical rating, do not meet GMA requirements for BAS.**

Table 4-1. City Standard Width Designated Buffers Compared to Ecology Recommendations for Buffer Widths Based Only on Wetland Category.		
Category of Wetland	City of Cle Elum Existing Designated Buffers	Ecology Recommended Buffer Widths
Category IV	40 feet	50 feet
Category III	60 feet	150 feet
Category II: Based on total score	75 feet	200 feet
Category I: Based on total score	75 feet	250 feet

There is concern that fixed-width buffers may not adequately address the issues of habitat fragmentation and population dynamics or be responsive to landscape condition. Several researchers have recommended a more flexible approach that allows buffer widths to be varied depending on site-specific conditions (Environmental Law Institute 2008; Qiu 2009; Richardson, et al. 2012; Yuan, et al. 2009). However, related research reinforces the fact that buffers and fragmentation are only two of many variables that affect the dynamics of wildlife populations (Hruby 2013). Other factors that have been found to affect the survival of wetland- and stream-

dependent species are surrounding land use, the structure of the plant community, and the intensity of human disturbance. For protection of water quality in wetlands and streams, factors that need to be considered are slope, soil chemistry, soil structure and the plant community. Given as a means to increase regulatory flexibility, Ecology recommends several alternative methods for establishing buffer widths according to individual or combined characteristics of the wetland, such as habitat functions or wetland classification (vernal pools, riparian forest), proposed land use intensity, existing adjacent infrastructure and roadways and or implementation of impact reducing measures including individual rural stewardship plans (Ecology 2014).

Table 4-2 presents Ecology's recommendations for the width of buffers to protect wetlands in eastern Washington based on wetland categories and considerations of proposed land use. Use definitions are outlined below. Table 4-3 presents Ecology's recommendations for protecting wetlands in eastern Washington according to wetland category and habitat functions, as scored on the rating forms (Bunten et al. 2016).

Table 4-2. Width of Buffers Needed to Protect Wetland Buffers in Eastern Washington Considering Impacts of Proposed Land Uses.			
Category of Wetland	Land Use with Low Impact	Land Use with Moderate Impact	Land Use with High Impact
Category IV	25 feet	40 feet	50 feet
Category III	75 feet	110 feet	150 feet
Category II	100 feet	150 feet	200 feet
Category I	125 feet	190 feet	250 feet

The City's wetland buffers of 190-feet that are designated to protect Natural Heritage Wetlands and Category I bogs and 150-feet for alkali wetlands based on Ecology's recommendations to protect wetlands with special characteristics when moderate intensity land use changes are proposed. Category I and II forested wetlands are protected in the city with a 75-foot wide buffer. Ecology recommends that forested wetland buffer sizes should be based on scores for habitat functions or water quality functions (Ecology 2014).

Table 4-3. Ecology Recommended Wetland Buffers Based on Wetland Category and Habitat Score on Rating Forms.				
Wetland Category	Habitat Points Scored on Wetland Rating Forms			
	3-4	5	6-7	8-9
Category IV	40 feet			
Category III	60 feet	75 feet	120 feet	150 feet
Category II	75 feet	90 feet	120 feet	150 feet
Category I	75 feet	90 feet	120 feet	150 feet

The buffer recommendations in Table 3 can be further refined to consider land use intensity changes and other factors (Ecology 2016). Ecology recommends that local governments

consider that the following proposed changes in land uses, based on common zoning area, as high impacting: commercial, urban, industrial, institutional, retail sales, residential (more than 1 unit/acre), hobby farms, and high-intensity recreation (golf course, ball fields, etc.) and conversion to high-intensity agricultural (dairies, nurseries, greenhouses, growing and harvesting crops requiring annual tilling and raising and maintaining animals, etc.). Ecology identifies proposed changes in land use that result in a moderate level of impact: as residential development (1 unit/acre or less), parks with biking, jogging, etc., paved trails, building of logging roads, conversion of agricultural related to orchards, hay fields, etc., and utility corridor or right-of-way shared by several utilities and including access/maintenance road. Low intensity land uses include forestry (cutting of trees only), open space (hiking, birdwatching, preservation of natural resources, etc.), unpaved trails, and utility corridors without a maintenance road and little or no vegetation management (Ecology 2014).

Section 18.01.070.B. Wetland Areas of CEMC identifies project design or management measures, such as directing lights away from wetlands, that can be implemented to reduce potential impacts. Ecology guidance includes provisions for reducing buffers required in association with high intensity land use changes to buffers and required for moderate intensity land use changes when such impact minimizing measures are implemented (Ecology 2014). The City could consider expanding the language of Sections 18.01.20 and 18.01.070B to reflect Ecology's expanded flexibility in establishing required buffer widths.

FISH AND WILDLIFE HABITAT CONSERVATION AREAS

DEFINITION

Fish and Wildlife Habitat Conservation Areas (FWHCAs) defined in Section 18.01.020 of CEMC include:

1. Areas with which endangered, threatened and sensitive species have a primary association
2. Habitats and species of local importance
3. Naturally occurring ponds under twenty acres and their submerged aquatic beds that provide fish and wildlife habitat;
4. Waters of the State;
5. State natural area preserves and natural resource conservation areas.

DESIGNATION

The City's designation of FWHCAs in Section 18.01.030.5 CEMC includes:

1. Federally Designated Endangered, Threatened and Sensitive Species;
2. State Designated Endangered, Threatened and Sensitive Species;
3. State Priority Habitats and Areas Associated with State Priority Species and;
4. Habitats and Species of Local Importance.

Although not specified, the City's designation of FWHCAs may include rare plant species and high-quality eco-systems. Preliminary project reviews of the Washington State Heritage Program data, as maintained by WDNR, should be referenced prior to development permitting (WDNR 2020).

Table 5-1 lists federally and Washington state listed endangered and threatened fish and wildlife species and candidate species proposed for listing documented to occur within the vicinity of

the city and its urban growth areas (USFWS 2020; WDFW 2008, 2020). WAC 220-610-010 lists wildlife classified as endangered in Washington State.

Washington State priority species documented within the city and its immediate vicinity, but which are not listed as endangered or threatened nor are candidates for listing are presented in Table 5-2 (WDFW 2020).

Table 5-1. Fish and Wildlife Species Documented as Occurring in Cle Elum and its Immediate Vicinity That are Federally and/or State Listed as Endangered, Threatened and/or Candidate/Proposed for Listing.				
Fish				
	Federal Status	State Status	Critical Habitat	Documented Locations and or Preferred Habitat
Bull trout (<i>Salvelinus confluentus</i>)	Threatened	Candidate	Designated	Yakima River
Chinook salmon Upper Yakima River Stock (<i>Onchrynuchus tshawytscha</i>)	Not Warranted	Candidate		Yakima River – Occurrence/Migration Chrystal Creek–Occurrence
Steelhead (<i>Onchrynuchus mykiss</i>)	Threatened	Candidate	Designated	Yakima River–Breeding
Wildlife				
Marbled Murrelet (<i>Brachyramphus marmoratus</i>)	Threatened	Endangered	Designated in county but not in city	Old growth and mature forest lands for nesting
Northern Spotted Owl (<i>Strix occidentalis caurina</i>)	Threatened	Endangered	Designated in county but not in city	Old growth and mature forest lands for breeding and nesting Documented locations masked for species protection
Yellow-billed Cuckoo (<i>Coccyzus americanus</i>)	Threatened	Endangered	Proposed in county but not in city	Breeding is associated with deciduous riparian forest habitats
Northern Goshawk (<i>Accipiter gentilis</i>)	Not warranted	Candidate	Not Applicable	Multiple PHS data points documented during WDFW stock surveys in forest north/northeast of the city
Sage Thrasher (<i>Oreoscoptes montanus</i>)	Not Applicable	Candidate	Not Applicable	Breeds April 15 to August 10 within general area (USFWS 2020)
White-Headed Woodpecker (<i>Picoides albolarvatus</i>)	Not Applicable	Candidate	Not Applicable	Breeds May 1 to August 15 within general area (USFWS 2020)
Canada Lynx (<i>Lynx canadensis</i>)	Threatened	Endangered	Designated in county but not in city	Forest

Table 5-1 (continued). Fish and Wildlife Species Documented as Occurring in Cle Elum and Its Immediate Vicinity That are Federally and/or State Listed as Endangered, Threatened and/or Candidate/Proposed for Listing.				
Gray Wolf (<i>Canis lupus</i>) (ALL US with Portions of A, NM, OR, UT and WA, Mexico)	Endangered	Endangered	Designated	
Gray Wolf (<i>Canis lupus</i>) Western Distinct Population Segment	Proposed Endangered		Not Applicable	
North American Wolverine (<i>Gulo gulo luscus</i>)	Proposed Threatened	Candidate	Not Applicable	Mountains
Sharp-tailed snake (<i>Contia tenuis</i>)	Not Applicable	Candidate	Not Applicable	Yakima River slough – 1 Occurrence

Table 5-2. Non-Listed Washington State Priority Fish and Wildlife Species Documented as Occurring in Cle Elum and Its Immediate Vicinity (USFWS 2020).	
Species	Documented Locations
Fish	
Westslope cutthroat (<i>Oncorhynchus clarki lewisi</i>)	Yakima River –Migration
Coho (<i>Oncorhynchus kitsutch</i>)	Yakima River –Migration
Rainbow Trout (<i>Oncorhynchus mykiss</i>)	Yakima River
Dolly Varden	Yakima River
Wildlife	
Elk (<i>Cervus elaphus</i>)	Domiere Flats Elk Winter Concentration Area along Cle Elum River below dam, cross Bullfrog Road and use cemetery and athletic fields

Washington State Priority Habitat Areas and Features

Washington State's priority terrestrial habitat areas that appear to be applicable to the general vicinity of Cle Elum include aspen stands and old growth and mature coniferous forest. Aquatic habitat areas are associated with the Yakima and Cle Elum rivers and Crystal Creek. Priority habitat features classified by WDFW include cliffs, snags and logs, talus and caves (WDFW 2008). Protection of cliffs and caves, for example, can additionally protect Washington priority species, such as bats, that utilize such features.

PHS polygons documenting occurrences of several priority species are mapped by WDFW along the western edges of the city associated with the Yakama River, Washington State Horse Park and overlapping the Suncadia developments and the town of Roslyn (WDFW 2020). PHS

polygons are additionally mapped by WDFW in the forests located to the northwest of the city and areas north and south of the Yakima River along the eastern edge of the city.

Eagles and Migratory Birds

The Migratory Birds Treat Act of 1918 and the Bald and Golden Eagle Protection Act of 1940 protect certain bird species and their habitats. USFWS identifies the breeding season for bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*) within the general region from December 1 to August 31 (USFWS 2020). USFWS identified additional species of birds of conservation concern, which are not listed or classified as Washington State priority species, but which warrant special attention due to their probability of being present within the general vicinity of Cle Elum during breeding (Table 5-3) (USFWS 2020).

The City should consider documenting a list of species and habitats of local importance, such as these as identified by USFWS, and or others as recommended by the community, to amend to its code.

Table 5-3. Migratory Bird Species that Seasonally Breed in the Cle Elum Vicinity (USFWS 2020).	
Species	Breeding Season
Black swift (<i>Cypseloides niger</i>)	June 15 to September 10
Brewer's sparrow (<i>Spizella breweri</i>)	May 15 to August 10
Lewis's Woodpecker (<i>Melanerpes lewis</i>)	April 20 to September 30
Olive sided flycatcher (<i>Contops cooperi</i>)	May 20 to August 31
Williamson's sapsucker (<i>Sphyrapicus thyroideus</i>)	May 1 to July 31
Willow Flycatcher (<i>Empidonax traillii</i>)	May 20 to August 31

Aquatic Habitat (Waters of the State)

Although Waters of the State are defined as a FWHCA in Section 18.01.020 of CEMC, Waters of the State are not designated in Section 18.01.030.5 of the City's code Waters of the State are defined in RCW 90.48.020 and includes lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and water courses in Washington. Stream types are classified in Title 22 WAC, the forest practices regulations. County and Cities may use the classification system established in WAC 222-16-030 or (interim) WAC 222-16-031 to classify waters of the state, according to the following three definitions, **but this typing does not exist in the City and should be completed to be compliant with Ecology recommendations.**

Type S Waters

Type S Waters mean all waters, within their bankfull width, as inventoried as "shorelines of the state" under chapter 90.58 RCW and the rules promulgated pursuant to chapter 90.58 RCW

including periodically inundated areas of their associated wetlands. In Cle Elum, Type S water is limited the Yakima and Cle Elum rivers.

Type F Waters

Type F Waters mean segments of natural waters other than Type S Waters, which are within the bankfull widths of defined channels and periodically inundated areas of their associated wetlands, or within lakes, ponds, or impoundments having a surface area of 0.5 acre or greater at seasonal low water and which in any case contain fish habitat or are described by one of the following categories. Waters, which are diverted for domestic use by more than 10 residential or camping units or by a public accommodation facility licensed to serve more than 10 persons, where such diversion is determined by the department to be a valid appropriation of water and the only practical water source for such users. Such waters shall be considered to be Type F Water upstream from the point of such diversion for 1,500 feet or until the drainage area is reduced by 50 percent, whichever is less. Waters, which are within a federal, state, local, or private campground having more than 10 camping units: provided, that the water shall not be considered to enter a campground until it reaches the boundary of the park lands available for public use and comes within 100 feet of a camping unit, trail or other park improvement. Riverine ponds, wall-based channels, and other channel features that are used by fish for off-channel habitat. These areas are critical to the maintenance of optimum survival of fish. This habitat shall be identified based on whether the site must be connected to a fish habitat stream and accessible during some period of the year; and whether the off-channel water must be accessible to fish. Crystal Creek is a Type F stream throughout its length in the city, and so is Steiners Canyon (Town Ditch).

Type N Waters

There are two types of Type N Waters. Type Np Water means all segments of natural waters within the bankfull width of defined channels that are perennial nonfish habitat streams. Perennial streams are flowing waters that do not go dry any time of a year of normal rainfall and include the intermittent dry portions of the perennial channel below the uppermost point of perennial flow. Type Ns Water means all segments of natural waters within the bankfull width of the defined channels that are not Type S, F, or Np Waters. These are seasonal, nonfish habitat streams in which surface flow is not present for at least some portion of a year of normal rainfall and are not located downstream from any stream reach that is a Type Np Water. Ns Waters must be physically connected by an above-ground channel system to Type S, F, or Np Waters. The ephemeral streams identified by WDFW (2020c) and shown in Figure 4-1 that run through the center portion of the city (with the exception of Crystal Creek and Town Ditch) are likely Type N streams.

Rather than relying solely on WDNR mapping of water types, counties and cities should develop a process to verify actual stream conditions, identify flow alterations, and locate fish passage barriers through field verification. For intermittent or nonfish bearing streams, field verification should be conducted during the snow-free freshet between May and July, or possibly early fall

before snow cover (October). Counties and cities may consider the following factors when classifying waters of the state as fish and wildlife habitats:

- Species present which are endangered, threatened or sensitive and other species of concern
- Species present which are sensitive to habitat manipulation
- Historical presence of species of local concern
- Existing surrounding land uses that are incompatible with salmonid habitat
- Existing water rights
- The intermittent nature of waters of the state (Washington State Department of Community, Trade and Economic Development 2018)

The Yakima and Cle Elum rivers are designated shorelines of the state or Type S waters. Crystal creek is documented by WDNR as a Type F, fish bearing stream, consistent with the fish use found in WDFW (2020). Multiple tributaries to Crystal Creek and other vicinity creeks draining from the mountainsides to the Yakima and Cle Elum rivers are mapped as ephemeral or intermittent Ns type streams (Figure 4-1), though some reaches may qualify as perennial (thus Np) at or just outside of the city limits. Lakes and ponds planted with game fish by a government or tribal entity, such as Hanson Ponds, are considered FWHCAs by some jurisdictions for protection.

PERFORMANCE STANDARDS – PROTECTION AND THE ROLE OF BUFFERS

Section 18.01.070C–Performance Standards for Fish and Wildlife Habitat Conservation Areas of CEMC states that flora and fauna identified as protected shall be sheltered from construction activities using Best Management Practices and that the replacement of any flora shall be maintained by the applicant for three years to establish viable plant life.

Designated FWHCA buffers, currently not established in the City's code, should be defined according to size and quality of required habitat for consistent regulation and protection. Buffers reduce impacts on such resources from adjacent land uses through various physical, chemical, and/or biological processes. There remains no simple answer for what constitutes an effective buffer width for protecting wildlife. Buffer needs are dependent upon the species in question and its life-history needs, whether the goal is to maintain connectivity of habitats across a landscape, or whether one is simply trying to screen wildlife from human disturbance (Sheldon et al. 2005). For wetland-dependent species that require both aquatic and terrestrial habitats to complete their life cycle, vegetated buffers are paramount (Hruby 2013).

The need for appropriate upland habitat has been well documented for amphibians and continues to be a focus of research (Crawford and Semlitsch 2007; Cushman 2006; Gamble, et al. 2006; Harper, et al. 2008; Homan, et al. 2004; Rittenhouse and Semlitsch 2007; Semlitsch 2007; Trenham and Shaffer 2005). Research is also focused on wetland-dependent birds (Glover, et al. 2011; Honowski, et al. 2006; Henning and Remsberg 2009; Martin, et al. 2006; Rodgers and Schwickert 2003; Weston, et al. 2009). In addition, research on this issue has expanded to include invertebrates such as dragonflies (Bried and Ervin 2006).

In 1997, WDFW recommended riparian buffer widths according to the State's water typing system. Riparian buffers ranging from 250-feet for Type S (formerly Type 1) streams to 150-feet for Type F streams (Formerly Type 2 and 3 streams). Buffers of 150-feet and 225-feet were recommended for the protection of non-fish bearing Type Np and Ns drainages (formerly Type 4 and 5 waters) according to their respective, low to high, mass wasting potential (WDFW).

WDFW's recent Science Synthesis and Management Implications for the Protection of Riparian Ecosystems (WDFW 2018) recommends that riparian protection should be focused within the area defined as the Riparian Management Zone or RMZ. The RMZ is the area in which full riparian function can potentially occur and is thus not synonymous with buffers as used in previous guidance or existing regulations. The RMZ differs from buffers in one important way. Buffers are established through policy, whereas the RMZ is a scientifically based description of the area adjacent to rivers and streams that has the potential provide full function.

WDFW outlines multiple methods for defining the RMZ, such as determining the Site-Potential Tree Height and or designating inner- and outer-buffer zone definitions within the RMZ to reflect varying levels of protection or of existing conditions. The buffer zone approach is based on the understanding that relatively undisturbed vegetated areas close to the stream provide a greater percentage of the functions that those areas further from the stream (WDFW 2018).

WDFW recommends the width of RMZs in the Columbia Plateau ecoregion be based on the widest of three riparian functions: shade, wood (large and small) or pollutant removal. The role of buffers to perform specific functions, as evaluated through best available science, is discussed in the following sections.

Water Quality

Ecology's 2005 synthesis of the science for determining the effectiveness of wetland buffers to protect water quality was based primarily on studies conducted in the buffers of streams [called the riparian zone (Sheldon, et. al. 2005)]. Buffers were determined to protect water quality through the following several documented mechanisms:

- They remove sediment (and attached pollutants) from surface water flowing across the buffer;
- They biologically treat surface and shallow groundwater through plant uptake or by biological conversion of nutrients and bacteria into less harmful forms;

- They bind dissolved pollutants by adsorption onto clay and humus particles in the soil;
- They help maintain the water temperatures in the wetland through shading and blocking wind;
- They remove pollutants from groundwater flows through interaction of the soils and deep-rooted plants (Mayer, et al. 2007; Polyakov, et al. 2005);
- They infiltrate polluted surface waters and slow flows so pollutants can be removed more effectively (Buffler, et al. 2005; Polyakov, et al. 2005).

The role of buffers in attenuating stormwater flows is less well studied but it can be assumed that reducing sediment loads in runoff prior to discharging to a wetland will help protect its storage capacity and, in that manner, protect wetland hydrologic functions (Bullock and Acreman 2003).

Recent research and guidance focuses on identifying the characteristics of buffers that provide the protection of wetland and stream functions (Environmental Law Institute 2008, Slawski 2010). For water quality, they include soils, the size of sediment particles, water source and flow convergence, infiltration rate, surface roughness (influenced by vegetation type and density of plants), slope gradient and length and surrounding land uses (Buffler, et al. 2005; Polyakov, et al. 2005; Yuan, et al. 2009). Mayer, et al. (2007) analyzed 45 studies on nitrogen removal and found that soil type, subsurface water regime (e.g., soil saturation, groundwater flow paths), and subsurface biogeochemistry (the supply of organic carbon and inputs of nitrate) are also important factors. While significant reductions in some pollutants, especially coarse sediments and the pollutants adhered to them, can occur in a relatively narrow buffer of 16 to 66 feet (5 to 20 meters), removal of fine sediments requires substantially wider buffers of 66 to 328 feet (20 to 100 meters) (Sheldon, et al. 2005). The Planner's Guide to Wetland Buffers for Local Governments, prepared by the Environmental Law Institute (2008), recommends buffers ranging from 30 to 100 feet (9 to 30 meters) for sediment removal, 100 to 180 feet (30 to 55 meters) for nitrogen removal, and 30 to 100 feet (9 to 30 meters) for phosphorus removal.

Removal of dissolved nutrients requires long retention times and contact with fine roots in the upper soil profile (i.e., soils that are permeable and not compacted). Distances (i.e., buffer width) for dissolved nutrient removal are quite variable, ranging in the literature from approximately 16 to 131 feet (5 to 40 meters) (Sheldon, et al. 2005). Also, there are differences in the processes that remove different pollutants. Site-specific conditions such as soil type, flow paths, and pollutant loading affect pollutant removal efficiencies (Mayer, et al. 2007).

Nevertheless, recent research and reviews confirm that, in general, it takes a proportionally larger buffer to remove significantly more pollutants because coarse sediments and the pollutants associated with them drop out in the initial (outer) portions of a buffer. It takes a longer time for settling, filtering, and contact with biologically active root zones to remove fine particles and dissolved nutrients (Mayer, et al. 2007; Yuan, et al. 2009; Zhang, et al. 2010).

Wildlife Habitat

Wetland and stream buffers help maintain viable wildlife habitat as they provide an ecologically rich and diverse transition zone between aquatic and terrestrial habitats. Buffers can also screen habitats from human disturbances, and they can provide connectivity between otherwise isolated habitat areas (Sheldon, et al. 2005).

For habitat, research has reinforced that buffer requirements need to be targeted at the species of interest. For example, a forested buffer is optimal for some species but not for others. Fish may need only a 100-foot (30-meter) buffer, but some species of amphibians are better protected with a 1,000-foot (300-meter) buffer.

Some ecologists now refer to buffers that provide critical life requirements for wetland-dependent species as core habitats rather than buffers (Crawford and Semlitsch 2007, Semlitsch and Bodie 2003, Semlitsch and Jensen 2001, Slawski 2010). Core habitats are those areas within watersheds that contain the most productive and diverse habitats. The distinction is based on the idea that a buffer is not reducing impacts on the functions provided by a wetland or stream. Rather, wetlands and streams in proximity to adjacent upland habitats provide a critical habitat function. The combination of wetland and upland habitat types provided by buffers is essential to a suite of species that would be absent from either habitat alone. Core habitats are essential to a number of wetland- and stream-dependent species, particularly amphibians (Semlitsch and Jensen 2001). For example, inadequate quantity or quality of core habitat will increase the probability of local amphibian population extinction (Semlitsch 2007).

It seems logical that buffers would screen wildlife and habitat areas from disturbances related to noise and other human activities. Even a narrow buffer, if undisturbed, can provide a closer connection between nearby wetlands, streams, and other upland habitats, or it may directly connect with adjacent wetland systems, reducing habitat fragmentation and increasing habitat connectivity.

In general, buffers needed to support wildlife species reported in those studies are many times wider than buffers needed for water quality protection and are often unobtainable in already developed urban environments. For example, recent recommendations specify buffer widths that go beyond 300 feet (91 meters) for many wildlife species. The *Planner's Guide to Wetland Buffers for Local Governments* prepared by the Environmental Law Institute (2008) recommends a range of 100 to 1,000 feet (30 to 300 meters) for wildlife, and the Southeast Wisconsin Regional Planning Commission (Slawski 2010) recommends a minimum range of 400 to 580 feet (122 to 177 meters) for birds, salamanders, turtles, snakes, and frogs based on the research and synthesis work by Semlitsch and Bodie (2003). Current research indicates that a broader approach to protecting wildlife is needed (Hruby 2013) because buffers alone may not prevent the populations of many species from declining. Wetland protection policies that rely solely on buffers may be ineffective at protecting amphibians or other wetland- and stream-dependent species that disperse across the landscape.

Plant Communities

The role of buffers in protecting the microclimate of streams is well documented (Leinenbach et al. 2013). Shading by trees significantly reduces air and water temperatures. Fallen trees in buffers provide refuge and foraging opportunities as large woody debris features for many species of insects, birds, amphibians and mammals.

Studies indicate that buffers of at least 230 to 330 feet (70 to 100 meters) are needed to protect the diversity of a wetland plant community. Houlahan et al. (2006) monitored plant diversity in 58 wetlands in Ontario, Canada, and found that forest cover in the buffer was an important predictor of species richness in the wetlands. Statistically significant changes in overall plant richness were observed when the forest cover was changed to other land uses as far as 820 to 990 feet (250 to 300 meters) from the wetland. The richness of the different functional groups of plants in the wetlands (e.g., native, exotic, annual, perennial, forest, open, aquatic), however, did not respond in the same way even though the overall trend was that larger buffers increased plant richness.

Rooney, et al. (2012) found that the integrity of the plant community in 45 wetlands in Alberta, Canada, was best predicted using data on land cover within 330 feet (100 meters) of the wetland rather than other distances ranging up to 1.9 miles (3,000 meters). Ervin (2009) found that the presence of a forested buffer of at least 230 to 330 feet (70 to 100 meters) was associated with an increase in the richness of wetland plant species.

Because invasive plants can adversely affect habitat quality in buffers, Ecology (2012) recommends replacing noxious weeds and invasive plants with native plants along shorelines. Conservation of native plants and replacing invasive or noxious weeds with native vegetation is beneficial for all wetland shorelines and should be added to the City's wetland buffer regulations.

Buffer Maintenance and Effectiveness over Time

Human actions can reduce the effectiveness of buffers in the long term through removal of buffer vegetation, soil compaction, sediment loading, and dumping of garbage (Environmental Law Institute 2008; Sheldon, et al. 2005; Wade and Theobald 2010). Buffers may lose their effectiveness to disperse surface flows over time as flows create rills and channels, causing erosion within the buffer (Polyakov, et al. 2005; Sheldon, et al. 2005; Yuan, et al. 2009). In addition, buffers may become saturated with sediment over time and become less effective at removing pollutants (Sheldon, et al. 2005).

Regulatory recommendations for riparian buffer establishment, protection and setbacks, as outlined in WDFW's Land Use Planning for Salmon, Steelhead and Trout (Knight 2009) include:

- Establish natural vegetation buffer widths based on best available science and sufficient space to maintain functions and biological processes.
- Proposed modifications to buffers including native vegetation clearing, hazard tree removal and or buffer width averaging and or reduction should be evaluated by a qualified habitat biologist and or arborist to ensure no net loss to fish and wildlife habitat occurs. Consideration should also be given to assessing the temporal loss of function(s) from such clearing. Although functions recover over time, interim measures to enhance recovery times and trajectories should be implemented. Preferably, some measures (e.g., replacement plantings) should be conducted prior to or concurrent with clearing activities to minimize overall temporal losses.
- Extend buffers to include adjacent critical areas buffers (such as those associated with wetlands, lakes, floodplains, and channel migration zones).
- Avoid permitting development that will require bank protection. If bank protection cannot be avoided, follow bank protection recommendations in the Washington State Integrated Streambank Protection Guidelines.
- Adopt a setback of at least 15 feet from the edge of riparian buffers to protect buffer habitat from impacts associated with construction and buildings.

Additionally, mitigation ratios for impacts to streams and buffers should be established. Typically, mitigation for impacts to wetland and stream buffer impacts are compensated at a 1:0 to 1:0 ratio.

To be consistent with the Shoreline Management Guidelines and considering channel migration risks (described below), 200-foot-wide buffers are recommended for the protection of the City's Type S waterways—the Yakima and Cle Elum rivers. The recommended buffer width for the establishment of the protection of Crystal Creek and Town Ditch, the only fish bearing streams mapped within the city, is 50 feet. Buffer widths are to be measured horizontally from the Ordinary High Water Mark (OHWM). Smaller ephemeral streams should have a smaller corridor to protect habitat when water occurs and reduce risks of future flooding. Modest buffers (20-30 feet) are suggested, but not required.

Table 5-4 presents recommendations for the establishment of riparian buffer widths within the City of Cle Elum based on Water Type. Additional protection of riparian associated wetlands, channel migration zones (see Erosion Hazard Areas) and floodplain restrictions (see Frequently Flooded Areas) may result in even greater protection within specific areas of the city.

Table 5-4. Ecology Recommended Riparian Buffers for City of Cle Elum.	
Name of Stream and or Water Type	Ecology Recommended Buffer Width
Yakima River–(Type S)	200 feet
Cle Elum River–(Type S)	200 feet
Crystal Creek–(Type F)	50 feet
Non-fish bearing perennial, seasonal (ephemeral) streams–(Type Np and Ns)	25 feet

Terrestrial habitat buffers of 100 feet are recommended for areas where listed and or priority wildlife species are documented to be present. No clearing of vegetation or land disturbances shall be allowed within the terrestrial buffer area without review by an approved habitat biologist and development of an appropriate mitigation plan

CRITICAL AQUIFER RECHARGE AREAS

The GMA defines critical aquifer recharge areas as “areas with a critical recharging effect on aquifers used for potable water.” Washington Administrative Code (WAC) Chapter 365-190 further defines critical aquifer recharge areas: “areas with a critical recharging effect on aquifers used for potable water, including areas where an aquifer that is a source of drinking water is vulnerable to contamination that would affect the potability of the water, or is susceptible to reduced recharge.” In Ecology’s critical aquifer recharge areas guidance document (Ecology 2005), Ecology states that identifying “areas with a critical recharging effect on aquifers used for potable water” depends on understanding aquifer recharge and what is meant by “a critical recharging effect.”

To understand what makes a critical aquifer recharge area in the city, it is helpful to explain the geology of Cle Elum. As mentioned above, the city is in a formerly glaciated, alluvial valley in the Yakima Fold Belt. Surrounding bedrock-dominated mountains funnel rainwater into the alluvial sediments of the valley. Water in this alluvial sediment exchanges flow with the major rivers [Yakima, Cle Elum, and Teanaway (Figure 2: Gendaszek, et al. 2014)]. Damming of both the Yakima and Cle Elum rivers has elevated this already high groundwater table (Ely, et al. 2011). As a result, groundwater is at or near the surface throughout much of the city. The primary drains for the groundwater are the major rivers (Gendaszek, et al. 2014).

Although the City has the Yakima River as its primary water source, a well field in the valley serves to provide backup for this resource. The exchange between groundwater and the Yakima River documented by Gendaszek, et al. (2014) also makes it crucially important for the City to protect the quality of its groundwater, since contamination of the groundwater could ultimately end up in the Yakima River and its water supply. Therefore, all lowland areas of the city that have alluvial soils should be considered a critical aquifer recharge area, as is currently stated in its code.

ESA (2014) provides a list of management recommendations, though many of these have already been implemented in the City’s existing code. In particular, consistent with this document, new underground storage tanks, and any activities involving fertilizers, herbicides, and pesticides and should be specifically called out as requiring hydrogeological reports, as they present a risk to the contamination of the City’s water supply.

FREQUENTLY FLOODED AREAS

The Yakima and Cle Elum rivers have floodplains and floodways defined through the city and its UGA according to the Flood Insurance Rate Maps (FIRMs) for the City of Cle Elum and adjacent unincorporated areas of Kittitas County (FEMA 1981a,b,c,d). These maps are in the process of being updated (FEMA 2019), though these new maps have not been formally adopted by the City or Kittitas County. The new maps reflect numerical modeling of flood conditions, while the earlier maps did not. The new map also shows generally reduced flooding potential. Therefore, it is recommended that City adopt the new maps and prepare its code for that eventuality.

The new flood maps subdivide the previous floodplain into floodways and floodplains. Floodplains and floodways are not currently defined separately in the City's code. Floodplains are defined by FEMA as those areas that inundate in floods, but do not provide significant conveyance. Therefore, the main risk to these areas is inundation and loss of flood storage. The City's code currently adequately protects human life from these sorts of risks.

Floodways are those areas that provide conveyance to the river system. Development in floodways is much more detrimental than floodplains to the surrounding landscape and can initiate changes in the river channel pattern. Velocities are also often greater in floodways, making loss of property and human life more likely in these areas. As a result, it is recommended that the City make a distinction between floodways and floodplains in its code and strengthen protections to floodways.

The final set of frequently flooded areas are the seasonal and ephemeral tributaries to the main rivers. Much less is understood about these streams and none of these streams, including Crystal Creek, has explicit protection in the City's code, despite that they have the potential to damage infrastructure and could contain threatened or endangered species.

CLIMATE CHANGE

The hydrology of the Yakima River (and by extension, the Cle Elum River) is expected to evolve due to climate change (Elsner, et al. 2010; Mantua, et al. 2010). The Upper Yakima River (as defined by that part of the river in Kittitas County) is a "transition" river with respect to the dominant precipitation process that regulates flow (Mantua, et al. 2010). Currently the highest flows in the Yakima River occur during the spring freshet (meltwater period), sometimes exacerbated by a rain-on-snow event near the Cascade Crest (Elsner, et al. 2010), which are particularly relevant to flooding in the city. While these events are expected to continue to dominate for the next few decades, rainfall-driven fall and winter floods, as are currently dominant on the west side of the Cascades, will increase in magnitude, while the spring freshets will decrease in magnitude. Elsner, et al. (2010) predicts by 2080, even as far downstream as Parker (Yakima), these events could dominate the annual hydrograph of the river. Even though

this much farther downstream and therefore less directly affected by snowmelt, it is expected that by this time, even in Cle Elum, fall floods in most years would exceed the magnitude of the spring freshet (Elsner, et al. 2010). This changing hydrology would affect the management of the Yakima River at Keechelus Dam and the Cle Elum River at Kachess Dam. Depending on that management, flooding patterns and timing could be dramatically changed in the city.

In addition to the impacts to flooding, these changes will affect summer low flows and stream temperatures. The reduced low flows in the middle of the summer (August) will cause stream temperatures to increase beyond mortality limits of and potentially imperil local salmon (Mantua, et al. 2010).

It is less clear how the hydrologic changes described by Elsner, et al. (2010) and Mantua, et al. (2010) will affect the smaller, local drainages, including Crystal Creek. In fact, these drainages may not behave the same. The expected increase precipitation in fall and winter at the Cascade Crest (Mantua, et al. 2010), and the increased water impounded behind the dams, might be more effective at sustaining baseflow in those creeks more dependent on surficial groundwater (i.e., Crystal Creek) than those that are entirely dependent on local precipitation in the foothills above the city.

NATURAL HAZARDS

Several different types of natural hazards are found within the City of Cle Elum, including landslides, steep slopes, active faults with considerable seismic hazards, and liquefiable soils. Each of these geohazards are discussed in greater detail below. Because the city is also at risk to wildfire, we have included a section covering it, since it profoundly impacts life in Cle Elum and represents a possible vector for issues associated with climate change.

WILDFIRE

One of the greatest risks to the Cle Elum community is wildfire. Wildfire has always been a part of the region's natural hazards however considerable changes have occurred that have led to increase risk from wildfire in recent decades. Historically, fire regimes ranged from over 900 years to as frequent as every 20 years. However, due to fire suppression, past methods of timber management and the build-up of fuels in the forest, fire regimes have trended toward larger, hotter and less frequent fires. Declining forest health over the course of recent decades has resulted in uncharacteristically overstocked forests and episodic droughts have increased competition and available moisture. Together, these conditions have resulting in less resistant forests to wildfire and insect and disease outbreaks, which has in turn led to increasingly large and expensive wildfires. Climate change is anticipated to increase the number of acres burned by wildfire (annually) by four times by the 2080s, compared to the median annual area burned from 1916 to 2006 (Littell, et al. 2010).

Cle Elum is located in the Northwest Plains and Plateau (NWPP) region in which the mean minimum monthly temperature 34 degrees Fahrenheit, and the mean maximum monthly temperature is 59 degrees Fahrenheit. Mean annual precipitation in the NWPP measures 15 inches and mean annual summer precipitation measures 2 inches (Sheenan, et al. 2015). Climate change modeling outputs report that both minimum and maximum temperatures will increase over the coming decades with additional changes in precipitation patterns (Sheenan, et al. 2015). Statewide average spring snowpack is projected to decline 38-46 percent by mid-century and 56-70 percent by the 2080s. Model outputs show that this area will have warmer winters with less snow, and a greater portion of the of winter precipitation occurring as falling rain.

These climate impacts will result in additional changes to surface water hydrology with streams and river flows driven more from rainfall events, rather than snow melt. This will alter the timing at which peak flows occur from the spring melt or freshet (historically occurring in mid-May in the Yakima watershed) to periods of peak rainfall, which are estimated to occur in mid-February by 2080 (Elsner, et al. 2010). Reduced snowpack will result in lower stream flows in summer, which will be compounded by projected decreased precipitation during summer months. Changes in the hydrography of the Yakima watershed are significant and indicating this

watershed will shift from a transient rain-snow watershed to a rain-dominated watershed by the 2080s (Elsner, et al. 2010).

Summertime rains are directly related to the interannual changes in the forested areas burned by wildfire over the region (Littell, et al. 2009) as well as the timing (start and end) of the wildland fire season (Chiodi, et al. 2016). Summertime rain fall events do commonly occur in the region, on average two or three times per summer. Southeasterly rainfall events feature lightning strikes, while southwesterly circulation types include greater rainfall amounts.

In many forest and range landscapes, wildfire represents one of the main factors controlling landscape evolution through the promotion of enhanced erosion (Owens, et al. 2013). Denudation resulting from fire can result in enhanced mass movements, channel bank erosion. The magnitude of denudation depends on vegetation/tree cover and climate, thus fire frequency (Owens, et al. 2013). Post-fire impacts range from a multitude of natural resource risks and concerns. Suspended sediment was compared across two nearby watersheds in British Columbia, one of which was affected by a large recent fire in which 62 percent of the watershed was burnt. The major changes in the wildfire affected watershed included increased bank erosion and a channel migration due to loss of root strength and cohesion, which occurred 3-5 years after the fire (Owens, et al. 2013). Water repellent soils form during fires when organic material burns at high intensity, water repellent compounds vaporize and condense on the cooler soil layers below, which then prevent soil from absorbing waters. During heavy rains, water cannot penetrate the water repellent soils, so it runs off like pavement, which can cause flash flooding mud, debris and mudslides.

Wildfires alter ecosystems as they change in frequency, size and severity. They change vegetation structure, alter moisture inputs and energy fluxes that impact snowpack and hydrology. A variety of regional studies within or including the Pacific Northwest have examined potential climate-driven changes in the distribution of vegetation cover types. Model outputs show predominant conifer forests will be replaced by mixed forest. Modeling results also showed that fire suppression has a marked effect and will be even more important as vegetation changes will result in an increase in the dominance of wood vegetation in the future (Sheenan, et al. 2015). It is unclear how these interrelated effects are going to change the risk of wildfire in the City of Cle Elum. However, the possibility of warmer, drier summers and the reduction in groundwater levels from the known reductions in Yakima River flow (Elsner, et al. 2010; Mantua, et al. 2010) provide the possibility of increased wildfire incidence and severity in the future (Halofsky, et al. 2020). Therefore, the City should take steps to better protect itself from this threat. Although the City already has many individual Firewise Communities within its city limits (see next section), it should consider integrating these programs with other portions of the community that are not already in the program. This could take many forms, from formalizing Firewise programming elements into the City's development code, to the City developing its own Community Wildfire Protection Plan.

Several different strategies have been undertaken to counteract potential increases in wildfire risk (Kittitas County Conservation District and Anchor 2018). Most of them focus on reducing ladder fuels, such as removal of dead and downed wood and removal of dense immature

saplings and shrubby vegetation. This can be achieved by physical/mechanical removal or controlled burns. Controlled burns could be more desirable, since they better approximate pre-development physical processes. It is important that the City's code be flexible to accommodate these types of activities and encourage them as development continues.

Fire-Adapted Communities

Actions to reduce wildfire risk to communities in Washington must be taken to reduce future widespread economic loss, loss of human life, further declining forest health and the occurrence of uncharacteristic wildfires. Kittitas County has experienced decades of population growth and home building, which has led to increased residential development in forests and into the Wildland Urban Interface (WUI). The WUI, as defined by Kittitas County Community Wildfire Protection Plan (CWPP: Kittitas County Conservation District and Anchor 2018), is any area where the combination of human development and vegetation have a potential to result in negative impacts from wildfire on the community. This includes the entire city and its UGA. New development in these sensitive areas results in greater risk to life, property and challenges for fire protection and prevention. Establishing a fire-adapted community through work on private property will build a more fire-resistant landscape, and a more integrated and successful fire response.

The Kittitas County CWPP developed a guidance document aimed at outlining eight necessary steps developing community wildfire protection plan, entitled; Preparing a Community Wildfire Protection Plan: A Handbook for Wildland-Urban Interface Communities (Communities Committee, et al. 2004). Promoting fire adapted communities focused on preventing, preparing for, and protecting lives and properties during wildfire events and ensuring a full recovery. There are many paths to becoming fire adapted such as though education, mitigation, policies and regulation.

Firewise Communities USA is a nationally recognized program that recognizes communities who have demonstrated their commitment to wildfire preparedness. The program is used as a tool to raise the level of landowner awareness in neighborhoods. There are several Firewise USA communities in the Cle Elum area including:

- Banti Creek,
- Buffalo Springs
- Goat Peak Ranch HOA
- Hidden Valley Terrace
- Hidden Valley Vistas – Hidden Valley Meadows
- Lauderdale Ridge HOA

- Sky Meadows Ranch
- Sun Country
- Suncadia
- Sunlight Waters
- Swauk Pines
- Teanaway Terrace
- Vistas at Cle Elum
- Tillman Creek

LANDSLIDES

Very few landslides have been documented within the City of Cle Elum. Mapped landslides within the City are limited to several shallow undifferentiated slides along the banks of the Cle Elum River at the western end of town. A single deep-seated slide is mapped directly west of Bullfrog Road, roughly 800 feet north of I-90 (at exit 80). Numerous landslides have occurred within the public lands found outside the City limits. An additional large deep-seated landslide is located at Lanigan Spring, just northeast of the City limits.

A landslide hazard inventory was conducted of the greater Cle Elum watershed in 2005 (Powell 2005). Powell's work was focused on better managing risks associated with mass wasting and forest harvest. Powell describes five types of mass wasting processes that occur in the Cle Elum watershed, including:

- Shallow soil sliding down bedrock surfaces in convergent headwalls and inner gorges. These soils are sensitive to disturbance and loss of vegetation (root strength)
- Toes of deep-seated landslides adjacent to streams
- Slope ravel and shallow landslides on glacial terrace faces along the Cle Elum River
- Large deep-seated landslides

Mass wasting is directly related to slope shape, angle, the occurrence of bedrock, colluvial/soil material and depth, hydrogeology, glacial history and forest practices. The areas most prone to mass wasting include steep convergent slopes on dipping bedrock units that have been folded, fractured and weathered to unstable minerals, draped by thin soils, or colluvium and/or glacially derived sediments are usually the most prone to failure (Powell 2005). These conditions occur along the higher relief areas north of downtown Cle Elum. **While this information does exist,**

it is not referenced in the CEMC and it should be to be compliant with Ecology recommendations.

When soils are severely disturbed, such with development activities including clearing vegetation, grading, road building, and forest practices, the combined loss of root strength with heavy precipitation initiates immediate mass wasting (Powell 2005).

Powell evaluated the mass wasting potential of seven landforms found in the Cle Elum study area. Mass wasting potential considered landslide process, failure density, lithology, geomorphology and topography. The landforms associated with the highest mass wasting potential in the area are described below and can be used to guide improved management of these critical areas in the City of Cle Elum.

High Mass Wasting Potential:

- Toes of deep-seated landslides, adjacent to streams. Slopes greater than 65 percent are most prone to failure.
- Inner gorges. Inner gorges fail as slopes ravel. Shallow landslides or debris slides often initiate debris flows, triggering sediment production.
- Terrace faces and outside of meander bends. These features are constantly being over steepened resulting in shallow landslides, and occasional deep-seated slides, raveling with rapid failures occurring during heavy precipitation.

Powell (2005) observed the impacts from vegetation removal, regrading, loading, and recreational vehicle activity, particularly along the terrace faces. These impacts have the potential to initiate and amplify mass wasting processes which can threaten public safety, impact critical infrastructure, such as roads, bridges and power lines.

STEEP SLOPES

The topography of Cle Elum and its UGA is a northwest to southeast trending Pleistocene glacially carved valley. Glacial erosion oversteepened valley walls in many locations (Powell 2005, ESA 2012). Slopes greater than 35 percent are mapped within the City of Cle Elum north of Fourth and Six Streets, and up Greens Canyon, Balmers Canyon, and Curry Canyons. Some steep slopes are found north of Crystal Creek and within the Bullfrog Flats areas, east of Wood Duck Road.

Geotechnical buffers from the top of these slopes are suggested for slopes that are continuous for at least 10 feet. Buffers can be set at a fraction of the slope height or a fixed distance (e.g., 50 feet). Development within these buffers should be accompanied by a report from a licensed geotechnical engineer.

EROSION HAZARD AREAS

The principal risk from erosion in Cle Elum is associated with channel migration of the Yakima and Cle Elum rivers. Kittitas County completed channel migration zone mapping of the Yakima River, including the Cle Elum and its UGA (ESA 2012). Much of the channel migration zone within Cle Elum is disconnected from the Yakima river by the I-90 corridor. All areas located south of I-90 are located within the (Tier 1) channel migration zone (ESA 2012). The channel migration zone for the Cle Elum River, is found within city limits, in the Bullfrog Flats area near the western edge of the city. Here it is also partially disconnected due to I-90.

Other erosion hazards could result on the bedrock hillsides found at the edges of the city. The bedrock nature of these areas means that they are resistant to erosion, but wildfire and climate change (i.e., increased intense rainfall) could increase their erodibility. Since the risk is not present now, these areas should be monitored for any change to their condition, but no designation is necessary at this time.

SEISMIC HAZARDS

Various seismic event scenarios have been modeled for Washington State with projected magnitudes and qualified levels of shaking and some additional information on damages associated with the specific conditions. The City of Cle Elum is vulnerable to ten potential seismic events, based on the likely magnitude of an earthquake and the town's proximity to the active fault lines. The greatest risk is likely associated with a potential Cle Elum Fault rupture, which has been modeled as a magnitude 6.8 earthquake. It would have the potential to produce strong to very strong shaking in the city. This scenario is based on a hypothetical rupture along a set of faults following Manastash Ridge and Cle Elum Ridge in the Yakima Fold Belt. The fault rupture scenarios that produce shaking in Cle Elum are:

- Cascadia, Magnitude 9.0. Moderate to Strong shaking
- Cascadia North, Magnitude 8.3. Moderate shaking
- Chelan, Magnitude 7. Moderate to Strong shaking
- Cle Elum, Magnitude 6.8. Strong to Very Strong shaking
- Mill Creek, Magnitude 7.1. Light to Moderate shaking
- Mount St Helens, Magnitude 7.0. Light to Moderate shaking
- Saddle Mountain, Magnitude 7.35. Moderate to Strong shaking
- Seattle, Magnitude 7.2. Moderate shaking

- Seatac, Magnitude 7.2. Moderate shaking
- Southern Whidbey, Magnitude 7.4. Moderate shaking

Due to the underlying unconsolidated geology of the valley floor, and much of the City of Cle Elum, liquefaction risk is a moderate to high risk and a high risk (Palmer, et al. 2004). The liquefaction potential would accentuate the shaking seen in the above rupture events. Examination of the City's building code was beyond the scope of this analysis, but it should account for these types of events.

MITIGATION

Unavoidable impacts on critical areas should be offset by mitigation. The City's critical areas ordinance is expected to include standards for the type, location, amount, and timing of the mitigation, as well as clear guidance on design considerations and reporting requirements (Ecology 2012). Mitigation follows a sequence, which is defined by WAC 197-11-768 as the sequential process of avoiding, minimizing, rectifying and reducing impacts, as well as compensating for unavoidable impacts and monitoring the impact per the following order of preference:

1. Avoiding the impact altogether by not taking a certain action or parts of an action;
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation, by using appropriate technology, or by taking affirmative steps to avoid or reduce impacts;
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment;
4. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action;
5. Compensating for the impact by replacing, enhancing, or providing substitute resources or environments; and/or
6. Monitoring the impact and taking appropriate corrective measures.

Section 18.01.070 of CEMC outlines this mitigation sequencing, however mitigation ratios are defined for wetland impacts only. **Mitigation ratios for impacts to all City regulated critical areas and associated buffers should additionally be stated in the code to be compliant with Ecology recommendations.**

With respect to wetland mitigation, the City's code follows recommended mitigation ratios for compensatory mitigation as outlined in the interagency (Ecology, US Army Corps of Engineers, and EPA) Wetland Mitigation in Washington State guidance documents, Parts 1 and 2, Publications #06-06-11a and #06-06-11b , prepared in 2006; however updates to these documents are anticipated for completion in 2020. The City may also allow for the use of the credit/debit method as an alternative to determining mitigation ratios as described in *Calculating Credits and Debits for Compensatory Mitigation in Wetlands of Eastern Washington: Final Report* (Hruby 2012).

Mitigation can be challenging in a small jurisdiction such as the City; thus, Ecology suggests that a critical areas ordinance include language that allows for interlocal agreements or similar

instruments that would allow mitigation to occur in other jurisdictions (Ecology 2012). The City may consider allowing for mitigation banking and/or an in-lieu fee program. The USACE considers mitigation banks and in-lieu fee programs the preferred option for mitigation because they consolidate resources and involve more financial planning and scientific expertise (USACE 2017). Overall, the City's approach to wetland mitigation meets BAS standards; however, mitigation for impacts to all critical areas and associated buffers should be defined.

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SAFETY PLAN



HLA PROJECT NO. 23067E



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CHAPTER 1 – BACKGROUND

A. WSDOT 2024 City Safety Program Purpose

The City of Cle Elum is located within Kittitas County, as shown in Figure 1. The purpose of the Washington State Department of Transportation's (WSDOT) City Safety Program is to reduce fatal and serious injury crashes on city and town streets using engineering improvements and countermeasures. The funding source for this program is the Federal Highway Safety Improvement Program.

WSDOT's program is closely tied to and is consistent with Washington State's Strategic Highway Safety Plan known as Target Zero.

B. Cle Elum's 2020 City Safety Plan

Cle Elum developed a local road safety plan that addressed serious injury crashes to become eligible to apply for WSDOT's 2020 City Safety Program funding. Cle Elum's 2020 City Safety Plan was consistent with WSDOT's Target Zero plan by design.

The City approved their first City Safety Plan on February 25, 2020. The 2020 planning process included analyzing WSDOT's 2014-2018 crash data, identifying and categorizing types of crashes, prioritizing countermeasures, and developing a preliminary project list for each serious injury-related crash location. The City also included prioritized safety projects which were not crash related, studies to assist the City with deeper analysis of problematic corridors, and data gathering activities to establish baseline existing conditions or make future safety analysis more comprehensive. The City submitted an application with seven identified projects in March 2020.

During WSDOT's November 2020 project selection, Cle Elum was notified that three proposed projects would be consolidated under one project summary and the City would receive \$296,300.00 in City Safety Program funding. The three proposed projects were:

1. 2nd Street and Floral Avenue Intersection Improvements
2. 1st Street Guardrail, Signs and Access Control
3. Traffic Data Collection

1. Cle Elum's 2nd Street and Floral Avenue Intersection Improvements

In 2014, a serious injury-related crash occurred at the intersection of 2nd Street and Floral Avenue. This crash location was in the north-eastern part of the City. The crash occurred on November 2, 2014 at 11:36 p.m., the intersection had no street lighting. Two vehicles collided at an angle in the intersection and the main circumstance was disregard of the stop sign.

The recommended countermeasures in Table 1 – Cle Elum's Priority Locations and Corridors and in the WSDOT 2020 City Safety Program application was illumination or flashing stop sign and vegetative control.



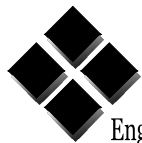
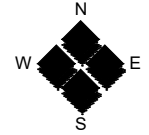
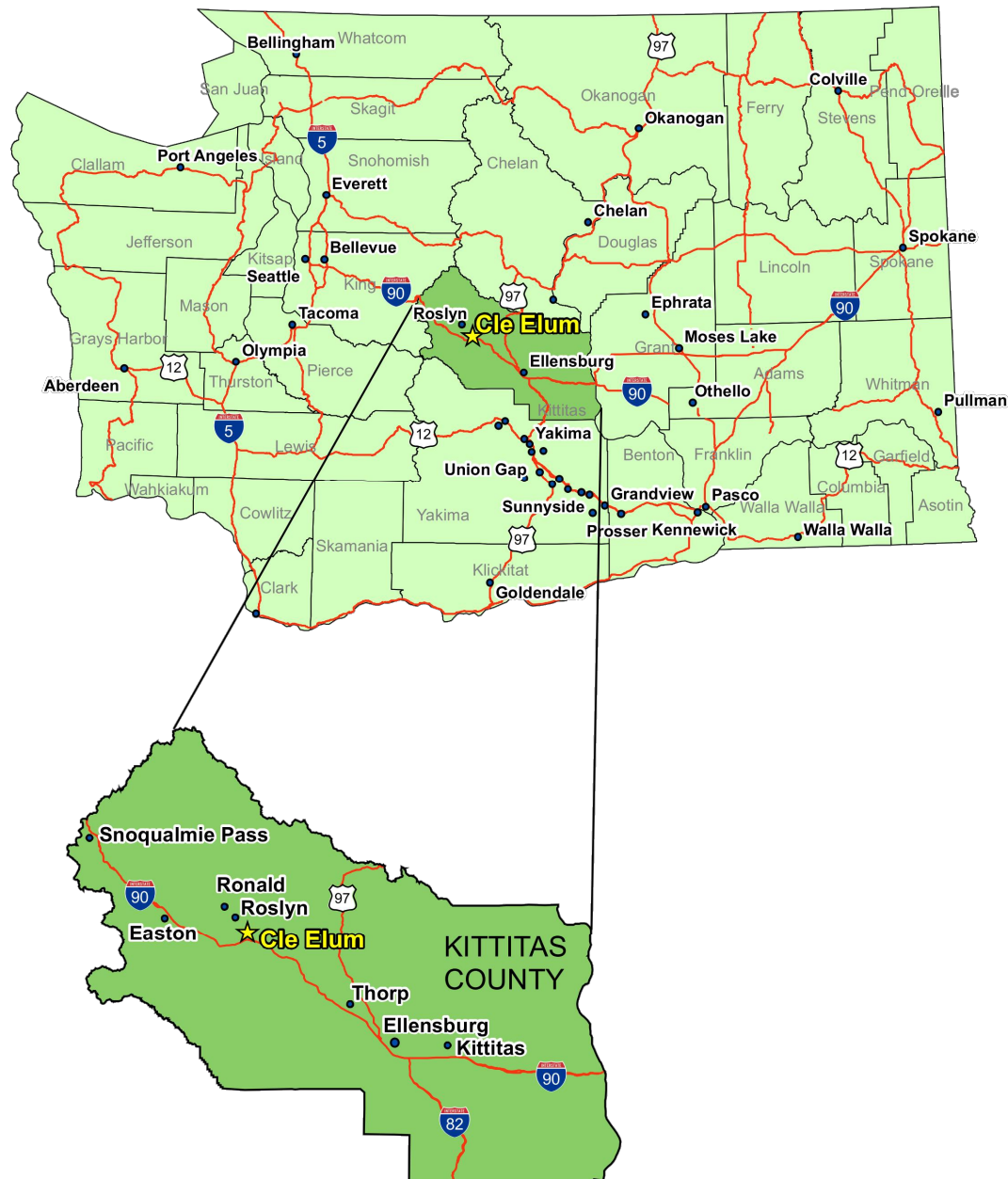


CITY OF CLE ELUM SAFETY PLAN

The low-cost proposed solution required no right-of-way acquisition, was included in the Safety Plan and therefore was vetted through a public engagement process and could be accomplished quickly.

The 2nd Street and Floral Avenue Intersection Improvements were completed on July 25, 2022. Figure 2 displays before and after photos of the project from two perspectives.





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JOB NUMBER: 23067
DATE: 06-23-23

FILE NAMES:
DRAWING: 23067.dwg

DESIGNED BY: DLL
ENTERED BY: SCH

CITY OF CLE ELUM

WASHINGTON STATE
VICINITY MAP



FIGURE 2 – 2021 CAPITAL IMPROVEMENTS – 2ND STREET AND FLORAL AVENUE

BEFORE

Second Street and Floral Avenue
From North:

- Stop sign competing with overgrowth.
- Small sign
- No lighting





AFTER

Second Street and Floral Avenue
From North:

- Lighted stop sign
- Warning striping on pilons
- Cleared vegetation.





2. Cle Elum's 1st Street Guardrail, Signs, and Access Control

In 2014, a serious injury-related crash occurred at 1st Street and the bridge over the creek between Stafford Street and Rosetti Way. This crash's location was in the north-western part of the City. The crash occurred on June 20, 2014, at 4:58 p.m. A single vehicle departed the travel lane, veered around a light pole at the west end of the bridge and around a pedestrian bridge adjacent to 1st Street and drove into a deep ditch (creek). The contributing circumstance was unknown driver distraction.

The recommended countermeasures in Table 1 – Cle Elum's Priority Locations and Corridors were to add a barrier and evaluate potentially confusing signage. In the WSDOT 2020 City Safety Program application, the same countermeasures were clarified, and the removal of a confusing driveway access was included.

The proposed combination of solutions required no right-of-way acquisition, was mostly included in the Safety Plan and therefore was partially vetted through a public engagement process and could be accomplished in a few phases. The removal of the driveway was vetted during the process which added the project to the City's Six-year Transportation Improvement Program (6-year TIP).

The 1st Street bridge over the creek improvements were completed on July 25, 2022. Figure 3, displays before and after photos of the project from the driving direction of the driver in the crash.

3. Cle Elum's Traffic Data Collection

The City established evaluation and scoring criteria with a multi-disciplinary workshop team in January 2020 as part of the City Safety Plan development. The team met to review 2014-2018 WSDOT crash data, establish priority evaluation criteria, assign associated points for injury severity at crash locations, review contributing factors and potential countermeasures, and establish problematic corridors. As the workshop attendees stepped through the evaluation and prioritization processes, the participants made note of missing or incomplete data that would assist them in decision-making during the process. The following studies of traffic data collection activities identified in the City Safety Plan, funded in 2021 were completed by March 14, 2022:

1. Parking Study (capacity analysis and parking safety) in problematic corridors
2. Pedestrian Traffic Counting Services (up to 12 locations, 3 time periods)
3. Traffic Count Services (up to 63 locations)

Data collection activities were concentrated in the four problematic corridors identified as follows:

1. Corridor 1: 1st Street from Davis Place to Yakima Avenue
2. Corridor 2: S. Cle Elum Way/Stafford Street from Charter Road to 5th Street
3. Corridor 3: Pine Street from Davis Street to Ronald Road
4. Corridor 4: Oakes Avenue from Intersection of I-90 Exit and Overpass to 4th Street

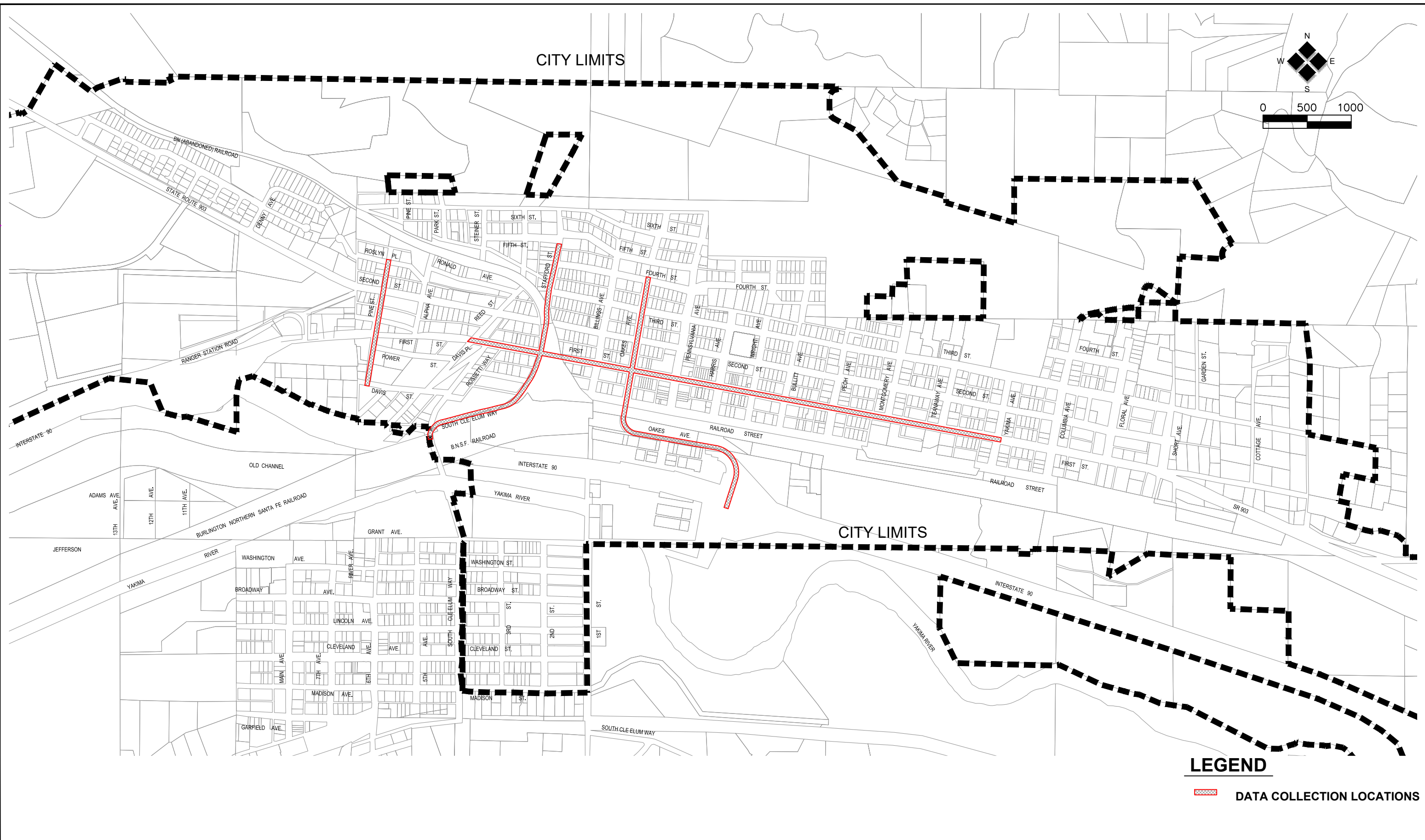
Locations covered by the Parking Study are presented in Figure 4, pedestrian and traffic count locations are presented on Figure 5 and Figure 6 respectively.





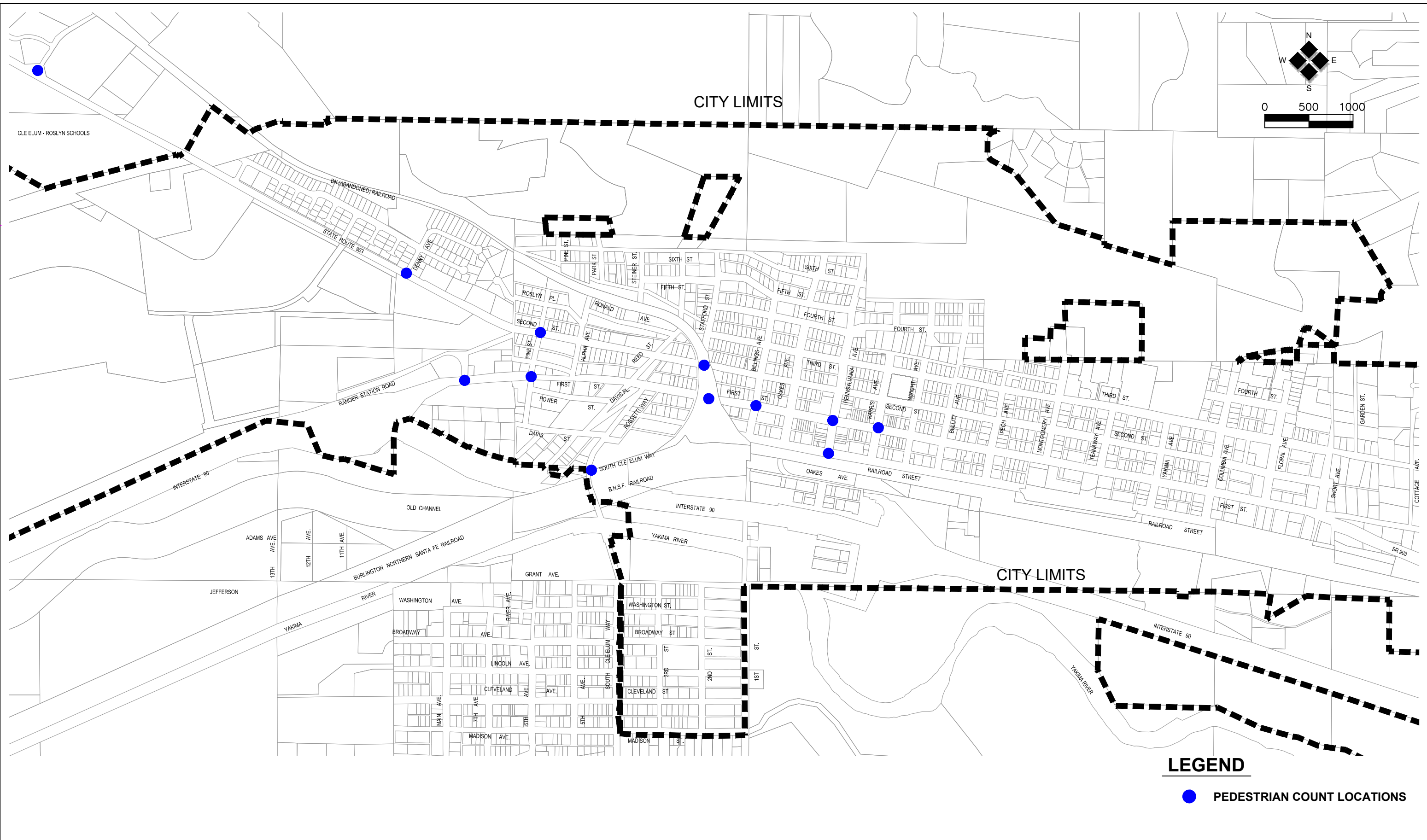
FIGURE 3 – 2021 CAPITAL IMPROVEMENTS – 1ST STREET GUARDRAIL, SIGNS, AND ACCESS CONTROL

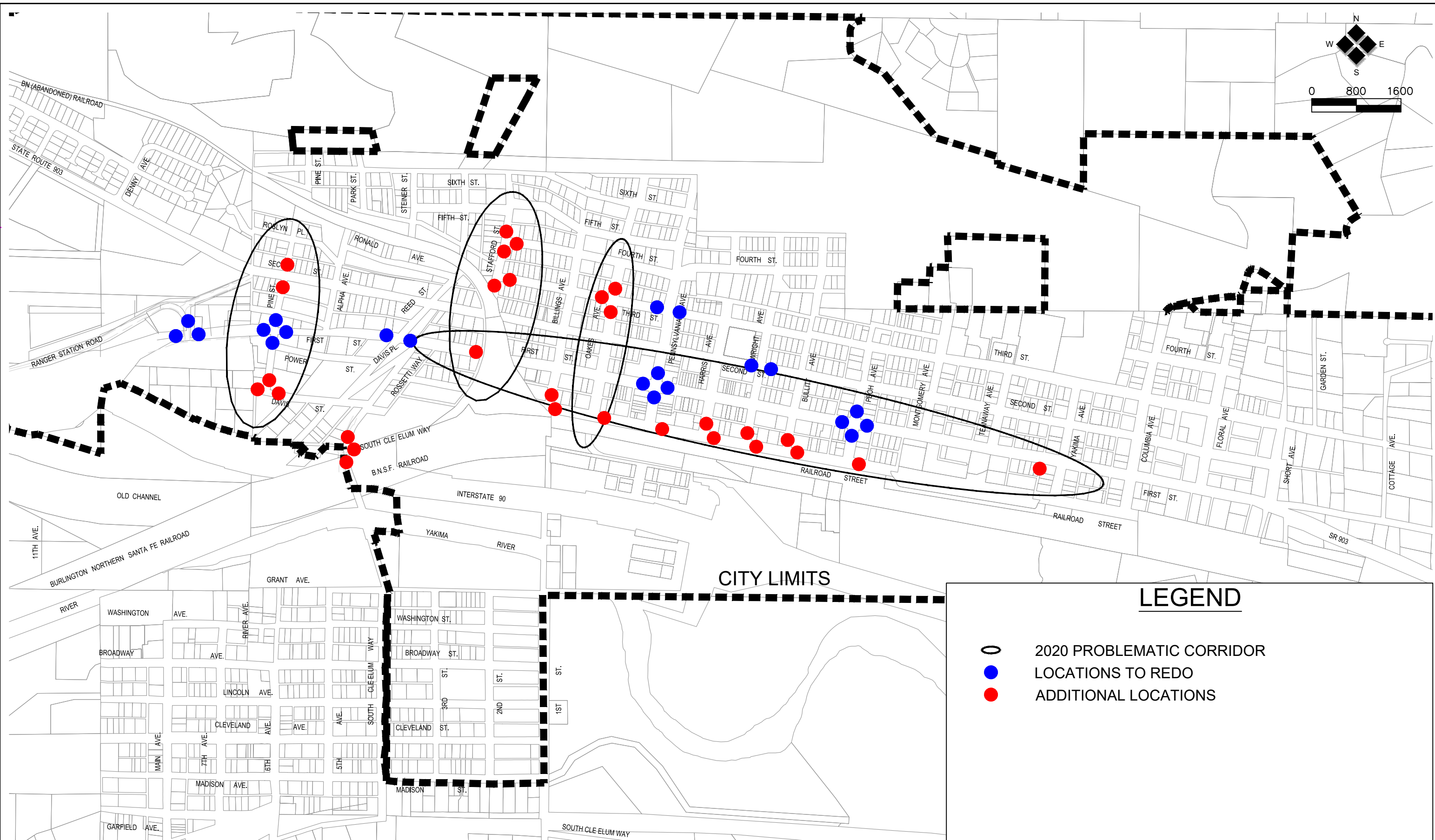




LEGEND

 DATA COLLECTION LOCATIONS







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FILE NAMES: DRAWING:	Figure 6.dwg
DESIGNED BY: ENTERED BY:	DLL SCH

CLE ELUM CITY SAFETY PLAN FIGURE 6	2021 TRAFFIC COUNT LOCATIONS
	SHEET 1 of 1



C. Relationship to Other City Plans and Inventories

Cle Elum's 2019-2037 Comprehensive Plan Update and Quad County's (QUADCO's) Regional Transportation Plan 2017-2037

The City of Cle Elum plans under Washington State's Growth Management Act RCW 36.70A.070 with the development and periodic update of a Comprehensive Plan. Cle Elum's most recent revisions to their 2019 update was adopted on November 4, 2021. In addition to being consistent with Washington State transportation planning documents, the City must maintain consistency with the regional transportation planning organization known as Quad County (QUADCO).

Short-, mid-, and long-term projects anticipated to be in Cle Elum's next update (due June 30, 2026) have been shared with QUADCO and are contained in QUADCO's Regional Transportation Plan.

This Plan may further refine and add to Cle Elum's transportation projects identified for the City's upcoming Comprehensive Plan update, and therefore continue the trend of adding safety-specific information to the City's dynamic planning processes.

Cle Elum's Transportation Improvement Program

Cle Elum maintains a rolling capital improvement program for transportation projects known as their Six-Year Transportation Improvement Program (TIP). The TIP is updated on an annual basis and can be amended most months. The TIP provides details, schedules, and funding information for projects, programs, and planning efforts the City intends to accomplish within the next six years. This City Safety Plan update refines some of the existing TIP projects, but the City may need to amend new projects into the TIP due to this planning process.

Cle Elum's Traffic Count Record System

In 2021, Cle Elum gathered traffic counts taken in the City between 1997 and 2019, the printed counts were placed in binders and then entered into a single excel workbook where primary calculations such as AM Period, Mid-Day Period, PM Period, Night-Time Period, All-Day, AM Peak Hour, and PM Peak Hour could be performed. A GIS entry table was then developed to upload the calculated peak hour and daily counts for each location into a GIS layer. The blue locations indicated in Figure 6 show counts taken to fill in missing or erroneous data in the City's Traffic Count Record System as part of the data gathering efforts included in the City's City Safety Program award.

D. 2018-2022 Crash History Analysis

In 2021, WSDOT supplied each city and town with customized summary crash information from their crash database. Cle Elum reviewed the information and decided to refrain from budgeting a 2021/2022 update to the City Safety Plan.





In 2023, Cle Elum investigated 2018-2022 crash-related data (Appendix A) and decided to develop an update to their original City Safety Plan. As with the initial Plan, the City analyzed five years' crash data and brought together a stakeholder group to review and possibly revise the City's established evaluation and scoring criteria for prioritizing safety projects.

The City requests and uses incident specific data from WSDOT's database to investigate crashes in more detail, including but not limited to environmental conditions, street conditions, and contributing circumstances for all vehicle-involved, pedestrian-involved, and pedal cyclist-involved crashes in Cle Elum city limits. Detailed data was grouped by a variety of relational categories to identify patterns of injury-related crash types and circumstances. To spatially understand the locations, a series of maps were created and are included in this Plan.

E. Location Evaluation and Scoring Method

Once data was analyzed by crash severity, type, frequency, and displayed on maps, the City convened a subcommittee on April 10, 2023, to begin Cle Elum's safety planning process. The subcommittee was briefed on the WSDOT 2022 City Safety Program and Target Zero information, priorities, and targets.

Local evaluation criteria, established in 2020 as filters, were reviewed and considered still relevant by the group. The workshop believed the same questions could be used by City staff and City Council to determine if projects, programs, and planning efforts align with the City's existing plans.

The subcommittee reviewed and, in some categories, revised points for severity, type, frequency, and potential countermeasures established during the development of the 2020 Plan. A copy of the revised 2023 Cle Elum City Safety Plan Prioritization Packet is included in Appendix B.

F. Review of Locations and Discussion of Needed Studies/Data Gathering Activities

The 2019 serious injury crash location and associated circumstances was reviewed. Next, active transportation crash locations (one pedestrian and two pedal cyclist injury-related crashes) were then reviewed although none were fatal or serious injury-related crashes. The location map of all injury-related crashes was used to identify problematic corridors and cluster areas.

Some projects listed on Cle Elum's Six-Year TIP have safety elements in the project and these were evaluated, whether they were at a crash location or not. Three identified active transportation crash locations had Six-Year TIP projects either scheduled to be constructed in 2023 or 2024 and are included in Table 1 on the next page. Notes for the projects underway are included in the Prioritization Tally Sheet 05-04-23 excel workbook in Appendix C.

Also included on the Prioritization Tally Sheet are subcommittee-identified data needs that, if satisfied, would make safety evaluation in the future even more robust.



CITY OF CLE ELUM SAFETY PLAN

A copy of the preliminary scoring and ranking based on raw score was emailed to the workshop subcommittee for review, before sharing with City Council. The evaluation packet, process, ranked locations, and proposed projects were introduced to the City Council during their workshop preceding the regularly scheduled Council meeting on May 22, 2023. The City Council approved the revisions to the established evaluation packet, supported its use to rank projects and data activities, and gave staff the authority to develop exhibits and estimates for some of the following projects and activities in Table 1.

TABLE 1 – CLE ELUM’S PRIORITY LOCATIONS AND CORRIDORS	
Rank	Serious Injury-Related Crash Location
1	Hartwig Boulevard (previously named South Cle Elum Way) & W. First Street Intersection
Rank	Other Than Fatal or Serious Injury-Related Spot Location or Corridor
2	N. Stafford Avenue / W. Second Street Intersection
3	Second Street (Phase 1 Pathway - Stafford Avenue to Harris Avenue)
4	Hartwig Boulevard (Pathway - Railroad Street to Yakima River Bridge)
5	Ranger Station Road / Miller Avenue / W. Second Street
6	First Street (Oakes Avenue to Peoh Avenue)
7	N. Pines Street / W. 1 st Street Intersection
8	Second Street (Phase 2 Pathway - Harris Avenue to Teanaway Avenue)
Rank	Other Safety-Related 2023-2028 TIP Project Locations
9	Second Street (Phase 3 Pathway - Teanaway Avenue to Short Avenue)
10	Railroad Street (Peoh Avenue to Columbia Avenue)
Rank	Data Needs
11	Origins and Destinations Study and the Correlation of Crashes
12	Multi-jurisdictional Coordination – Strategize Second Yakima River Crossing
13	Traffic Analysis of Problematic Corridors with Known Short-term and Mid-term Development
14	Sidewalk Continuity and Condition Inventory & Assessment
15	Speed Study on Problematic Corridors
16	Pedestrian Counts – Post Improvements for Comparison
17	Ten-year Road Departure Study

G. Establishing Countermeasures for Top Five Priority Crash Locations

After the crash locations were analyzed, ranked, and prioritized, and because the City also identified and prioritized countermeasures, the next logical step was to develop projects for each of the top five priority crash locations using one or more of the prescribed countermeasures.



CITY OF CLE ELUM SAFETY PLAN

An illustrative list of projects will be included in Cle Elum's 2023 City Safety Plan Update. The estimates and exhibits for the top five projects are being developed assuming the City will pursue funding which requires all labor be completed through contract and not include contribution of local forces. This assumption allows the City to use estimates for the greatest number of funding sources.

Some funding sources, such as TIB or WSTC, may allow for some or all the project to be accomplished by City employees. If the City wishes to use City resources to reduce estimated costs for projects, the engineer's estimates in Appendix D will require recalculation.

The best way to present relative costs and complexity of projects is to use a matrix which identifies whether each project is anticipated to be low cost, medium cost, or high cost, and relatively short-term, mid-term, or long-term for planning purposes. The color key in Table 2 identifies relative funding for any combination of countermeasures offered in Table 3. Color keys are defined as follows:

TABLE 2 – KEY FOR RELATIVE PROJECT FUNDING AND TIMING			
	Low Cost (\$) (< \$149,999)	Mid Cost (\$\$) (\$150,000 - \$749,999)	High Cost (\$\$\$) (> \$750,000)
Short-Term (1–5 Years)			
Mid-Term (6-15 Years)			
Long-Term (> 16 Years)			

Because the City assertively seeks transportation-related funding, progress has been made on improving some of the locations in Table 1. For example, N. Stafford and Second Street Intersection is being designed for a roundabout as this Plan is being drafted. Although the estimate and exhibit will not have been completed at the finalizing of this Plan, the City will be prepared to submit the project in the upcoming City Safety Program Call for Projects by this fall. An estimate is included for Second Street Pathway project and by the time this Plan is complete, the project should be "shovel ready."

Estimates for top priority projects are included in Appendix D.





TABLE 3 – CLE ELUM'S CITY SAFETY PLAN ILLUSTRATIVE PROJECTS					
Priority	Spot Location or Systemic Location	Description of Project or Countermeasures	Could be Implemented as an Element of Existing Planned Improvements?	Low, Mid, or High Cost	Short, Mid, or Long Term
1	Hartwig Boulevard & W. First Street Intersection	A roundabout is being designed in 2023 and construction is scheduled for 2024. Additionally, the City can improve sidewalk for continuity and ADA compliance, upgrade to high visibility pavement markings, scale lighting, and shorten crossing distance.	Would need to be included in the TIP due to timing after the roundabout construction starting.	\$\$	
2	N. Stafford Avenue & W. Second Street Intersection	A compact roundabout is being designed in 2023 and construction can happen as early as 2024, if funding is secured. Improve site distances and or visibility, improve sidewalk for continuity and ADA compliance, upgrade to high visibility pavement markings, scale lighting and shorten crossing distance.	Could be amended into the 2024 CN TIP project.	\$\$\$	
3	Second Street Pathway	The complete multi-use path is being designed in 2023 and construction is planned in two phases. Phase 1 construction is planned in 2025 and Phase 2 construction is planned in 2027. Created a separated multi-use path as the main bicycle corridor for neighborhoods north of downtown core.	Phase 1 - Already included in the 2024-2029 TIP.	\$\$	
			Phase 2 - Already included in the 2024-2029 TIP.	\$\$\$	
4	Ranger Station Road/Miller Avenue/Second Street Combined Intersection Area	2020 Plan ped-injury location with countermeasures including shortening pedestrian distances, installing pedestrian actuated crossing. Since then, a potential roundabout and controlled access to W. Second Street (SR 903) has been assessed. Improvements developed include access limitations, multiple proposed traffic islands, increased lighting, right turn only limitations and ADA compliant sidewalk ramps.	Existing 2024-2029 TIP would need to be redefined.	\$\$\$	
5	First Street Downtown Revitalization	Complete Streets design of the complete Downtown First Street Corridor includes bulb-outs with connective curb and gutter to the existing stormwater system at each intersection, new sidewalks, new street and pedestrian level lighting, mid-block crossings, pavement markings, permanent signing, sidewalk landscaping and amenities. Multiple intersections fully or partially completed, see Appendix D.	Final Phase - Already included in the 2024-2029 TIP.	\$\$\$	
Priority	Description of Study, Analysis, or Data Gathering Project		Will Require Inclusion into the 2024-2029 TIP?	Low, Mid, or High Cost	Short, Mid, or Long Term
6	Origins and Destinations Study and the Correlation of Crashes		Would need to be included in the TIP.	\$	
7	Pre-planning Project – Hartwig Boulevard Pathway and Yakima River Crossing – Pedestrians and Pedalcyclists		Would need to be included in the TIP	\$	
8	Traffic Analysis of Problematic Corridor with Known Short-term and Mid-term Development		Would need to be included in the TIP	\$	



APPENDIX



CHAPTER 2 – APPENDIX

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- A. Crash Data
- B. Evaluation and Scoring Workshop
- C. Prioritization Tally Sheet 05-01-2023
- D. Prioritized Project Estimates and Exhibits



A.

CRASH DATA

OFFICER REPORTED CRASHES THAT OCCURRED ON ALL ROADS IN THE CITIES OF CLE ELUM

01/01/2018 - available 2022

Under 23 U.S. Code § 148 and 23 U.S. Code § 407, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

JURISDICTION	COUNTY	CITY	PRIMARY TRAFFICWAY	BLOCK NUMBER	INTERSECTING TRAFFICWAY	DIST FROM REF POINT	MI or FT	COMP DIR FROM REF POINT	REFERENCE POINT NAME	MILEPOST	A / B	SR ONLY HISTORY/ SUSPENSE	REPORT NUMBER	DATE	TIME	MOST SEVERE INJURY TYPE	# INJ	# FAT	# VEH	# PEDS	# BIKES	VEHICLE 1 TYPE	VEHICLE 2 TYPE
City Street	Kittitas	Cle Elum	S CLE ELUM RD		W 1ST ST					1.90	No	No	3494087	09/14/2019	06:14	Suspected Serious Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car
State Route	Kittitas	Cle Elum	903								No	No	3494030	03/02/2018	19:25	Suspected Minor Injury	1	0	1	1	0	Not Stated	
City Street	Kittitas	Cle Elum	W 1ST ST	400		70	F	W	N STAFFORD AVE		No	No	3493943	05/10/2018	14:31	Suspected Minor Injury	2	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car
City Street	Kittitas	Cle Elum	W 1ST ST	300		100	F	W	BILLINGS AVE		No	No	3494035	05/14/2018	16:53	Possible Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	W 1ST ST		RANGER STATION RD						No	No	3494037	05/19/2018	12:22	Possible Injury	2	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							1.82	No	No	3494040	05/28/2018	18:25	Possible Injury	1	0	2	0	0	Passenger Car	Passenger Car
State Route	Kittitas	Cle Elum	903							1.90	No	No	3494053	07/31/2018	17:40	Suspected Minor Injury	5	0	2	0	0	Passenger Car	Passenger Car
City Street	Kittitas	Cle Elum	N OAKES AVE	0	W RAILROAD ST						No	No	3494050	09/04/2018	11:22	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							1.90	No	No	3494066	01/22/2019	12:11	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							2.38	No	No	3494067	01/22/2019	16:52	Possible Injury	1	0	1	0	0	Passenger Car	
City Street	Kittitas	Cle Elum	W RAILROAD ST	2100	S CLE ELUM RD						No	No	3494068	02/11/2019	09:23	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	N FLORAL AVE	0	E 2ND ST						No	No	3494069	02/15/2019	09:19	Suspected Minor Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	E 3RD ST	500		150	F	W	N MONTGOMERY AVE		No	No	3494075	06/19/2019	23:10	Possible Injury	2	0	3	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							1.73	No	No	3494085	08/06/2019	18:15	Suspected Minor Injury	2	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							1.20	No	No	E960828	09/13/2019	16:16	Possible Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	RANGER STATION RD	0	DOUGLAS MONRO BLVD						No	No	3494090	10/23/2019	08:00	Suspected Minor Injury	4	0	1	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	N OAKES AVE	0	W RAILROAD ST						No	No	3494105	12/18/2019	08:32	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car
State Route	Kittitas	Cle Elum	903							1.76	No	No	3874434	02/29/2020	02:51	Suspected Minor Injury	1	0	1	0	0	Passenger Car	
City Street	Kittitas	Cle Elum	E 2ND ST	0	BULLITT AVE						No	No	3874458	05/07/2020	07:39	Possible Injury	1	0	2	0	0	Passenger Car	Passenger Car
City Street	Kittitas	Cle Elum	W 1ST ST	0	RANGER STATION RD						No	No	3874464	06/26/2020	14:07	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							1.90	No	No	3874473	08/14/2020	17:04	Suspected Minor Injury	1	0	1	0	1	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	W 1ST ST	698	PINE ST						No	No	3874439	08/23/2020	14:15	Suspected Minor Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	RANGER STATION RD		W 1ST ST						No	No	3874437	09/04/2020	11:45	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	W 1ST ST		RANGER STATION RD						No	No	3874446	12/02/2020	13:51	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	W 1ST ST	300		282	F	W	BILLINGS AVE		No	No	E822975	04/17/2021	13:14	Suspected Minor Injury	1	0	2	0	0	Truck Tractor & Semi-Trailer	Motorcycle
City Street	Kittitas	Cle Elum	W 1ST ST	400		50	F	W	N STAFFORD AVE		No	No	3878108	04/30/2021	13:18	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							0.95	No	No	3878128	07/17/2021	08:07	Suspected Minor Injury	9	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							1.90	No	No	3878130	07/27/2021	12:33	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	N STAFFORD AVE	448	W 2ND ST						No	No	3878131	07/31/2021	16:00	Suspected Minor Injury	1	0	1	0	1	Passenger Car	
State Route	Kittitas	Cle Elum	903							1.88	No	No	3878120	10/16/2021	12:52	Possible Injury	1	0	2	0	0	Passenger Car	Passenger Car
City Street	Kittitas	Cle Elum	E 2ND ST	698	N TEANAWAY AVE						No	No	3878204	01/14/2022	06:48	Suspected Minor Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	RUSS ST	100		100	F	E	N OAKES AVE		No	No	3878205	02/12/2022	16:46	Suspected Minor Injury	1	0	1	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	W 1ST ST	319	N STAFFORD AVE						No	No	3878185	03/07/2022	19:56	Possible Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb
State Route	Kittitas	Cle Elum	903							0.82	No	No	3878189	06/02/2022	06:58	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car
City Street	Kittitas	Cle Elum	E E 1ST ST ST	1200		362	F	E	S COTTAGE AVE		No	No	3878208	06/03/2022	07:20	Suspected Minor Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb
City Street	Kittitas	Cle Elum	OAKES AVE	100		298	F	E	SWIFTWATER BLVD		No	No	EC71301	08/03/2022	01:00	Possible Injury	1	0	1	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	

0

36 Injury Crashes

55	0	65	1	2
# INJ	# FAT	# VEH	# PEDS	# BIKES

61.1%

22

2.8%

1

8.3%

3

19.4%

7

8.3%

3

100%

36

6:00pm - 5:59am	NTPer	7	19%
6:00am - 8:59am	AMPer	8	22%
9:00am - 2:59pm	MDPer	14	39%
3:00pm - 5:59pm	PMPer	7	19%
		36	100%

Truck Tractor & Semi-Trailer	1
Motorcycle	1

JUNCTION RELATIONSHIP	WEATHER	ROADWAY SURFACE CONDITION	LIGHTING CONDITION	FIRST COLLISION TYPE / OBJECT STRUCK	VEHICLE 1 ACTION	VEHICLE 2 ACTION	VEHICLE 1 COMPASS DIRECTION FROM	VEHICLE 1 COMPASS DIRECTION TO	VEHICLE 2 COMPASS DIRECTION FROM	VEHICLE 2 COMPASS DIRECTION TO	MV DRIVER CONTRIBUTING CIRCUMSTANCE 1 (UNIT 1)
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Making Left Turn	Making Right Turn	South	West	West	South	Under Influence of Alcohol
At Intersection and Related	Clear or Partly Cloudy	Wet	Dark-Street Lights On	Vehicle turning left hits pedestrian	Making Left Turn						Did Not Grant R/W to Non Motorist
Not at Intersection and Not Related	Clear or Partly Cloudy	Dry	Daylight	From opposite direction - both moving - head-on	Going Straight Ahead	Going Straight Ahead	West	East	East	West	Other Contributing Circ Not Listed
Intersection Related but Not at Intersection	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	West	East	Vehicle Stopped	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	South	North	East	West	Did Not Grant RW to Vehicle
Not at Intersection and Not Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	East	West	Vehicle Stopped	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	West	East	Vehicle Backing	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Starting in Traffic Lane	North	South	West	East	Driver Not Distracted
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped at Signal or Stop Sign	West	East		Vehicle Stopped	Disregard Stop and Go Light
At Intersection and Related	Snowing	Snow/Slush	Dusk	Utility Pole	Making Left Turn		West	North			Exceeding Reas. Safe Speed
At Intersection and Related	Snowing	Snow/Slush	Daylight	Entering at angle	Going Straight Ahead	Making Right Turn	East	West	North	East	Non Motorist on Wrong Side of Road
At Intersection and Related	Clear or Partly Cloudy	Ice	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	East	West	North	South	None
Not at Intersection and Not Related	Clear or Partly Cloudy	Dry	Dark-No Street Lights	One parked-one moving	Going Straight Ahead	Legally Parked, Unoccupied	West	East		Vehicle Stopped	Under Influence of Alcohol
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - both moving - rear-end	Slowing	Going Straight Ahead	West	East	West	East	None
At Intersection and Not Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	North	South	North	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear	Dry	Daylight	Fence	Going Straight Ahead		Northeast	Southwest			Exceeding Stated Speed Limit
At Intersection and Related	Overcast	Dry	Daylight	Entering at angle	Starting in Traffic Lane	Going Straight Ahead	West	East	South	North	Did Not Grant RW to Vehicle
Not at Intersection and Not Related	Clear	Dry	Dark-Street Lights On	Metal Sign Post	Going Straight Ahead		West	Northeast			Unknown Distraction
At Intersection and Related	Overcast	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	East	West	Did Not Grant RW to Vehicle
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Starting in Traffic Lane	Going Straight Ahead	South	North	East	West	Did Not Grant RW to Vehicle
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Vehicle Strikes Pedalcyclist	Stopped at Signal or Stop Sign		West	East			None
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Starting in Traffic Lane	East	West	South	North	None
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	West	East	Did Not Grant RW to Vehicle
At Intersection and Related	Overcast	Dry	Daylight	From opposite direction - one left turn - one straight	Making Left Turn	Going Straight Ahead	West	South	West	East	Did Not Grant RW to Vehicle
At Driveway	Clear	Dry	Daylight	Entering at angle	Making Left Turn	Going Straight Ahead	North	Southeast	East	West	Unknown Distraction
Intersection Related but Not at Intersection	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	West	East	West	Vehicle Stopped	Follow Too Closely
Not at Intersection and Not Related	Clear	Dry	Daylight	From same direction - both going straight - both moving - rear-end	Going Straight Ahead	Slowing	East	West	East	West	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	East	West	Vehicle Backing	Vehicle Stopped	Other Distractions
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Vehicle Strikes Pedalcyclist	Making Left Turn		South	West			Did Not Grant R/W to Non Motorist
Intersection Related but Not at Intersection	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Slowing		East	West	East	West	Did Not Grant RW to Vehicle
At Intersection and Related	Clear	Ice	Dark-Street Lights On	From same direction - one left turn - one straight	Overtaking and Passing	Making Left Turn	East	West	East	South	Improper Passing
Not at Intersection and Not Related	Clear	Dry	Daylight	Earth Bank or Ledge	Negotiating a Curve		West	East			Under Influence of Alcohol
At Intersection and Related	Overcast	Dry	Dark-Street Lights On	From opposite direction - both going straight - one stopped - sideswipe	Going Straight Ahead	Stopped at Signal or Stop Sign	West	East		Vehicle Stopped	Under Influence of Alcohol
At Driveway	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Making Left Turn	Going Straight Ahead	South	West	West	East	Did Not Grant RW to Vehicle
Driveway Related but Not at Driveway	Clear	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	East	West	East	Vehicle Stopped	Follow Too Closely
Not at Intersection and Not Related	Clear	Dry	Dark-No Street Lights	Guardrail - Face	Negotiating a Curve		West	East			Overcorrecting / Oversteering

At Intersection and Related
At Intersection and Not Related
Intersection Related but Not at Intersection
Not at Intersection and Not Related
At Driveway or Driveway-related

	31	Dry		
	2	Snow/Slush		
	2	Ice		
	1	Wet		
	36		29	Daylight
			1	Dusk
			4	Dark-Street Lights On
			2	Dark-No Street Lights
			36	
8		Clear		
22		Clear or Partly Cloudy		
4		Overcast		
2		Snowing		
36				

2.8%	1	Vehicle turning left hits pedestrian
5.6%	2	Vehicle Strikes Pedalcyclist
2.8%	1	From opposite direction - both moving - head-on
2.8%	1	From opposite direction - one left turn - one straight
2.8%	1	From opposite direction - sideswipe
16.7%	6	Struck a stationary object
2.8%	1	From same direction - one left or right turn - one straight
27.8%	10	From same direction - both going straight - one stopped - rear-end
36.1%	13	Entering at angle
100%	36	

Going Straight Ahead
Making Left Turn
Starting Parked or in Traffic Lane
Slowing or Stopped for Traffic
Negotiating a Curve
Overtaking and Passing

21	6.3%
7	7.6%
2	3.8%
3	17.7%
2	12.7%
1	13.9%
36	6.3%
	8.9%

1	Legally Parked, Unoccupied
11	Slowing or Stopped for Traffic
11	Going Straight Ahead
1	Making left or right turn
2	Making Right Turn
2	Starting in Traffic Lane
8	Nil

36

6.3%
8.9%
1.3%
6.3%
2.5%
3.8%
1.3%
1.3%
6.3%
100%

5	Under Influence of Alcohol or Drugs
6	Exceeding Stated Speed Limit
3	Did Not Grant R/W to Non Motorist
14	Did Not Grant RW to Vehicle
10	Follow Too Closely
11	Distraction
5	Other Contributing Circ Not Listed
7	Inattention
1	Improper Passing
5	Disregard Stop Sign
2	Non Motorist on Wrong Side of Road
3	Improper Turn/Merge
1	Overcorrecting / Oversteering
1	Improper Parking Location
5	Nil

79

BICYCLIST CONTRIBUTING CIRCUMSTANCE 3 (UNIT 2)	PEDESTRIAN CONTRIBUTING CIRCUMSTANCE 1 (UNIT 2)	PEDESTRIAN CONTRIBUTING CIRCUMSTANCE 2 (UNIT 2)	PEDESTRIAN CONTRIBUTING CIRCUMSTANCE 3 (UNIT 2)	FIRST IMPACT LOCATION (City, County & Misc Trafficways - 2010 forward)	WA STATE PLANE SOUTH - X 2010 - FORWARD	WA STATE PLANE SOUTH - Y 2010 - FORWARD
				Lane of Primary Trafficway	1529909.4	679450.23
	None			Intersecting Road Decreasing Milepost	1531427.34	679167.26
				Lane of Primary Trafficway	1529840.28	679463.71
				Lane of Primary Trafficway	1530436.72	679351.09
				Lane of Primary Trafficway	1527269.27	679625.61
				Lane 1 Increasing Milepost	1531830.52	679093.46
				Lane 1 Decreasing Milepost	1531443.47	679163.56
				Lane of Primary Trafficway	1530876.44	678947.61
				Lane 1 Increasing Milepost	1531426.02	679152.99
				Past Right Shoulder Increasing Milepost	1529401.56	679907.74
				Intersecting Trafficway	1529796.17	679179.53
				Lane of Primary Trafficway	1536361.76	678586.57
				Outside Shoulder of Primary Trafficway	1533813.55	679456.86
				Lane 1 Decreasing Milepost	1532306.26	679003.58
				Lane 1 Decreasing Milepost	1535069.18	678477.23
				Past the Outside Shoulder of Primary Trafficway	1527182.5	679907.01
				Lane of Primary Trafficway	1530873.14	678929.84
				Past Right Shoulder Increasing Milepost	1532170.82	679029.34
				Lane of Primary Trafficway	1532734.02	679291.85
				Lane of Primary Trafficway	1527263.93	679628.57
				Lane 1 Decreasing Milepost	1531427.59	679172.85
				Lane of Primary Trafficway	1528011.45	679661.1
				Lane of Primary Trafficway	1527263.93	679628.57
				Lane of Primary Trafficway	1527263.6	679629.76
				Lane of Primary Trafficway	1530257.99	679383.94
				Lane of Primary Trafficway	1529860.15	679459.83
				Lane 1 Increasing Milepost	1536365.73	678246.51
				Lane 1 Increasing Milepost	1531430.38	679166.96
				Lane of Primary Trafficway	1529967.8	679796
				Lane 1 Increasing Milepost	1531530.57	679150.14
				Lane of Primary Trafficway	1534515	678955.71
				Past the Outside Shoulder of Primary Trafficway	1530948.3	678572.03
				Lane of Primary Trafficway	1529909.53	679450.54
				Lane 1 Decreasing Milepost	1537004.84	678038.3
				Lane of Primary Trafficway	1538293.55	677904.99
				Outside Shoulder of Primary Trafficway	1531987.51	678351.41

16.7%

6 Not in travel lane



B.

EVALUATION AND SCORING WORKSHOP

Cle Elum City Safety Plan Prioritization Packet for the Ranking Subcommittee

WSDOT 2024 City Safety Program Purpose

The purpose of this program is to provide funding for projects that reduce fatal and serious injury crashes on city and town streets using engineering improvements and countermeasures.

Our Task

Spot locations and systemwide crashes will be evaluated for the City Safety Plan update. Any location where at least one fatal or serious crash occurred, the City may propose spot location countermeasures and improvements.

A second subprogram is referred to as systemic. For the systemwide program, the City will identify the highest priority locations to propose low-cost, widespread, risk-based, countermeasures and improvements. Additionally, if the City identifies safety data collection projects to enhance the next Plan update, those data collection projects can be included in the prioritized project list for funding consideration.

The following two “QUICK REFERENCE” pages are designed to be a helpful tool during your ranking effort. Please feel free to remove these first three pages from the scoring sheets and mark all materials as needed. The scoring sheets will be gathered but not kept after the prioritized list is created and confirmed by the subcommittee.

Only the prioritized list will be presented in the City Safety Plan as the proposed recommendation from this meeting to the Planning Commission and City Council. This packet includes:

1. Target Zero trends and targets.
2. Evaluation criteria for the City Safety Plan.
3. Safety Data from WSDOT and Analysis.
4. Evaluation results by crash type and crash severity.
5. Contributing factors and potential countermeasures.
6. Point metrics for prioritizing contributing factors, countermeasures, and problematic corridors.
7. Scoring sheets for serious and injury crashes.
8. Data needs to further refine the next Plan.

Thank you for participating with this evaluation and prioritization subcommittee.

Trends listed on page 3 of the 2019 Washington State Strategic Highway Safety Plan

Target Zero is built on the belief that not one death is acceptable on our state’s roadways. (Page 4)

From 2015-2017, the top three factors across all fatalities were:

- Impairment: involved in 58% of all traffic fatalities, with polydrug impairment as the most common form of impairment.
- Lane Departure: involved in 48% of all traffic fatalities.
- Young Drivers: involved in 31% of all traffic fatalities.

75% of traffic fatalities involved at least one of these top three traffic safety priorities, and 11% involved all three.

Fatalities and serious injuries involving heavy trucks increased 46% and 36%, respectively, compared to 2012-2014.

The second highest increase was in pedestrian and pedalcyclist deaths, which increased 41%. Nationally, pedestrian and pedalcyclist deaths increased 20% during the same time period.

[City Safety Plan Evaluation and Prioritization Subcommittee Recommendations](#)

Priorities listed on page 10 of the 2019 Washington State Strategic Highway Safety Plan

The team of analysts from key Target Zero partners grouped the primary factors found in fatal and serious traffic crashes into priority levels one and two.

Priority level one includes the factors associated with the largest number of fatalities and serious injuries in Washington State. Each of these factors were involved in at least 25% of the traffic fatalities or serious injuries between 2015 and 2017. It also includes Supporting Systems and Technologies.

Priority level two factors, while frequent, are not as common. Level two factors were seen less than 25% of traffic fatalities or serious injuries.

Table 1. Fatalities

High Risk Behavior	Crash Type	Road Users	Monitored Emphasis Areas
Impairment	Lane Departures	Young Drivers 16-25	Drowsy Drivers
Distraction	Intersections	Pedestrians/Pedalcyclists	Work Zones
Speeding		Motorcyclists	Vehicle/Train
Unrestrained Occupants		Older Drivers 70+	Wildlife
		Heavy Trucks	School Buses

Table 2. Serious Injuries

High Risk Behavior	Crash Type	Road Users	Monitored Emphasis Areas
Distraction	Lane Departures	Young Drivers 16-25	Drowsy Drivers
Speeding	Intersections	Pedestrians/Pedalcyclists	Work Zones
Impairment		Motorcyclists	Wildlife
Unrestrained Occupants		Older Drivers 70+	School Buses
		Heavy Trucks	Vehicle/Train

Targets listed on pages 8 and 9 of the 2019 Washington State Strategic Highway Safety Plan

Target Zero's specific 2030 target is zero deaths.

Interim targets to achieve zero deaths by 2030, include:

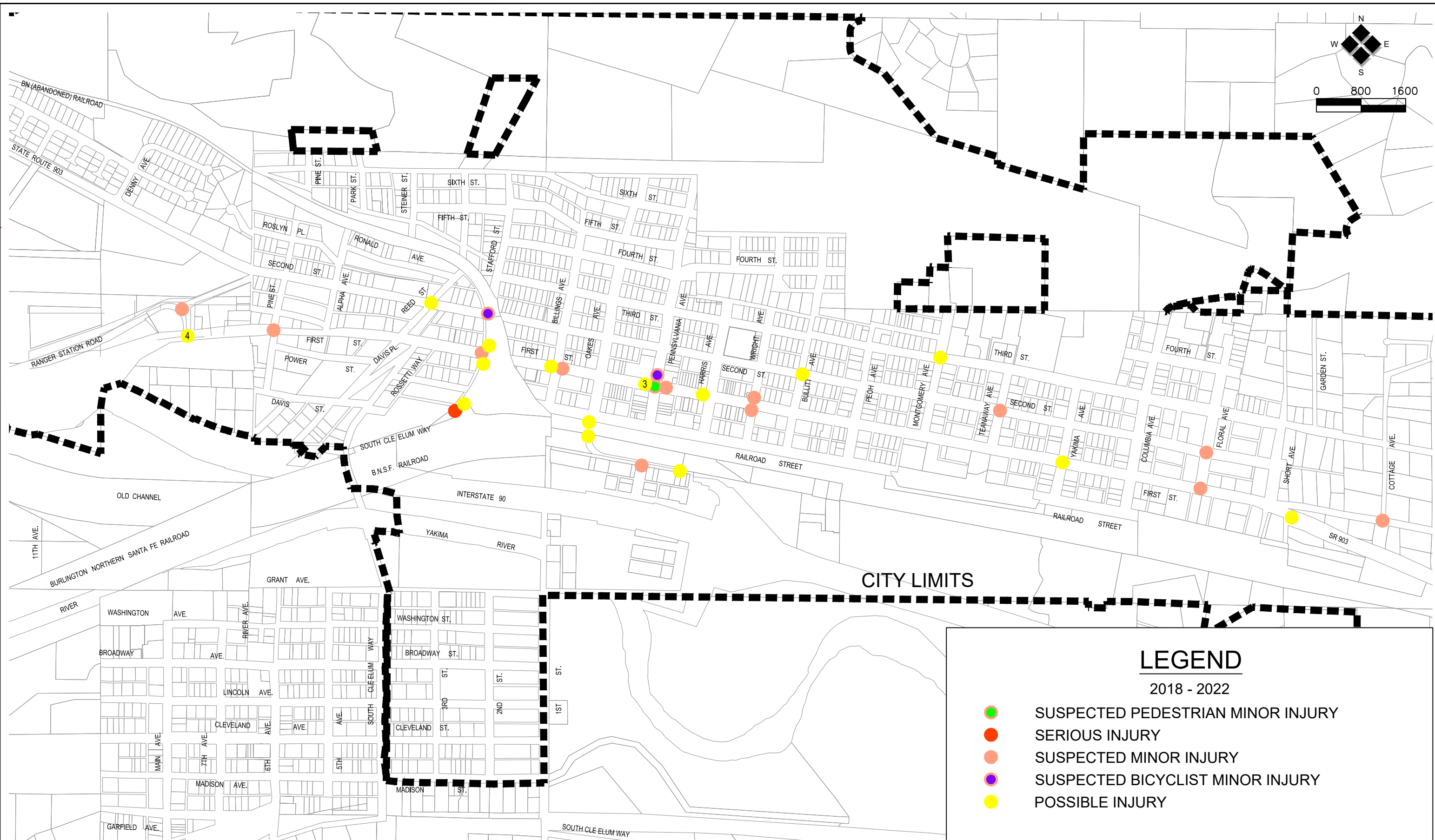
- Washington must average 39 fewer fatalities and 161 fewer serious injuries each year.

Evaluation Criteria for the City Safety Plan

Initial evaluation criteria the City will use for this first Plan is the following:

- Is the proposed countermeasure or improvement completely contained inside the City Limits or the City's UGA? If yes, continue through screening.
 - If not, is the proposed countermeasure or improvement part of a connection to a Kittitas County or WSDOT roadway which is being actively and properly coordinated with all partners? If yes, specify the portion that the City will include in this Plan and continue through screening.
 - If not, then do not proceed without proper City Council and Planning Commission concurrence.
- Is the countermeasure or improvement consistent with the City's Transportation Element (portion of the Comprehensive Plan), Bicycle and Pedestrian Plan, and Parks and Recreation Plan goals and policies? If yes, list specific goals and policies.

- If not, is there a compelling reason for amending the improvement or project into the appropriate Plan(s) ahead of the next customary update? If yes, schedule amendments or addendums as necessary.
 - If not, has the need or improvement been evaluated by City staff, the City Council, and Planning Commission and deemed of higher priority than the projects on the existing list? If yes, state the purpose of the higher priority (i.e., irrefutable safety concern was discovered during City Safety Plan development, etc.)
 - If not, then do not proceed without proper City Council and Planning Commission concurrence.
- Does the City budget allow for inclusion of the countermeasure or improvement in addition to the projects already identified on related Plans' prioritized lists, or does the City reasonably anticipate grant or other funding to complement the funding allowable in the City budget? If yes, list the sources of funding that are anticipated for the inclusion of this countermeasure or improvement and the year complete funding will be available.
 - If not, will the priority of this project supersede any of the existing needs or improvements on the priority lists in the City's related Plans? If yes, schedule amendments or addendums as necessary.
 - If not, then include the countermeasure or improvement for consideration during the next related Plans' updates.
- Can the ongoing maintenance of the proposed countermeasure or improvement be identified as sustainable in the City's budget? If yes, show the anticipated maintenance schedule and estimate of ongoing maintenance, and if known, the anticipated year of eventual replacement consideration.
 - If not, has the public shown positive support of a user's fee to satisfy the ongoing maintenance? If yes, show supportive action.
 - If not, the countermeasure or improvement can be shown as an unfunded, planned project without a year of anticipated construction or purchase.



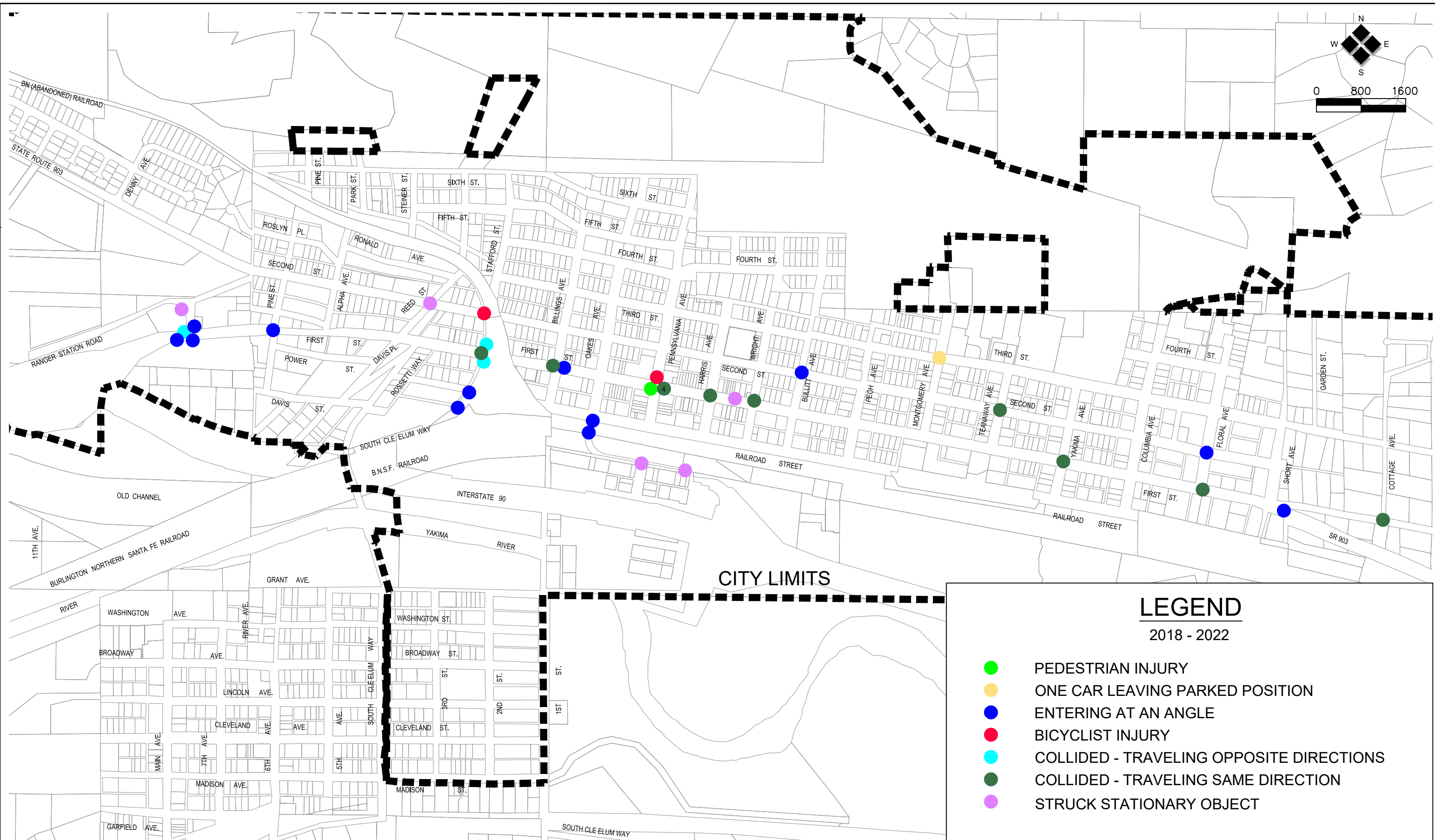


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JOB NUMBER: 23067	DATE: 03-29-23
FILE NAMES: DRAWING:	Figure 7.dwg
DESIGNED BY: ENTERED BY:	DLL SCH

CLE ELUM CITY SAFETY PLAN FIGURE 7	SEVERITY OF INJURY AT CRASH LOCATIONS	SHEET 1 of 1





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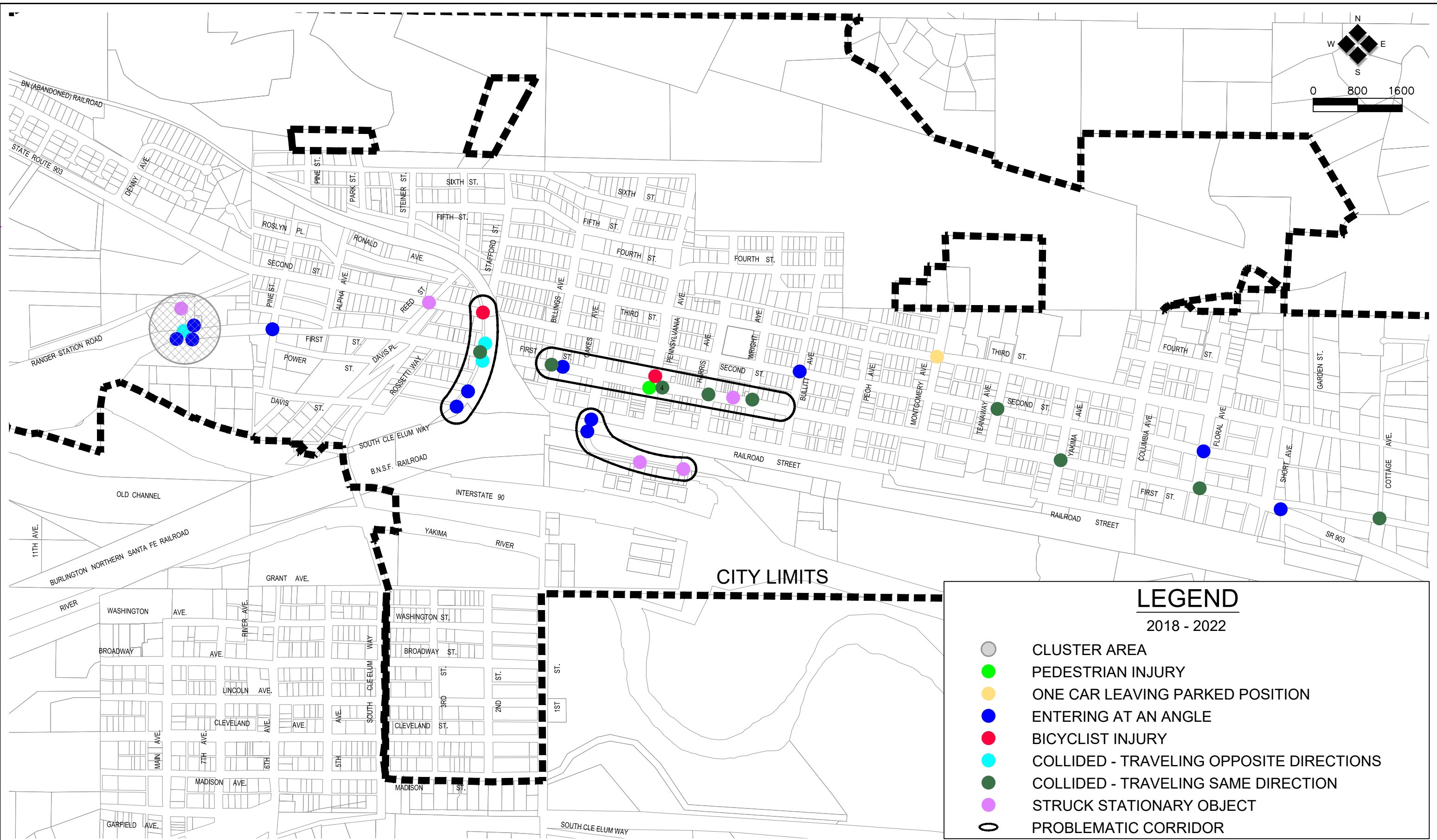


JOB NUMBER: 23067	DATE: 03-30-23
FILE NAMES: DRAWING:	Figure 8.dwg
DESIGNED BY: ENTERED BY:	DLL SCH

CLE ELUM
CITY SAFETY PLAN
FIGURE 8

LOCATIONS FOR INJURY CRASHES BY TYPE

SHEET
1
OF
1



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DATE: 03-30-23
FILE NAMES: DRAWING: Figure 9.dwg
DESIGNED BY: DLL
ENTERED BY: SCH

CLE ELUM CITY SAFETY PLAN FIGURE 9

PROBLEMATIC CORRIDORS FOR INJURY CRASHES

SHEET
1
OF
1

Cle Elum Specific Data and Analysis

The City of Cle Elum had no fatalities during the five-year period of 2018-2022.

Table 3 and Figure 7 summarize the details of the serious injury crash that occurred in Cle Elum during the five-year span of 2018-2022.

Table 3. Serious Injuries

Location	Crash Type	Contributing Factors
South Cle Elum Road & W 1st Street Intersection	Entering at an Angle	Daylight, dry, 0614, 09/14/2019, two vehicles, one driver under the influence of alcohol, improper turn/merge.

Figure 7 also displays the locations of the thirty-five crashes resulting in possible injuries and suspected minor injuries during the same five-year span.

Figure 8 displays the same crash locations but presents the crash types for serious and other injury crashes.

Figure 9 displays the injury-related problematic corridors and cluster areas from 2018-2022.

WSDOT's City Safety Plan

Located on their website at the following link:

<https://wsdot.wa.gov/business-wsdot/support-local-programs/funding-programs/highway-safety-improvement-program>, WSDOT presents the program purpose, defines injury levels for crashes, identifies eligibility and other funding requirements, discusses detailed crash data, and the summarized crash data supplied by WSDOT Local Programs to the cities in 2023. This website also describes the WSDOT project selection process, shares the application form, and provides contact information for the City Safety and Traffic Programs Manager.

In addition to the crash data summary, HLA requested detailed WSDOT crash data to assist this group with evaluating contributing factors and to map the crashes using x-y coordinates.

The Subcommittee's Tasks

This packet contains lists of contributing factors and the prescribed countermeasures and improvements that can lead to crash reduction. The subcommittee will review and potentially revise established points to countermeasures and improvements. In doing so, the group is prioritizing the City's willingness to implement those countermeasures and improvements.

The countermeasures and improvement points will be combined with other evaluation topics included in the associated Excel spreadsheets. Two separate spreadsheets will be used, including one scoring spreadsheet to prioritize the serious injury spot location and consider projects already in the Transportation Improvement Program (TIP), and a second spreadsheet to score the City's proposed systemic projects. This subcommittee will review and potentially revise points established for:

- Severity of each crash.
- Type of each crash
- Frequency of the crash type
- Locations that occur in problematic corridors.

Project exhibits and estimates may be developed for the countermeasures or improvements for the serious injury crash location after this meeting, if applicable.

The prioritization list will display the serious crash-related spot location project first, any pedestrian and pedalcyclist crash-related location projects next, and then systemic projects ranked in order by score.

Lastly, the City can identify safety data collection projects, which if completed, could further enhance the City Safety Plan during the next update. This lowest priority category will be added to the prioritized project list.

Reviewing the established point system for prioritizing Safety Projects

Severity of the Crash (All Crashes)

In the five-year period of 2018-2022, there was **one (1) serious crash**, thirty-five (35) suspected minor injury and possible injury crashes, and eighty-nine (89) property-damage-only crashes.

We will use the point scale in Table 4 for evaluating crash severity.

Table 4. Points for Crash Severity

Points	Severity	Cle Elum #
30	Serious Injury	1
+ 5	Pedestrian or Pedalcyclist Involved	3
15	Suspected Minor Injury and Possible Injury	35
5	Property-damage-only Crash	89

Crashes at Intersections (Injury-related Crashes)

The serious injury crash was at an intersection and was intersection related. For the suspected minor injury and possible injury crashes, 61% were located at intersections and related, 3% were at intersections but not related, 8% were not at intersections but were intersection related, 19% were not at intersections and not intersection related, and 8% were identified as driveway related. We will use the point scale in Table 5 for evaluating crashes at intersections.

Table 5. Crashes at Intersections

Points	Location in Relation to an Intersection	Cle Elum #
30	At Intersection and Related	22
5	At Intersection, but Not Intersection Related	1
10	Not at Intersection, but Related	3
20	Not at Intersection and Not Related	7

Type of Crash (Injury-related Crashes)

When preparing and categorizing the detailed WSDOT data for mapping, four injury-related crash type categories were chosen. **The serious injury crash involved Entering at angle.** For the suspected minor injury and possible injury crashes, 36% were entering at angle, 28% involved rearends, 17% involved striking a stationary object such as a parked car, fence, or post, and 9% included hitting a pedalcyclist or pedestrian. We will use the point scale in Table 6 for evaluating the type of crash.

Table 6. Types of Crash

Points	Type of Crash	Cle Elum #	Lane Departure
20	Entering at Angle	13	
15	Traveling Same Direction	11	
25	Struck a Stationary Object	6	X
30	Traveling Opposite Directions	3	X
35	Vehicle Struck Pedestrian or Pedalcyclist	3	

Frequency of the Crash Type (All Crashes)

The top five types of serious injuries, suspected minor injuries, possible injuries crashes were:

1. Entering at an Angle – 29%
2. Struck a Stationary Object – 23%
3. Rearend – 20%
4. From opposite directions-all others – 6%
5. From opposite directions-sideswipe – 4%

We will use the point scale in Table 7 for evaluating crash frequency.

Table 7. Frequency of the Crash Type (All Crashes)

Points	Frequency of the Crash Type (Crashes by Type ÷ Total Crashes)
30	25+%
20	15 - 25%
10	10 - 15%
5	5 - 10%
1	< 5%

Problematic Corridor (All Crashes)

We will use the point scale in Table 8 for evaluating multiple crash locations in an identifiable corridor or cluster area.

Table 8. Problematic Corridor

Points	Problematic Corridor
30	6+ Crash Locations in an Identifiable Corridor
15	2-5 Crash Locations in an Identifiable Corridor

Contributing Circumstances and Countermeasures Points

We will use the point scale in Table 9 for evaluating frequency of contributing circumstances with a 5% frequency or more. **For the serious injury crash, contributing circumstances reported were under the influence of alcohol, improper turn/merge, and non-motorist on wrong side of road.**

Below each contributing circumstance in Table 9 is a countermeasure consistent with the Target Zero Plan.

Though Education, Enforcement, Leadership, and Policy are noted as countermeasures, the Highway Safety Improvement Program (HSIP) funding cannot be used for these types of projects.

The subcommittee's favored countermeasure in Table 9 was previously awarded 10 points, the second favored countermeasure was awarded 5 points, and a third favored countermeasure was awarded 1 point. The workshop should review previous points and revise as necessary.

Table 9. Contributing Circumstances and Countermeasures

Points	Contributing Circumstance	Cle Elum Total% (Serious%) All Injury%
	Inattention/Distracted*	18.1% 22.8%
10	Increase Driver Awareness	Education, Enforcement
	Increase/Strengthen Fines	Enforcement, Leadership, Policy
	Strengthen Distracted Driving Laws/Ordinances	Leadership, Policy
	Lane Departure	22.2% 16.7%
10	Improve Roadway Signing	
1	Improve Roadway Geometry	
	Install Edge Line Rumble Strips	
5	Improve Roadside Signage (Wayfinding)	
	Intersection Related	39.7% (100%) 61.1%
5	Install Roundabouts	
5	Install Left Turn Signals	
10	Improve Traffic Signal Timing – Clearance Intervals	
5	Improve Pedestrian Crossings	
	Improve Intersection Visibility	
	Disregard to Stop Sign and Signals	3.6% 6.3%
10	Increase Sign Size	
5	Install Stop Line	
1	Improve Intersection Lighting Where it Exists	
	Install Transverse Rumble Strips on Intersection Approaches	
	Did Not Grant RW to Vehicle	17.1% 9.0%
5	Provide Targeted Speed enforcement	Enforcement
10	Install Signage	
	Vehicle Strikes Pedestrian or Cyclist	2.4% 8.4%
	Scale Lighting and Shorten Crossing Distances	
	Expand Enforcement and Education (Distraction Focus)	Education, Enforcement
	Improve Sight Distances and/or Visibility	
5	Upgrade to High Visibility Pavement Markings	
10	Install Multi-use Pathways	

continued

Points	Contributing Circumstance	Cle Elum
		Total% (Serious%) All Injury%
	Exceeding Safe/Stated Speed	7.3% 7.6%
	Provide Targeted Speed Education and Enforcement	Education, Enforcement
10	Install "Your Speed" Signs	
5	Use Traffic Calming Design Factors	
	Under the Influence of Alcohol/Drugs	6.2% (100%) 6.3%
	Prevent Excessive, Underage, and Impaired Driving	Education, Enforcement, Leadership, Policy
	Enforce and Publicize DUI Laws	Education, Enforcement, Leadership, Policy
	Prosecute, Sanction, and Treat DUI Offenders	Leadership, Policy
	Following Too Closely	9.8% 12.7%
1	Implement Urban Street Designs Such as 'Complete Streets'	
	Improve Visibility with Enhanced Signing	
10	Study Speeds of Roadways with High Rear-end Frequency	
5	Improve Roadside Signage (wayfinding)	
	Improper Turn/Merge	5.7% (100%) 3.8%
5	Install Roundabouts	
10	Install Left Turn Signals	

Serious Crash Location - Project Ranking

Serious Injury	1 crash (daylight)	South Cle Elum Way & W 1st Street, at intersection and related, driver of one car under the influence of alcohol and making an improper left turn, 06:14, 09/14/2019.	Severity of Injury	Pedestrian or Pedalcyclist Involved	Relation to Intersection	Type of Crash	Frequency of the Crash Type	Problematic Corridor or Cluster Area	Inattention/Distracted	Lane Departure	Disregard to Stop Sign and Signals	Exceeding Posted or Safe Speed	Under the Influence of Alcohol or Drugs	Following Too Closely	Improper Turn/Merge	Total Raw Score	Ranking
			30	0	30	20	1	30	0	0	0	0	1	0	1	113	1

Sub-committee Comments:

Ped/Bike Injury Crash Types - Project Ranking

Ped Involved	Dark street lights on	SR903 Milepost 1.90 (Pennsylvania Avenue), at intersection and related, driver did not grant r/w to non-motorist, 19:25, 03/02/2018. Suspected Minor Injury.	Severity of Injury	In Crash Cluster Area or Problematic Corridor	Relation to Intersection	Type of Crash	Frequency of the Crash Type	Inattention/Distracted	Lane Departure	Disregard to Stop Sign and Signals	Exceeding Posted or Safe Speed	Under the Influence of Alcohol or Drugs	Vehicle, Pedestrian, or Pedalcyclist Did Not Grant R/W	Following Too Closely	Improper Turn/Merge	Total Raw Score	Ranking	Bulbouts are being constructed at SR 903 and Pennsylvania Avenue in 2023 w/ intersection lighting.
			20	30	30	35	1	0	0	0	0	0	1	0	1	118		
Pedalcyclist Involved	1 crash (daylight)	SR903 Milepost 1.90 (Pennsylvania Avenue), at intersection and related, driver had stopped at signal or stop sign, 17:04, 03/14/2020. Suspected Minor Injury.	20	30	30	35	5	0	0	0	0	0	1	0	0	121		
			20	30	30	35	1	0	0	0	0	0	1	0	1	118		A compact roundabout is planned for the location. Design will begin 2023 and construction will commence in 2024.

Sub-committee Comments:

With a tie at number 3, there is no Ranking #4.

Data Needs - Project Ranking

		Total Raw Score	Ranking
Speed Study on Problematic Corridors		15	Study may help with determining trends of speed compliance in problematic corridors which may reduce injury-related crashes of higher severity.
Ten-Year Road Departure Study		17	Study may help with prevention of injury-related crashes of higher severity.
Cluster Area Study		0	Corrective action being taken in cluster area; signal is being installed in 2023.
Pedestrian Counts - Post Improvements for Comparison		16	This is follow-up to show impact after improvements.
Sidewalk Continuity and Condition Inventory & Assessment		14	Inventory may help with identifying deficient and missing connectivity of non-motorized transportation system. Will result in strategizing how to increase safe accessibility.
Origins & Destinations Study and the Correlation of Crashes		11	
County Coordination Project to Strategize Second River Crossing		12	
Traffic Analysis of Problematic Corridors with known Short-term and Mid-term Development		13	City dealing with pre-existing permitted grow pre 2010. WithIn the 6th Street and Reed Area 70, lots have been platted now and the next phase is 60 plats within 3 years. An additional 70-100 per year thereafter for 5 years. Will analyze effect on problematic corridors to consider City mitigations. City Engineer added.

Sub-committee Comments:

Planned Safety Projects at Crash Location,in Problematic Corridor, or in Crash Cluster Area- Not at Fatality or Serious-Injury Crash Location

In Problematic Corridor or Crash Cluster Area- Related Crash

Cle Elum Six-Year TIP 2023-2028

TIP Project Priority Number	First Street Improvements Phase 3 - Downtown Revitalization	30	1											Project Description	Current Safety Deficiency(ies)	Total Raw Score Ranking	
	N. Pines St / W First Street Signalization	0	1	Improves Visibility or Sight Distance	Improves Roadway Geometry	Relation to Intersection	Reduces Lane Departure	Enhances Stop Sign or Signal	Increases Awareness to Non-Motorist	Improves Signage or Pavement Markings	Increases Traffic Calming Attributes	Implements Cle Elum's Complete Streets Design					
1	N. Stafford Avenue / W. Second Street Signalization	30	1	1	0	10	0	0	1	0	1	1	Downtown reconstruction including new sidewalks, curb, gutter, bulbouts, illumination, landscaping, and amenities.	Unnecessarily wide street, lack of safe pedestrian crossings, no pedestrian lighting, parallel parking, incomplete stormwater system.	45	6	
12	Second Street Pathway - Phase 1	30	1	0	0	30	0	1	0	0	1	1	Construct a traffic signal at the intersection of N. Pine Street and W. First Street.	Identified as a high conflict intersection near the only grocery store within 75 miles.	64	7	
16	Hartwig Boulevard Pathway	30	0	0	0	30	0	1	0	0	1	1	Construct a traffic signal at the intersection of N. Stafford Avenue and W. Second Street.	This location identified as one with a 2021 pedestrian-involved injury-related crash.	63	2	
17	Second Street Pathway - Phase 2	0	0	0	0	20	0	0	1	0	1	1	Construct multi-purpose pathway on Second Street between Stafford Street and Harris Avenue.	The City wishes to develop three major east-west corridors, one (new Railroad Avenue) to remove freight from 1st Street, and one (Second Street) to remove bicyclists from 1st Street.	23	3	
18	Second Street Pathway - Phase 3	0	0	0	0	20	0	0	1	0	1	1	Construct a multi-use pathway on Hartwig Boulevard from the north side of the Yakima River Bridge to First Street.	There are no safe pedestrian facilities south of Railroad Avenue on Hartwig Boulevard (formerly South Cle Elum Way) and the pedestrian walkway on the aging Yakima River Bridge is insufficient.	23	4	
21	Sub-committee Comments:			0	0	20	0	0	1	0	1	1	Construct multi-purpose pathway on Second Street between Harris Avenue and Teanaway Avenue.	The City wishes to develop three major east-west corridors, one (new Railroad Avenue) to remove freight from 1st Street, and one (Second Street) to remove bicyclists from 1st Street.	23	8	
22				0	0	20	0	0	1	0	1	1	Construct multi-purpose pathway on Second Street between Teanaway Avenue and Short Avenue.	The City wishes to develop three major east-west corridors, one (new Railroad Avenue) to remove freight from 1st Street, and one (Second Street) to remove bicyclists from 1st Street.	23	8	

This City priority is being completely designed in 2023 and will be considered "shovel ready."

With a tie at #8, there is no Ranking= #9.
Planned Safety Projects Not at Crash Location, in Problematic Corridor, or in Crash Cluster Area

Cle Elum Six-Year TIP 2023-2028

Planned Safety Projects Not at Crash Location, in Problematic Corridor, or in Crash Cluster Area				In Problem Area	Location of Project	Crash Type	Crash Rate	Crash Area											Project Description	Current Safety Deficiency(ies)	Total Raw Score	Ranking
TIP Project Priority Number	Railroad Street Extension	0	0	Improves Visibility or Sight Distance	Improves Roadway Geometry	Relation to Intersection	Reduces Lane Departure	Enhances Stop Sign or Signal	Increases Awareness to Non-Motorist	Improves Signage or Pavement Markings	Increases Traffic Calming Attributes	Implements Cle Elum's Complete Streets Design	Project Description	Current Safety Deficiency(ies)	Total Raw Score	Ranking						
	Ranger Station Road / Miller Avenue / W. Second Street Signalization	0	15																			
15	Sub-committee Comments:					1	1	20	0	0	0	0	0	0	Construct roadway extension for truck route including roadside swales.	STBG funding awarded through QUADCO for pre-planning feasibility discussions completed with stakeholders including Shoemaker Manufacturing, BNSF, and WSDOT in 2020. Meant to separate freight in downtown core area.	22	10				
19						1	1	30	0	1	1	0	1	1	Construct a signal at the intersection of Ranger Station Road / Miller Avenue / W. Second Street.	In previous City Safety Plan the concept improvements at this location were developed as a systemic project in answer to a pedalcyclist injury-related crash. The project included ped lighting, signing to raise bicycle-presence awareness, and pedestrian actuated crossing. The project was unfunded and signalization is proposed by the City in the 2023-2028 TIP.	36	5				

Recommendation to transition to roundabout per WSDOT policy.

OFFICER REPORTED CRASHES THAT OCCURRED ON ALL ROADS IN THE CITIES OF CLE ELUM

01/01/2018 - available 2022

Under 23 U.S. Code § 148 and 23 U.S. Code § 407, safety data, reports, surveys, schedules, lists compiled or collected for the purpose of identifying, evaluating, or planning the safety enhancement of potential crash sites, hazardous roadway conditions, or railway-highway crossings are not subject to discovery or admitted into evidence in a Federal or State court proceeding or considered for other purposes in any action for damages arising from any occurrence at a location mentioned or addressed in such reports, surveys, schedules, lists, or data.

JURISDICTION	COUNTY	CITY	PRIMARY TRAFFICWAY	BLOCK NUMBER	INTERSECTING TRAFFICWAY	DIST FROM REF POINT	MI or FT	COMP DIR FROM REF POINT	REFERENCE POINT NAME	MILEPOST	A / B	SR ONLY HISTORY/ SUSPENSE	REPORT NUMBER	DATE	TIME	MOST SEVERE INJURY TYPE	# INJ	# FAT	# VEH	# PEDS	# BIKES	VEHICLE 1 TYPE	VEHICLE 2 TYPE
City Street	Kittitas	Cle Elum	S CLE ELUM RD		W 1ST ST						No	3494087	09/14/2019	06:14	Suspected Serious Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	
State Route	Kittitas	Cle Elum	903							1.90	No	3494030	03/02/2018	19:25	Suspected Minor Injury	1	0	1	1	0	Not Stated		
City Street	Kittitas	Cle Elum	W 1ST ST	400		70	F	W	N STAFFORD AVE		No	3493943	05/10/2018	14:31	Suspected Minor Injury	2	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	
City Street	Kittitas	Cle Elum	W 1ST ST	300		100	F	W	BILLINGS AVE		No	3494035	05/14/2018	16:53	Possible Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	W 1ST ST		RANGER STATION RD						No	3494037	05/19/2018	12:22	Possible Injury	2	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							1.82	No	3494040	05/28/2018	18:25	Possible Injury	1	0	2	0	0	Passenger Car	Passenger Car	
State Route	Kittitas	Cle Elum	903							1.90	No	3494053	07/31/2018	17:40	Suspected Minor Injury	5	0	2	0	0	Passenger Car	Passenger Car	
City Street	Kittitas	Cle Elum	N OAKES AVE	0	W RAILROAD ST						No	3494050	09/04/2018	11:22	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							1.90	No	3494066	01/22/2019	12:11	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							2.38	No	3494067	01/22/2019	16:52	Possible Injury	1	0	1	0	0	Passenger Car		
City Street	Kittitas	Cle Elum	W RAILROAD ST	2100	S CLE ELUM RD						No	3494068	02/11/2019	09:23	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	N FLORAL AVE	0	E 2ND ST						No	3494069	02/15/2019	09:19	Suspected Minor Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	E 3RD ST	500		150	F	W	N MONTGOMERY AVE		No	3494075	06/19/2019	23:10	Possible Injury	2	0	3	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							1.73	No	3494085	08/06/2019	18:15	Suspected Minor Injury	2	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							1.20	No	E960828	09/13/2019	16:16	Possible Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	RANGER STATION RD	0	DOUGLAS MONRO BLVD						No	3494090	10/23/2019	08:00	Suspected Minor Injury	4	0	1	0	0	Pickup,Panel Truck or Vanette under 10,000 lb		
City Street	Kittitas	Cle Elum	N OAKES AVE	0	W RAILROAD ST						No	3494105	12/18/2019	08:32	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	
State Route	Kittitas	Cle Elum	903							1.76	No	3874434	02/29/2020	02:51	Suspected Minor Injury	1	0	1	0	0	Passenger Car		
City Street	Kittitas	Cle Elum	E 2ND ST	0	BULLITT AVE						No	3874458	05/07/2020	07:39	Possible Injury	1	0	2	0	0	Passenger Car	Passenger Car	
City Street	Kittitas	Cle Elum	W 1ST ST	0	RANGER STATION RD						No	3874464	06/26/2020	14:07	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							1.90	No	3874473	08/14/2020	17:04	Suspected Minor Injury	1	0	1	0	1	Pickup,Panel Truck or Vanette under 10,000 lb		
City Street	Kittitas	Cle Elum	W 1ST ST	698	PINE ST						No	3874439	08/23/2020	14:15	Suspected Minor Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	RANGER STATION RD		W 1ST ST						No	3874437	09/04/2020	11:45	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	W 1ST ST		RANGER STATION RD						No	3874446	12/02/2020	13:51	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	W 1ST ST	300		282	F	W	BILLINGS AVE		No	E822975	04/17/2021	13:14	Suspected Minor Injury	1	0	2	0	0	Truck Tractor & Semi-Trailer	Motorcycle	
City Street	Kittitas	Cle Elum	W 1ST ST	400		50	F	W	N STAFFORD AVE		No	3878108	04/30/2021	13:18	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							0.95	No	3878128	07/17/2021	08:07	Suspected Minor Injury	9	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							1.90	No	3878130	07/27/2021	12:33	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	N STAFFORD AVE	448	W 2ND ST						No	3878131	07/31/2021	16:00	Suspected Minor Injury	1	0	1	0	1	Passenger Car		
State Route	Kittitas	Cle Elum	903							1.88	No	3878120	10/16/2021	12:52	Possible Injury	1	0	2	0	0	Passenger Car	Passenger Car	
City Street	Kittitas	Cle Elum	E 2ND ST	698	N TEANAWAY AVE						No	3878204	01/14/2022	06:48	Suspected Minor Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	RUSS ST	100		100	F	E	N OAKES AVE		No	3878205	02/12/2022	16:46	Suspected Minor Injury	1	0	1	0	0	Pickup,Panel Truck or Vanette under 10,000 lb		
City Street	Kittitas	Cle Elum	W 1ST ST	319	N STAFFORD AVE						No	3878185	03/07/2022	19:56	Possible Injury	1	0	2	0	0	Passenger Car	Pickup,Panel Truck or Vanette under 10,000 lb	
State Route	Kittitas	Cle Elum	903							0.82	No	3878189	06/02/2022	06:58	Possible Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Passenger Car	
City Street	Kittitas	Cle Elum	E E 1ST ST ST	1200		362	F	E	S COTTAGE AVE		No	3878208	06/03/2022	07:20	Suspected Minor Injury	1	0	2	0	0	Pickup,Panel Truck or Vanette under 10,000 lb	Pickup,Panel Truck or Vanette under 10,000 lb	
City Street	Kittitas	Cle Elum	OAKES AVE	100		298	F	E	SWIFTWATER BLVD		No	EC71301	08/03/2022	01:00	Possible Injury	1	0	1	0	0	Pickup,Panel Truck or Vanette under 10,000 lb		

0

36 Injury Crashes

55	0	65	1	2
# INJ	# FAT	# VEH	# PEDS	# BIKES

61.1%

22

2.8%

1

8.3%

3

19.4%

7

8.3%

3

100%

36

6:00pm - 5:59am	NTPer	7	19%
6:00am - 8:59am	AMPer	8	22%
9:00am - 2:59pm	MDPer	14	39%
3:00pm - 5:59pm	PMPer	7	19%

36

100%

Truck Tractor & Semi-Trailer	1
Motorcycle	1

JUNCTION RELATIONSHIP	WEATHER	ROADWAY SURFACE CONDITION	LIGHTING CONDITION	FIRST COLLISION TYPE / OBJECT STRUCK	VEHICLE 1 ACTION	VEHICLE 2 ACTION	VEHICLE 1 COMPASS DIRECTION FROM	VEHICLE 1 COMPASS DIRECTION TO	VEHICLE 2 COMPASS DIRECTION FROM	VEHICLE 2 COMPASS DIRECTION TO	MV DRIVER CONTRIBUTING CIRCUMSTANCE 1 (UNIT 1)
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Making Left Turn	Making Right Turn	South	West	West	South	Under Influence of Alcohol
At Intersection and Related	Clear or Partly Cloudy	Wet	Dark-Street Lights On	Vehicle turning left hits pedestrian	Making Left Turn						Did Not Grant R/W to Non Motorist
Not at Intersection and Not Related	Clear or Partly Cloudy	Dry	Daylight	From opposite direction - both moving - head-on	Going Straight Ahead	Going Straight Ahead	West	East	East	West	Other Contributing Circ Not Listed
Intersection Related but Not at Intersection	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	West	East	Vehicle Stopped	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	South	North	East	West	Did Not Grant RW to Vehicle
Not at Intersection and Not Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	East	West	Vehicle Stopped	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	West	East	Vehicle Backing	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Starting in Traffic Lane	North	South	West	East	Driver Not Distracted
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped at Signal or Stop Sign	West	East		Vehicle Stopped	Disregard Stop and Go Light
At Intersection and Related	Snowing	Snow/Slush	Dusk	Utility Pole	Making Left Turn		West	North			Exceeding Reas. Safe Speed
At Intersection and Related	Snowing	Snow/Slush	Daylight	Entering at angle	Going Straight Ahead	Making Right Turn	East	West	North	East	Non Motorist on Wrong Side of Road
At Intersection and Related	Clear or Partly Cloudy	Ice	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	East	West	North	South	None
Not at Intersection and Not Related	Clear or Partly Cloudy	Dry	Dark-No Street Lights	One parked-one moving	Going Straight Ahead	Legally Parked, Unoccupied	West	East		Vehicle Stopped	Under Influence of Alcohol
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - both moving - rear-end	Slowing	Going Straight Ahead	West	East	West	East	None
At Intersection and Not Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	North	South	North	Vehicle Stopped	Follow Too Closely
At Intersection and Related	Clear	Dry	Daylight	Fence	Going Straight Ahead		Northeast	Southwest			Exceeding Stated Speed Limit
At Intersection and Related	Overcast	Dry	Daylight	Entering at angle	Starting in Traffic Lane	Going Straight Ahead	West	East	South	North	Did Not Grant RW to Vehicle
Not at Intersection and Not Related	Clear	Dry	Dark-Street Lights On	Metal Sign Post	Going Straight Ahead		West	Northeast			Unknown Distraction
At Intersection and Related	Overcast	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	East	West	Did Not Grant RW to Vehicle
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Starting in Traffic Lane	Going Straight Ahead	South	North	East	West	Did Not Grant RW to Vehicle
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Vehicle Strikes Pedalcyclist	Stopped at Signal or Stop Sign		West	East			None
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Starting in Traffic Lane	East	West	South	North	None
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Going Straight Ahead	Going Straight Ahead	North	South	West	East	Did Not Grant RW to Vehicle
At Intersection and Related	Overcast	Dry	Daylight	From opposite direction - one left turn - one straight	Making Left Turn	Going Straight Ahead	West	South	West	East	Did Not Grant RW to Vehicle
At Driveway	Clear	Dry	Daylight	Entering at angle	Making Left Turn	Going Straight Ahead	North	Southeast	East	West	Unknown Distraction
Intersection Related but Not at Intersection	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	West	East	West	Vehicle Stopped	Follow Too Closely
Not at Intersection and Not Related	Clear	Dry	Daylight	From same direction - both going straight - both moving - rear-end	Going Straight Ahead	Slowing	East	West	East	West	Follow Too Closely
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	East	West	Vehicle Backing	Vehicle Stopped	Other Distractions
At Intersection and Related	Clear or Partly Cloudy	Dry	Daylight	Vehicle Strikes Pedalcyclist	Making Left Turn		South	West			Did Not Grant R/W to Non Motorist
Intersection Related but Not at Intersection	Clear or Partly Cloudy	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Slowing		East	West	East	West	Did Not Grant RW to Vehicle
At Intersection and Related	Clear	Ice	Dark-Street Lights On	From same direction - one left turn - one straight	Overtaking and Passing	Making Left Turn	East	West	East	South	Improper Passing
Not at Intersection and Not Related	Clear	Dry	Daylight	Earth Bank or Ledge	Negotiating a Curve		West	East			Under Influence of Alcohol
At Intersection and Related	Overcast	Dry	Dark-Street Lights On	From opposite direction - both going straight - one stopped - sideswipe	Going Straight Ahead	Stopped at Signal or Stop Sign	West	East		Vehicle Stopped	Under Influence of Alcohol
At Driveway	Clear or Partly Cloudy	Dry	Daylight	Entering at angle	Making Left Turn	Going Straight Ahead	South	West	West	East	Did Not Grant RW to Vehicle
Driveway Related but Not at Driveway	Clear	Dry	Daylight	From same direction - both going straight - one stopped - rear-end	Going Straight Ahead	Stopped for Traffic	East	West	East	Vehicle Stopped	Follow Too Closely
Not at Intersection and Not Related	Clear	Dry	Dark-No Street Lights	Guardrail - Face	Negotiating a Curve		West	East			Overcorrecting / Oversteering

At Intersection and Related
At Intersection and Not Related
Intersection Related but Not at Intersection
Not at Intersection and Not Related
At Driveway or Driveway-related

	31	Dry		
	2	Snow/Slush		
	2	Ice		
	1	Wet		
	36		29	Daylight
			1	Dusk
			4	Dark-Street Lights On
			2	Dark-No Street Lights
			36	
8		Clear		
22		Clear or Partly Cloudy		
4		Overcast		
2		Snowing		
36				

2.8%
5.6%
2.8%
2.8%
2.8%
16.7%
2.8%
27.8%
36.1%
100%

1	Vehicle turning left hits pedestrian
2	Vehicle Strikes Pedalcyclist
1	From opposite direction - both moving - head-on
1	From opposite direction - one left turn - one straight
1	From opposite direction - sideswipe
6	Struck a stationary object
1	From same direction - one left or right turn - one straight
10	From same direction - both going straight - one stopped - rear-end
13	Entering at angle
36	

Going Straight Ahead
Making Left Turn
Starting Parked or in Traffic Lane
Slowing or Stopped for Traffic
Negotiating a Curve
Overtaking and Passing

21
7
2
3
2
1
36

6.3%
7.6%
3.8%
17.7%
12.7%
13.9%
6.3%
8.9%

1	Legally Parked, Unoccupied
11	Slowing or Stopped for Traffic
11	Going Straight Ahead
1	Making left or right turn
2	Making Right Turn
2	Starting in Traffic Lane
8	Nil

36

1.3%
6.3%
2.5%
3.8%
1.3%
1.3%
6.3%
100%

5	Under Influence of Alcohol or Drugs
6	Exceeding Stated Speed Limit
3	Did Not Grant R/W to Non Motorist
14	Did Not Grant RW to Vehicle
10	Follow Too Closely
11	Distraction
5	Other Contributing Circ Not Listed
7	Inattention
1	Improper Passing
5	Disregard Stop Sign
2	Non Motorist on Wrong Side of Road
3	Improper Turn/Merge
1	Overcorrecting / Oversteering
1	Improper Parking Location
5	Nil

79

[illegible]

Disregard Traffic Sign and Signals

BICYCLIST CONTRIBUTING CIRCUMSTANCE 3 (UNIT 2)	PEDESTRIAN CONTRIBUTING CIRCUMSTANCE 1 (UNIT 2)	PEDESTRIAN CONTRIBUTING CIRCUMSTANCE 2 (UNIT 2)	PEDESTRIAN CONTRIBUTING CIRCUMSTANCE 3 (UNIT 2)	FIRST IMPACT LOCATION (City, County & Misc Trafficways - 2010 forward)	WA STATE PLANE SOUTH - X 2010 - FORWARD	WA STATE PLANE SOUTH - Y 2010 - FORWARD
				Lane of Primary Trafficway	1529909.4	679450.23
	None			Intersecting Road Decreasing Milepost	1531427.34	679167.26
				Lane of Primary Trafficway	1529840.28	679463.71
				Lane of Primary Trafficway	1530436.72	679351.09
				Lane of Primary Trafficway	1527269.27	679625.61
				Lane 1 Increasing Milepost	1531830.52	679093.46
				Lane 1 Decreasing Milepost	1531443.47	679163.56
				Lane of Primary Trafficway	1530876.44	678947.61
				Lane 1 Increasing Milepost	1531426.02	679152.99
				Past Right Shoulder Increasing Milepost	1529401.56	679907.74
				Intersecting Trafficway	1529796.17	679179.53
				Lane of Primary Trafficway	1536361.76	678586.57
				Outside Shoulder of Primary Trafficway	1533813.55	679456.86
				Lane 1 Decreasing Milepost	1532306.26	679003.58
				Lane 1 Decreasing Milepost	1535069.18	678477.23
				Past the Outside Shoulder of Primary Trafficway	1527182.5	679907.01
				Lane of Primary Trafficway	1530873.14	678929.84
				Past Right Shoulder Increasing Milepost	1532170.82	679029.34
				Lane of Primary Trafficway	1532734.02	679291.85
				Lane of Primary Trafficway	1527263.93	679628.57
				Lane 1 Decreasing Milepost	1531427.59	679172.85
				Lane of Primary Trafficway	1528011.45	679661.1
				Lane of Primary Trafficway	1527263.93	679628.57
				Lane of Primary Trafficway	1527263.6	679629.76
				Lane of Primary Trafficway	1530257.99	679383.94
				Lane of Primary Trafficway	1529860.15	679459.83
				Lane 1 Increasing Milepost	1536365.73	678246.51
				Lane 1 Increasing Milepost	1531430.38	679166.96
				Lane of Primary Trafficway	1529967.8	679796
				Lane 1 Increasing Milepost	1531530.57	679150.14
				Lane of Primary Trafficway	1534515	678955.71
				Past the Outside Shoulder of Primary Trafficway	1530948.3	678572.03
				Lane of Primary Trafficway	1529909.53	679450.54
				Lane 1 Decreasing Milepost	1537004.84	678038.3
				Lane of Primary Trafficway	1538293.55	677904.99
				Outside Shoulder of Primary Trafficway	1531987.51	678351.41

16.7%

6 Not in travel lane



C.

PRIORITIZATION

TALLY SHEET

05-01-2023

Serious Crash Location - Project Ranking

Serious Injury	1 crash (daylight)	South Cle Elum Way & W 1st Street, at intersection and related, driver of one car under the influence of alcohol and making an improper left turn, 06:14, 09/14/2019.	Severity of Injury	Pedestrian or Pedalcyclist Involved	Relation to Intersection	Type of Crash	Frequency of the Crash Type	Problematic Corridor or Cluster Area	Inattention/Distracted	Lane Departure	Disregard to Stop Sign and Signals	Exceeding Posted or Safe Speed	Under the Influence of Alcohol or Drugs	Following Too Closely	Improper Turn/Merge	Total Raw Score	Ranking
			30	0	30	20	1	30	0	0	0	0	1	0	1	113	1

Sub-committee Comments:

Ped/Bike Injury Crash Types - Project Ranking

Ped Involved	Dark street lights on	SR903 Milepost 1.90 (Pennsylvania Avenue), at intersection and related, driver did not grant r/w to non-motorist, 19:25, 03/02/2018. Suspected Minor Injury.	Severity of Injury	In Crash Cluster Area or Problematic Corridor	Relation to Intersection	Type of Crash	Frequency of the Crash Type	Inattention/Distracted	Lane Departure	Disregard to Stop Sign and Signals	Exceeding Posted or Safe Speed	Under the Influence of Alcohol or Drugs	Vehicle, Pedestrian, or Pedalcyclist Did Not Grant R/W	Following Too Closely	Improper Turn/Merge	Total Raw Score	Ranking	Bulbouts are being constructed at SR 903 and Pennsylvania Avenue in 2023 w/ intersection lighting.
			20	30	30	35	1	0	0	0	0	0	1	0	1	118		
Pedalcyclist Involved	1 crash (daylight)	SR903 Milepost 1.90 (Pennsylvania Avenue), at intersection and related, driver had stopped at signal or stop sign, 17:04, 03/14/2020. Suspected Minor Injury.	20	30	30	35	5	0	0	0	0	0	1	0	0	121		
			20	30	30	35	1	0	0	0	0	0	1	0	1	118		

Sub-committee Comments:

With a tie at number 3, there is no Ranking #4.

Data Needs - Project Ranking

	Total Raw Score	Ranking	
Speed Study on Problematic Corridors	15		Study may help with determining trends of speed compliance in problematic corridors which may reduce injury-related crashes of higher severity.
Ten-Year Road Departure Study	17		Study may help with prevention of injury-related crashes of higher severity.
Cluster Area Study	9		Corrective action being taken in cluster area; signal is being installed in 2023.
Pedestrian Counts - Post Improvements for Comparison	16		This is follow-up to show impact after improvements.
Sidewalk Continuity and Condition Inventory & Assessment	14		Inventory may help with identifying deficient and missing connectivity of non-motorized transportation system. Will result in strategizing how to increase safe accessibility.
Origins & Destinations Study and the Correlation of Crashes	11		
County Coordination Project to Strategize Second River Crossing	12		
Traffic Analysis of Problematic Corridors with known Short-term and Mid-term Development	13		City dealing with pre-existing permitted grow pre 2010. WithIn the 6th Street and Reed Area 70, lots have been platted now and the next phase is 60 plats within 3 years. An additional 70-100 per year thereafter for 5 years. Will analyze effect on problematic corridors to consider City mitigations. City Engineer added.

Sub-committee Comments:

Cle Elum Six-Year TIP 2023-2028

TIP Project Priority Number	Planned Safety Projects at Crash Location,in Problematic Corridor, or in Crash Cluster Area- Not at Fatality or Serious-Injury Crash Location	In Problematic Corridor or Crash Cluster Area	At Location of Injury- Related Crash	Improves Visibility or Sight Distance	Improves Roadway Geometry	Relation to Intersection	Reduces Lane Departure	Enhances Stop Sign or Signal	Increases Awareness to Non-Motorist	Improves Signage or Pavement Markings	Increases Traffic Calming Attributes	Implements Cle Elum's Complete Streets Design	Project Description	Current Safety Deficiency(ies)	Total Row Score	Ranking
1	First Street Improvements Phase 3 - Downtown Revitalization	30	1	1	0	10	0	0	1	0	1	1	Downtown reconstruction including new sidewalks, curb, gutter, bulbouts, illumination, landscaping, and amenities.	Unnecessarily wide street, lack of safe pedestrian crossings, no pedestrian lighting, parallel parking, incomplete stormwater system.	45	6
12	N. Pines St / W First Street Signalization	0	1	0	0	30	0	1	0	0	1	1	Construct a traffic signal at the intersection of N. Pine Street and W. First Street.	Identified as a high conflict intersection near the only grocery store within 75 miles.	34	7
16	N. Stafford Avenue / W. Second Street Signalization	30	1	0	0	30	0	1	0	0	1	1	Construct a traffic signal at the intersection of N. Stafford Avenue and W. Second Street.	This location identified as one with a 2021 pedestrian-involved injury-related crash.	64	2
17	Second Street Pathway - Phase 1	30	1	0	0	20	0	0	1	0	1	1	Construct multi-purpose pathway on Second Street between Stafford Street and Harris Avenue.	The City wishes to develop three major east-west corridors, one (new Railroad Avenue) to remove freight from 1st Street, and one (Second Street) to remove bicyclists from 1st Street.	54	3
18	Hartwig Boulevard Pathway	30	0	0	0	20	0	0	1	0	1	1	Construct a muti-use pathway on Hartwig Boulevard from the north side of the Yakima River Bridge to First Street.	There are no safe pedestrian facilities south of Railroad Avenue on Hartwig Boulevard (formerly South Cle Elum Way) and the pedestrian walkway on the aging Yakima River Bridge is insufficient.	53	4
21	Second Street Pathway - Phase 2	0	1	0	0	20	0	0	1	0	1	1	Construct multi-purpose pathway on Second Street between Harris Avenue and Teanaway Avenue.	The City wishes to develop three major east-west corridors, one (new Railroad Avenue) to remove freight from 1st Street, and one (Second Street) to remove bicyclists from 1st Street.	24	8
19	Ranger Station Road / Miller Avenue / W. Second Street Signalization	0	15	1	1	30	0	1	1	0	1	1	Construct a signal at the intersection of Ranger Station Road / Miller Avenue / W. Second Street.	In previous City Safety Plan the concept improvements at this location were developed as a systemic project in answer to a pedalcyclist injury-related crash. The project included ped lighting, signing to raise bicycle-presence awareness, and pedestrian actuated crossing.	51	5

Sub-committee Comments:
With a tie at #8, there is no Ranking= #9.

Cle Elum Six-Year TIP 2023-2028

TIP Project Priority Number	Planned Safety Projects Not at Crash Location,in Problematic Corridor, or in Crash Cluster Area	In Problematic Corridor or Crash Cluster Area	At Location of Injury- Related Crash	Improves Visibility or Sight Distance	Improves Roadway Geometry	Relation to Intersection	Reduces Lane Departure	Enhances Stop Sign or Signal	Increases Awareness to Non-Motorist	Improves Signage or Pavement Markings	Increases Traffic Calming Attributes	Implements Cle Elum's Complete Streets Design	Project Description	Current Safety Deficiency(ies)	Total Row Score	Ranking
15	Railroad Street Extension	0	0	1	1	20	0	0	0	0	0	0	Construct roadway extension for truck route including roadside swales.	STBG funding awarded through QUADCO for pre-planning feasibility discussions completed with stakeholders including Shoemaker Manufacturing, BNSF, and WSDOT in 2020. Meant to separate freight in downtown core area.	22	10
22	Second Street Pathway - Phase 3	0	0	0	0	20	0	0	1	0	1	1	Construct multi-purpose pathway on Second Street between Teanaway Avenue and Short Avenue.	The City wishes to develop three major east-west corridors, one (new Railroad Avenue) to remove freight from 1st Street, and one (Second Street) to remove bicyclists from 1st Street.	23	9

Sub-committee Comments:

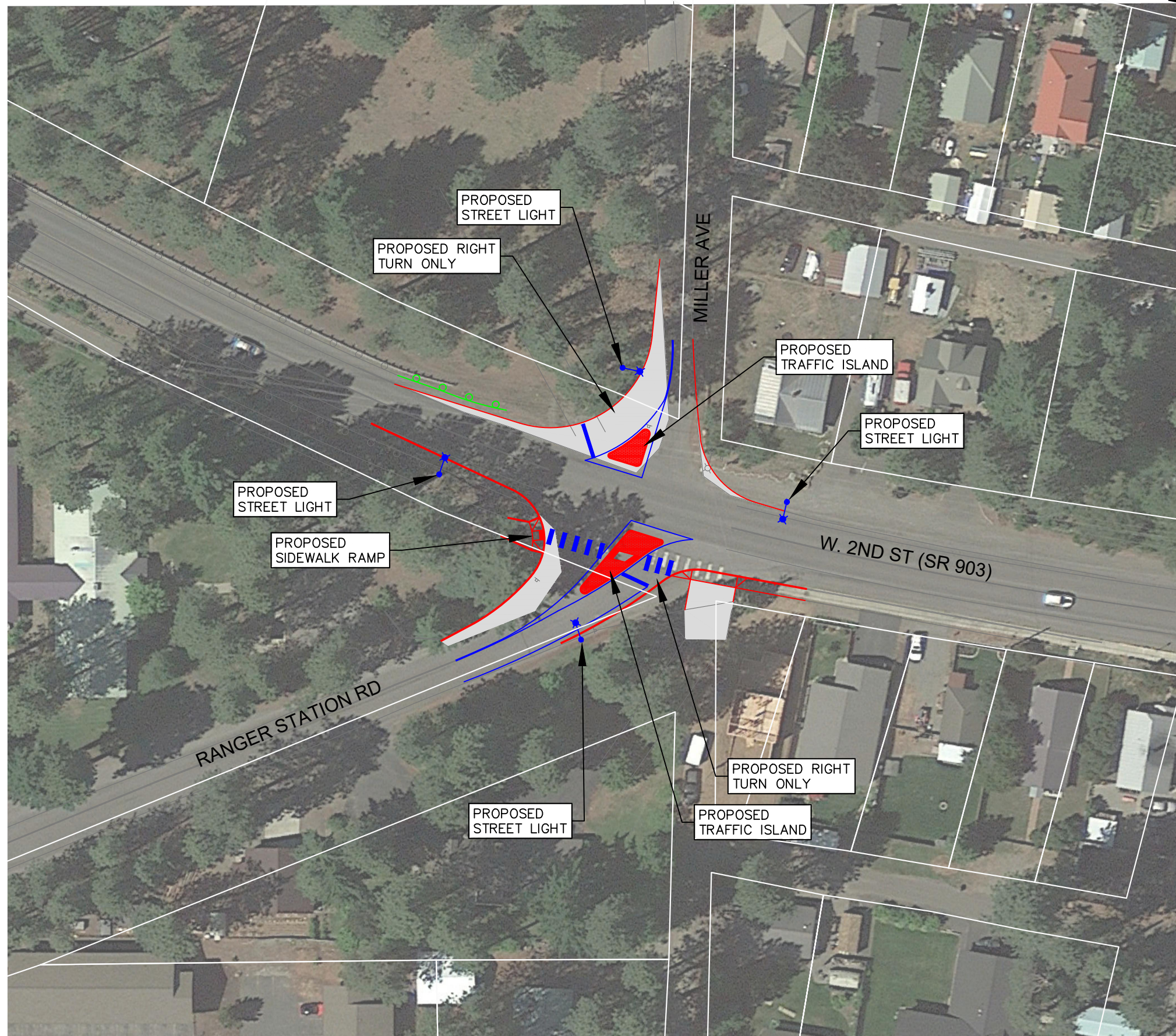
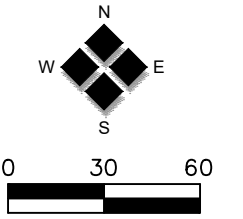


D. PRIORITIZED PROJECT ESTIMATES AND EXHIBITS



PROJECT ESTIMATES AND EXHIBITS

1. Ranger Station Road / Miller Avenue / W. 2nd Street Improvements
2. First Street Downtown Revitalization – Final Phase
3. Second Street Pathway
4. Streetlight O&D Data
5. Hartwig Blvd Pathway and Yakima River Crossing Pre-Planning
6. Fehr & Peers O&D Analysis and Alternatives Analysis



2803 River Road
Yakima, WA 98902
509.966.7000
Fax 509.965.3800
www.hlacivil.com



JOB NUMBER: 23067	DATE: 7-17-23
FILE NAMES: DRAWING:	Figure 14.dwg
DESIGNED BY: ENTERED BY:	DLL AJH

CLE ELUM
CITY SAFETY PLAN
FIGURE 14

RANGER STATION RD/MILLER AVE/W. 2ND ST IMPROVEMENTS

SHEET
1
OF
1

CITY OF CLE ELUM

47 North

Engineer's Opinion of Construction Cost

Ranger Station Road & Miller Avenue & W 2nd Street (SR 903)

Turning Restrictions

HLA Project No. 19055

7/11/2023

PRELIMINARY

Item No.	Description	Payment Specification	Unit	Unit Cost	Overall Quantity	Overall Cost
1	Minor Change	1-04.4(1)	FA	\$15,000.00	1	\$15,000.00
2	SPCC Plan	1-07.15(1)	LS	\$1,000.00	1	\$1,000.00
3	Mobilization	1-09.7	LS	\$40,000.00	1	\$40,000.00
4	Project Temporary Traffic Control	1-10.5	LS	\$80,000.00	1	\$80,000.00
5	Clearing and Grubbing	2-01.5	LS	\$50,000.00	1	\$50,000.00
6	Unclassified Excavation Incl. Haul	2-03.5	CY	\$40.00	250	\$10,000.00
7	Crushed Surfacing Base Course	4-04.5	TON	\$60.00	250	\$15,000.00
8	Crushed Surfacing Top Course	4-04.5	TON	\$75.00	60	\$4,500.00
9	HMA Cl. 1/2-Inch PG 64H-28	5-04.5	TON	\$220.00	140	\$30,800.00
10	Landscape Restoration	8-02.5	FA	\$5,000.00	1	\$5,000.00
11	Cement Conc. Traffic Curb and Gutter	8-04.4	LF	\$55.00	850	\$46,750.00
12	Beam Guardrail Type 1	8-11.5	LF	\$75.00	65	\$4,875.00
13	Pigmented Cement Conc. Splitter Island	8-14.5	SY	\$180.00	68	\$12,240.00
14	Cement Conc. Sidewalk 4-Inch Thick	8-14.5	SY	\$100.00	55	\$5,500.00
15	Cement Conc. Sidewalk 6-Inch Thick	8-14.5	SY	\$120.00	20	\$2,400.00
16	Cement Conc. Curb Ramp	8-14.5	EA	\$2,000.00	4	\$8,000.00
17	Illumination System, Complete	8-20.5	LS	\$40,000.00	1	\$40,000.00
18	Permanent Signing	8-21.5	LS	\$8,000.00	1	\$8,000.00
19	Pavement Markings	8-22.5	LS	\$4,000.00	1	\$4,000.00
Subtotal						\$383,065.00
Contingency 25%						\$95,800.00
Total Estimated Construction Cost						\$478,865.00
Assumptions:						
1	New roadway section 5" HMA, 2" CSTC, and 9" CSBC					
2	Existing roadway and subgrade has 18-Inch depth					
3	Does not include replacement or upgrade of utilities					
4	Pro Rata share not addressed					
5	Construction escalation for future years not included					
6	Does not include revision to existing drainage system					
Design Engineering 14%						\$67,040.00
Environmental and Cultural Resources						\$15,000.00
Right of Way Services						\$22,500.00
Right of Way Acquisition						\$82,680.00
Funding Administration 2%						\$9,580.00
WSDOT Review Fees						\$5,000.00
Construction Engineering 16%						\$76,620.00
Materials Testing 2%						\$9,580.00
Total Estimated Project Cost						\$766,865.00
Created per TENW preliminary designs dated 5/17/23						



CITY OF CLE ELUM – FIRST STREET DOWNTOWN REVITALIZATION – FINAL PHASE



Finished Projects

Phase 1 – First Street & Peoh Avenue Improvements
Design & Construction Completed 2018

Phase 2 – First Street Stormwater & Billings Avenue Intersection Improvements *(includes north sidewalk Billings to Oakes)*
Construction Completed 2020

Phases 3A and 3B – Various Blocks
Construction Completed December 2022

Upcoming Projects

Phase 3C – First Street Between Pennsylvania and Harris Avenues
Project Construction Begins Spring 2023

Final Phase

before

AFTER

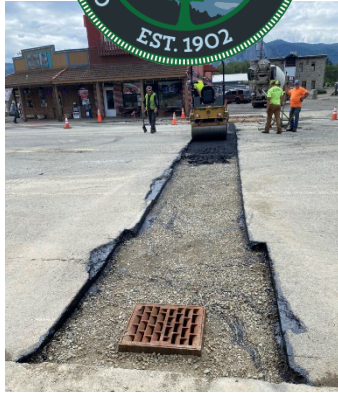


PROJECT PARTNERS & STAKEHOLDERS
BUSINESS OWNERS AND MERCHANTS,
GASLIGHT DISTRICT,
RESIDENTS,
VISITORS





CITY OF CLE ELUM – FIRST STREET DOWNTOWN REVITALIZATION – FINAL PHASE



IN JUST FOUR YEARS, the City of Cle Elum secured over **\$7,300,000** of construction and design funding from 23 sources, for First Street to:

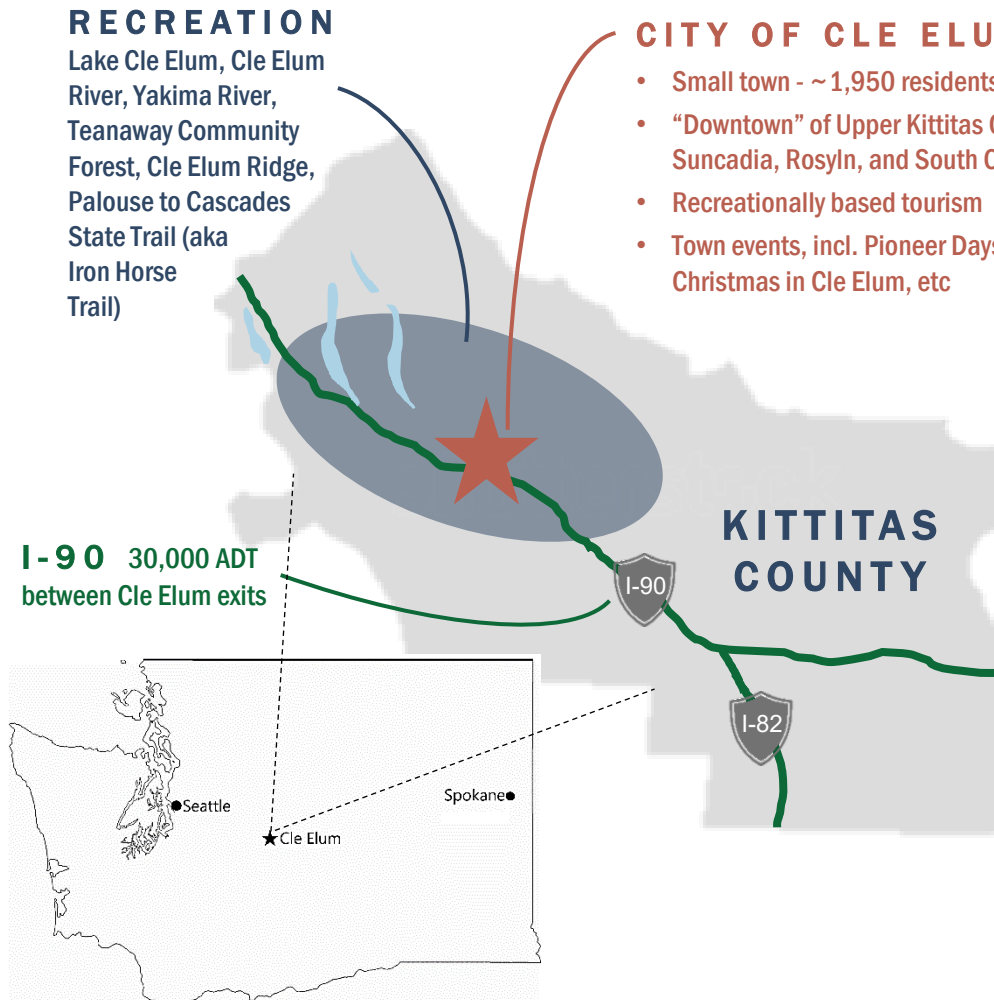
- construct all improvements on approximately 1/2 of the downtown corridor,
- complete all undergrounding work within the roadway (preparing for future WSDOT paving project on First St),
- upgrade the deficient stormwater system (including 55 new catch basins), and
- publish “shovel-ready” construction plans for Phase 3 remaining work.

RECREATION

Lake Cle Elum, Cle Elum River, Yakima River, Teanaway Community Forest, Cle Elum Ridge, Palouse to Cascades State Trail (aka Iron Horse Trail)

CITY OF CLE ELUM

- Small town - ~1,950 residents
- “Downtown” of Upper Kittitas County, incl. Suncadia, Roslyn, and South Cle Elum
- Recreationally based tourism
- Town events, incl. Pioneer Days, Boo Elum, Christmas in Cle Elum, etc



WHAT'S NEXT FOR CLE ELUM

Economic Revitalization · Population Growth · Increased Development · Prioritization & Preservation of Recreational Resources · AND

City-Wide Wayfinding Signage

Second St. Multi-Use Pathway

Railroad Street Extension

Columbia Ave. RR Crossing

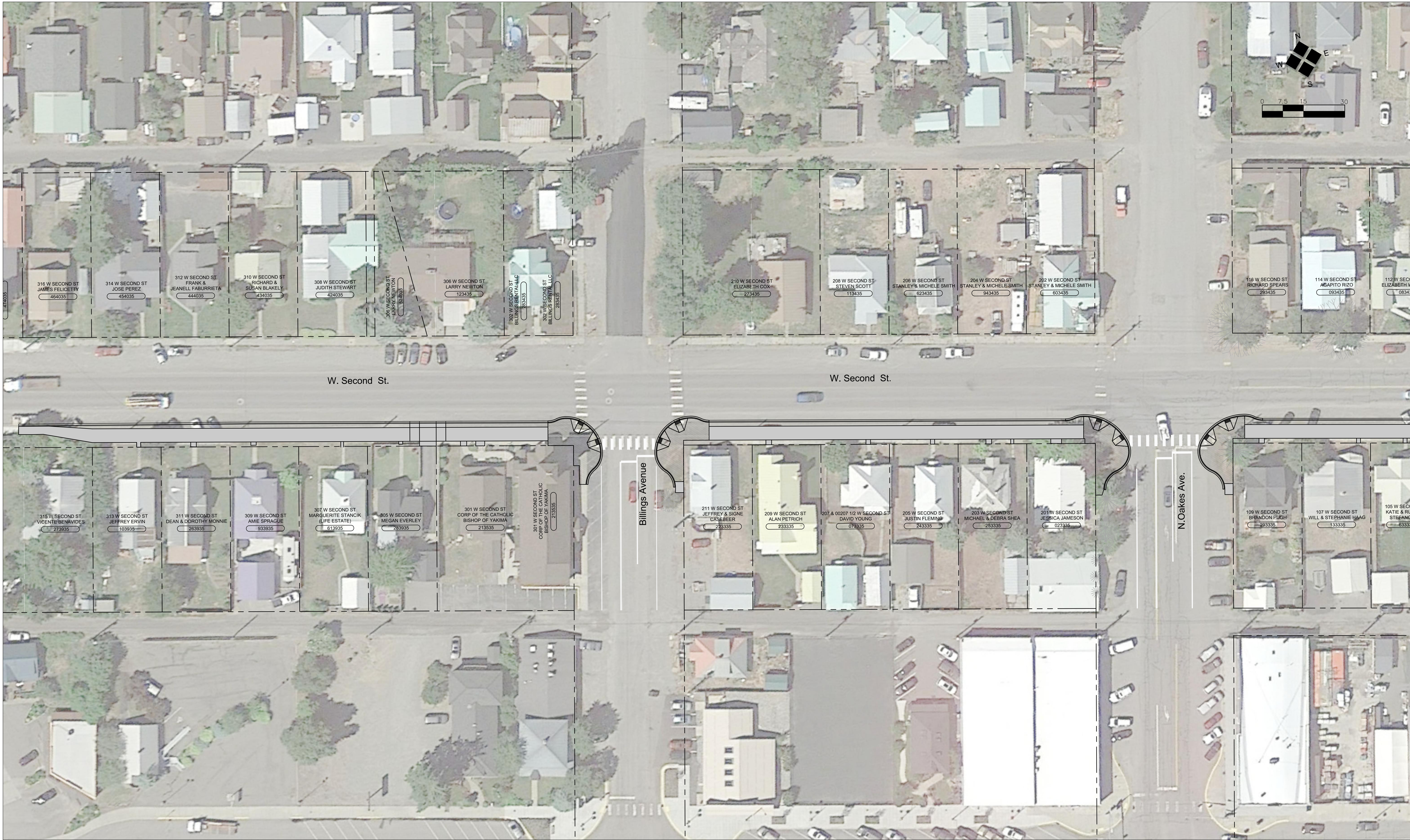
City-Wide Safety Projects



PHASE 3 GOALS & OUTCOMES

- Funding to complete project by **2025**
- Complete Streets philosophy
- CEDA communication/coordination
- Preserving historic character
- Ongoing maintenance plan
- Safe, amenitized, walkable downtown core
- Increased parking
- Economic revitalization

CITY OF CLE ELUM						
First Street Downtown Revitalization - Final Phase					1/20/2023	
Engineer's Estimate of Construction Cost						
Oakes Ave to Pennsylvania Ave, Harris Ave to Peoh Ave HLA Project No. 23036						
Item No.	Description	Payment Specification	Unit	Unit Cost	Overall Quantity	Overall Cost
1	Minor Change	1-04.4(1)	FA	\$25,000.00	1	\$25,000.00
2	SPCC Plan	1-07.15(1)	LS	\$1,000.00	1	\$1,000.00
3	Archaeological and Historical Salvage	1-07.16(4)	FA	\$100.00	1	\$100.00
4	Mobilization	1-09.7	LS	\$450,000.00	1	\$450,000.00
5	Project Temporary Traffic Control	1-10.5	LS	\$350,000.00	1	\$350,000.00
6	Clearing and Grubbing	2-01.5	LS	\$18,000.00	1	\$18,000.00
7	Removal of Structures and Obstructions	2-02.5	LS	\$275,000.00	1	\$275,000.00
8	Unclassified Excavation Incl. Haul	2-03.5	CY	\$70.00	2,600	\$182,000.00
9	Crushed Surfacing Base Course	4-04.5	TON	\$45.00	825	\$37,125.00
10	Crushed Surfacing Top Course	4-04.5	TON	\$75.00	100	\$7,500.00
11	HMA Cl. 1/2-Inch PG 64H-28	5-04.5	TON	\$300.00	285	\$85,500.00
12	Storm Sewer Pipe 12 In. Diam.	7-04.5	LF	\$90.00	95	\$8,550.00
13	Storm Sewer Pipe 6 In. Diam.	7-04.5	LF	\$70.00	60	\$4,200.00
14	Catch Basin Type 1	7-05.5	EA	\$4,000.00	2	\$8,000.00
15	Adjust Catch Basin	7-05.5	EA	\$600.00	26	\$15,600.00
16	Adjust Monitoring Well	7-05.5	EA	\$600.00	2	\$1,200.00
17	Select Backfill, as Directed	7-08.5	CY	\$75.00	50	\$3,750.00
18	D.I. Pipe for Water Main 6 In. Diam.	7-09.5	LF	\$260.00	6	\$1,560.00
19	Adjust Valve Box	7-12.5	EA	\$600.00	3	\$1,800.00
20	Hydrant Assembly with Tapping Valve Assembly	7-12.5	EA	\$10,000.00	1	\$10,000.00
21	Hydrant Assembly Replacement	7-14.5	EA	\$10,000.00	1	\$10,000.00
22	Adjust Meter Box	7-15.5	EA	\$600.00	25	\$15,000.00
23	Irrigation System, Complete	7-16.5	LS	\$410,000.00	1	\$410,000.00
24	Inlet Protection	8-01.5	EA	\$100.00	60	\$6,000.00
25	Plant Selection - Redpointe Maple (2-1/2" Caliper)	8-02.5	EA	\$680.00	22	\$14,960.00
26	Plant Selection - Metro Gold Maple (2-1/2" Caliper)	8-02.5	EA	\$680.00	40	\$27,200.00
27	Plant Selection - Kelseyi Dogwood (2 Gallon)	8-02.5	EA	\$53.00	429	\$22,737.00
28	Plant Selection - Dwarf Mugo Pine (2 Gallon)	8-02.5	EA	\$64.00	80	\$5,120.00
29	Plant Selection - Black Eyed Susan (1 Gallon)	8-02.5	EA	\$42.00	1,115	\$46,830.00
30	Plant Selection - Woods Compact Kinnikinnick (2 Gallon)	8-02.5	EA	\$42.00	1,873	\$78,666.00
31	Plant Selection - Golden Nugget Barberry (2 Gallon)	8-02.5	EA	\$53.00	105	\$5,565.00
32	Plant Selection - Flower Carpet Pink Rose (2 Gallon)	8-02.5	EA	\$53.00	59	\$3,127.00
33	Plant Selection - Sun Rose Burgundy Dazzler (1 Gallon)	8-02.5	EA	\$46.00	195	\$8,970.00
34	Plant Selection - Moonbeam Coreopsis (1 Gallon)	8-02.5	EA	\$42.00	600	\$25,200.00
35	Topsoil Type A	8-02.5	CY	\$70.00	600	\$42,000.00
36	Subgrade Topsoil	8-02.5	CY	\$60.00	985	\$59,100.00
37	Root Barrier	8-02.5	LF	\$17.00	2,880	\$48,960.00
38	Root Path	8-02.5	LF	\$18.00	2,540	\$45,720.00
39	Basalt Rock Mulch	8-02.5	CY	\$150.00	100	\$15,000.00
40	Plant Establishment	8-02.5	FA	\$10,000.00	1	\$10,000.00
41	Cement Conc. Traffic Curb and Gutter	8-04.5	LF	\$40.00	3,265	\$130,600.00
42	Bench	8-05.5	EA	\$3,500.00	12	\$42,000.00
43	Trash Receptacle	8-05.5	EA	\$3,500.00	6	\$21,000.00
44	Bike Rack	8-05.5	EA	\$1,500.00	16	\$24,000.00
45	Monument Relocation	8-05.5	FA	\$1,500.00	1	\$1,500.00
46	Coal Cart Relocation	8-05.5	FA	\$10,000.00	1	\$10,000.00
47	Trash Compactor Relocation	8-05.5	FA	\$2,000.00	1	\$2,000.00
48	Cement Conc. Sidewalk 6-Inch Thick	8-14.5	SY	\$100.00	310	\$31,000.00
49	Cement Conc. Sidewalk 4-Inch Thick	8-14.5	SY	\$100.00	40	\$4,000.00
50	Cement Conc. Sidewalk 4-Inch Thick Patterned	8-14.5	SY	\$140.00	5,030	\$704,200.00
51	Cement Conc. Curb Ramp	8-14.5	EA	\$2,500.00	27	\$67,500.00
52	Tree Lighting System, Complete	8-20.5	LS	\$420,000.00	1	\$420,000.00
53	Speaker System, Complete	8-20.5	LS	\$150,000.00	1	\$150,000.00
54	Conduit Installation (PSE Illumination)	8-20.5	LF	\$30.00	2,700	\$81,000.00
55	Furnished Conduit Installation (PSE Power)	8-20.5	LF	\$20.00	1,990	\$39,800.00
56	Furnished Conduit Installation (Wholesale Communications)	8-20.5	LF	\$20.00	570	\$11,400.00
57	Furnished Conduit Installation (Inland Networks)	8-20.5	LF	\$20.00	1,080	\$21,600.00
58	Furnished Conduit Installation (CenturyLink)	8-20.5	LF	\$20.00	645	\$12,900.00
59	Permanent Signing	8-21.5	LS	\$60,000.00	1	\$60,000.00
60	Pavement Markings	8-22.5	LS	\$50,000.00	1	\$50,000.00
61	Segmental Block Wall	8-24.5	SF	\$80.00	460	\$36,800.00
Subtotal						\$4,307,340.00
Assumptions					Contingency 15%	\$646,100.00
1. Includes south sidewalk and bulbouts from Oakes Avenue to Pennsylvania Ave, including NE and SE bulbouts at First St and Pennsylvania Ave intersection, and all improvements from Harris Ave to Peoh Ave.					Undergrounding Power (PSE)	\$435,000.00
					Illumination System (PSE)	\$880,000.00
					Total Estimated Construction Cost	\$6,268,440.00
2. Installation of electrical system includes connection to Phase 2 and Phase 3A/3B systems and one new service.					WSDOT CN Fees	\$20,000.00
3. Installation of irrigation system will include extension of irrigation controller wire from Phase 3A/3B to replace temporary battery operated controllers, connection to Phase 1 irrigation system, and installation of one new point of connection.					Design Engineering and Bidding	\$40,000.00
					Construction Engineering 15%	\$940,300.00
					Materials Testing	\$90,000.00
4. Illumination System (PSE) includes purchase and installation of 25 pedestrian lights, 8 street lights, 13 intersection lights, and 1 ped/street light combination.					Total Estimated Project Cost	\$7,358,740.00
5. Design Engineering includes new specifications, contract documents, and repackaged plans for reduced project limits from original Phase 3 "shovel ready" plans.						



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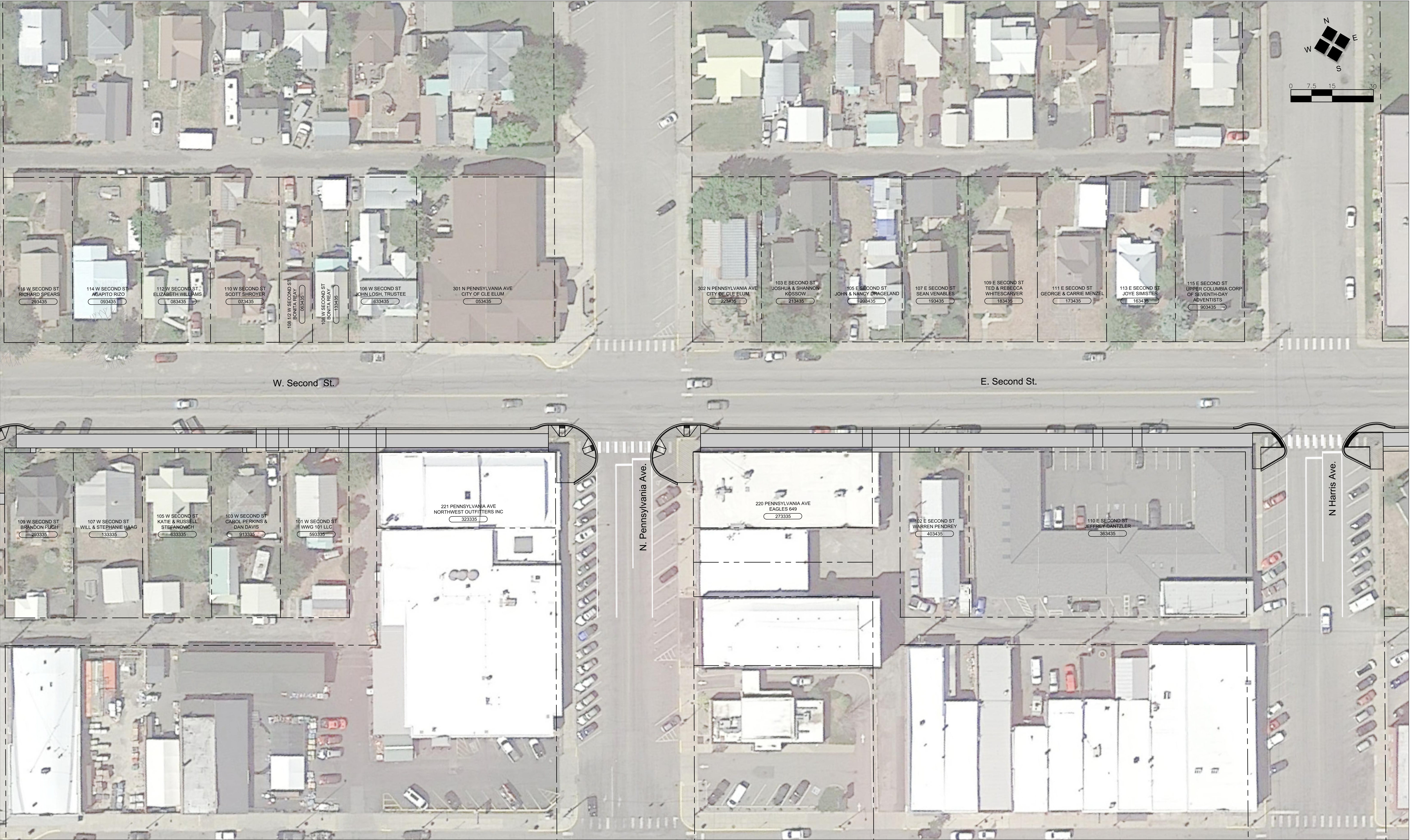
PRELIMINARY
SUBJECT TO REVISION

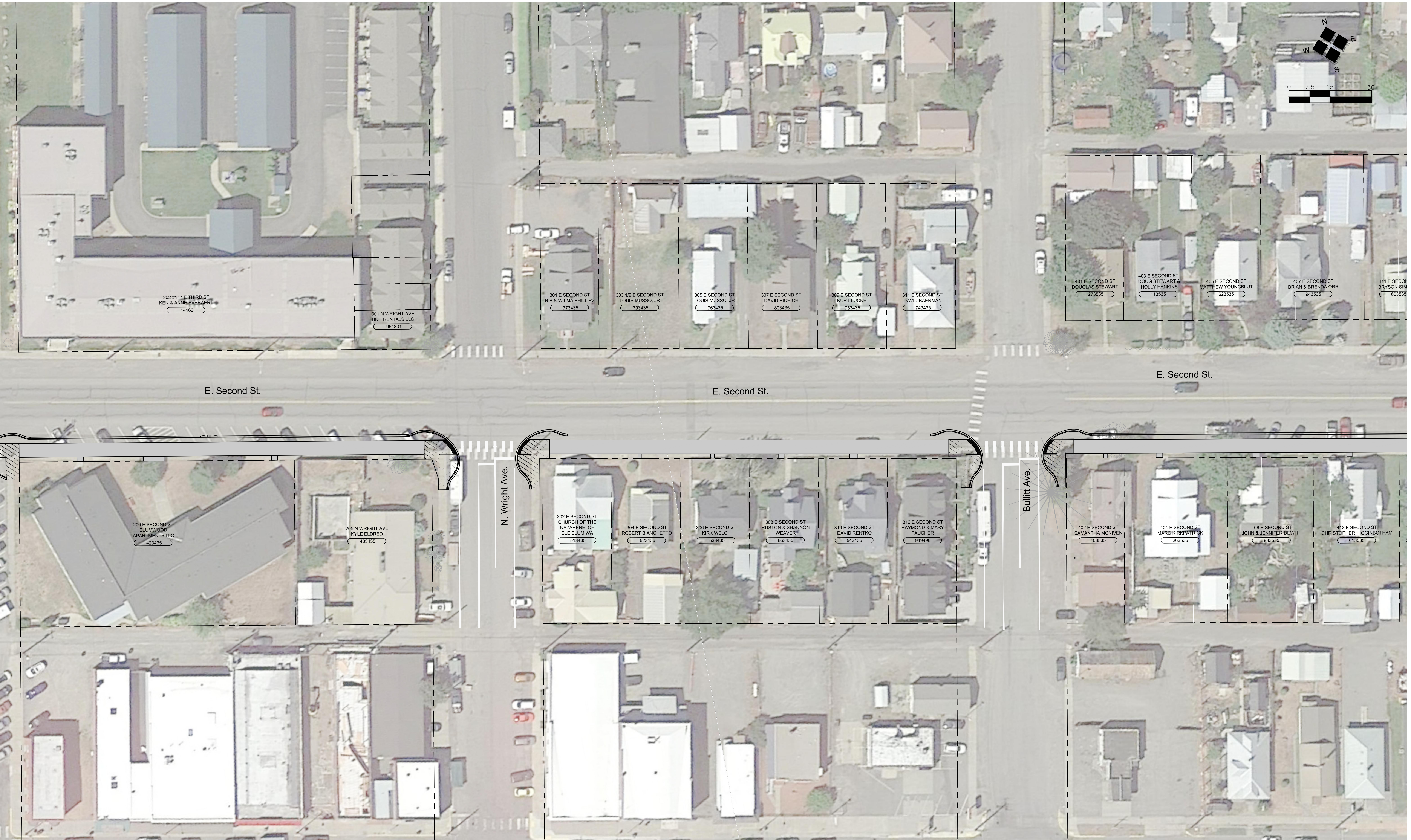
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		PLAN: 21183.dwg	
		PROFILE: 21183.dwg	
		DESIGNED BY: BAA	
		ENTERED BY: AKH/AUH	
REVISION	DATE		

CITY OF CLE ELUM
SECOND STREET PATHWAY
COMMUNITY FEEDBACK

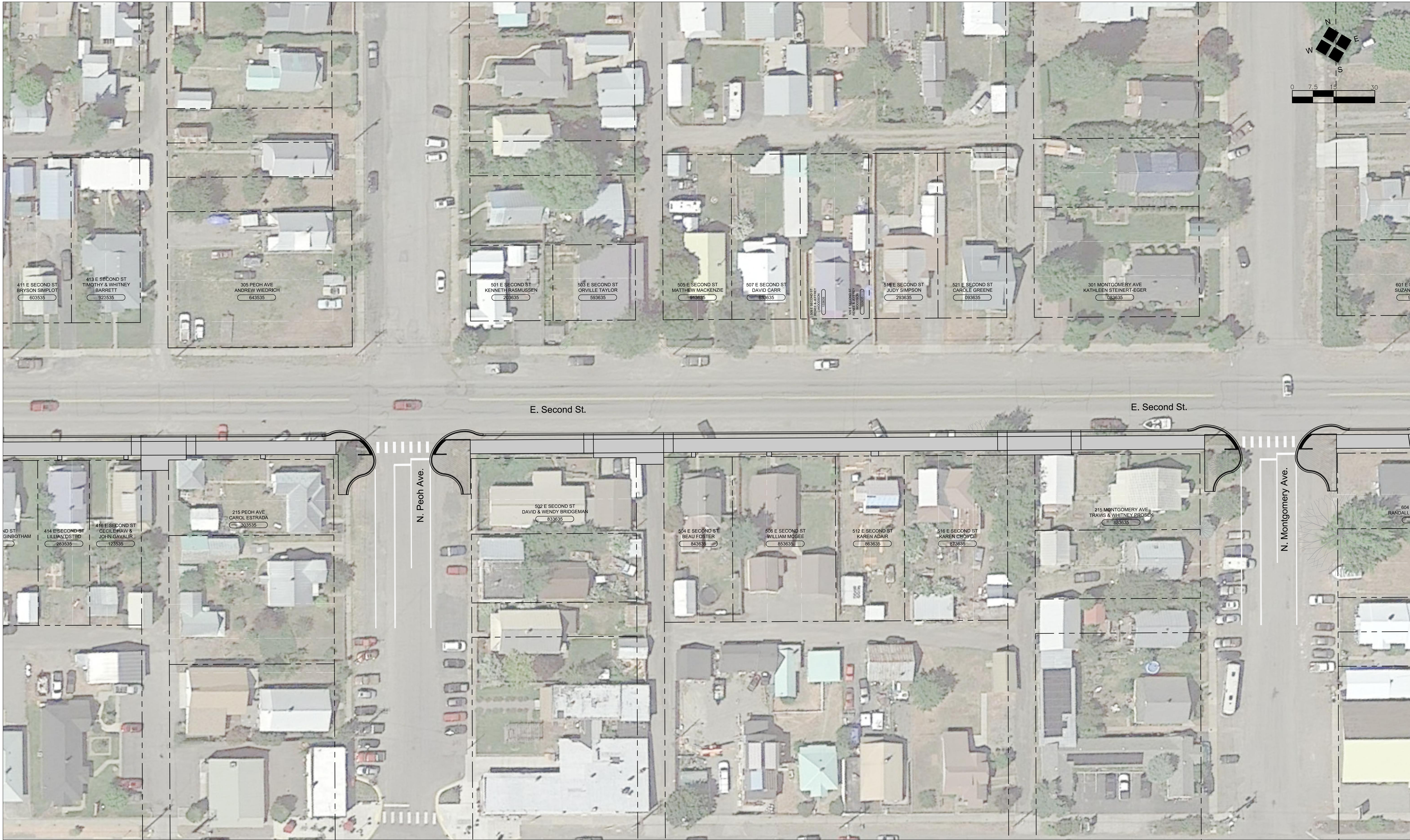
BLOCK-BY-BLOCK ARIAL

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		JOB NUMBER: 21183	DATE: 11-07-22
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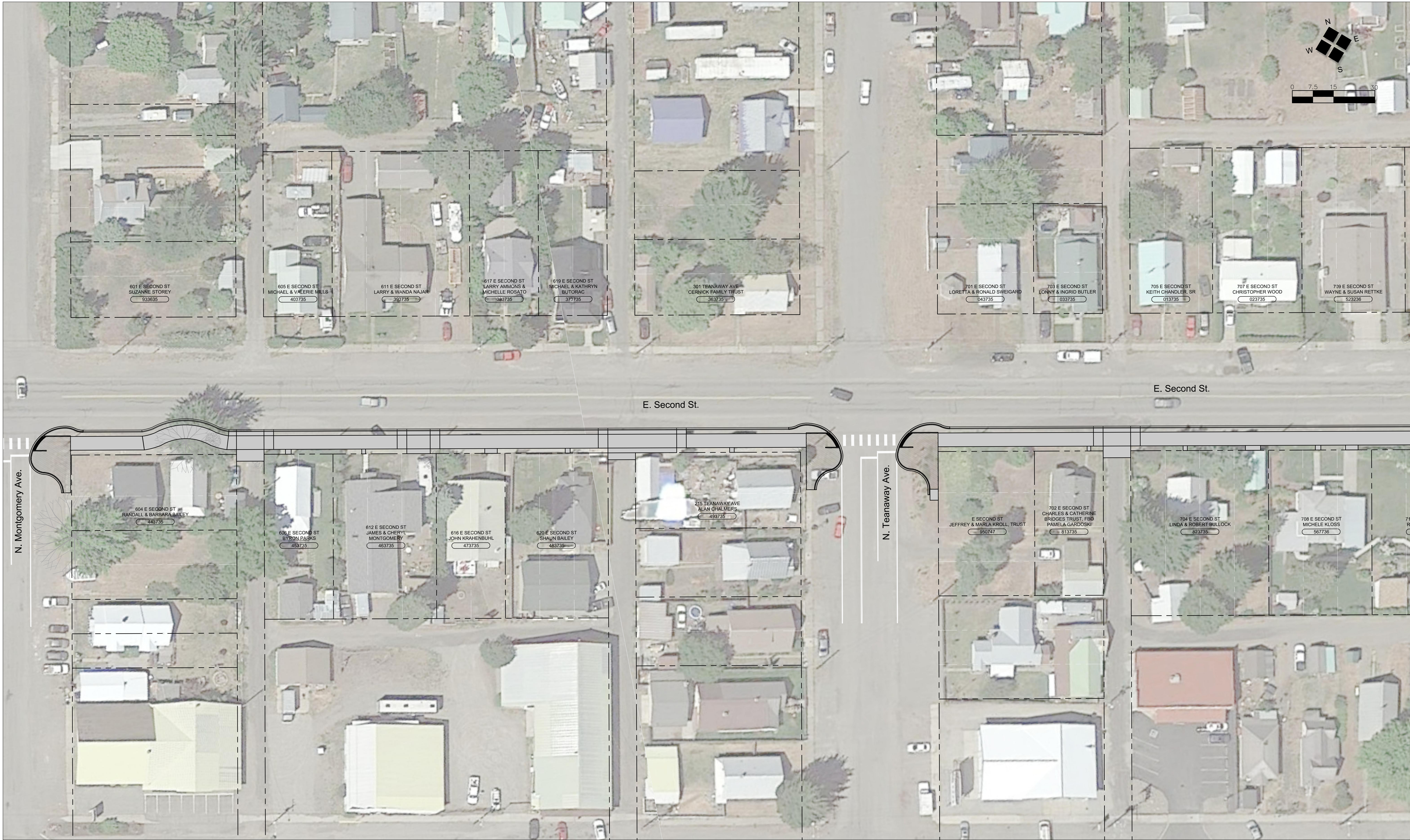
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CITY OF CLE ELUM
SECOND STREET PATHWAY
COMMUNITY FEEDBACK
BLOCK-BY-BLOCK ARIAL

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CITY OF CLE ELUM
SECOND STREET PATHWAY
COMMUNITY FEEDBACK
BLOCK-BY-BLOCK ARIAL

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PRELIMINARY
SUBJECT TO REVISION

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CITY OF CLE ELUM
SECOND STREET PATHWAY
COMMUNITY FEEDBACK
BLOCK-BY-BLOCK ARIAL

SHEET
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OF
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		JOB NUMBER: 21183	DATE: 11-07-22
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		PLAN: 21183.dwg	
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		DESIGNED BY: BAA	
		ENTERED BY: AKH/AJH	
REVISION	DATE		

CITY OF CLE ELUM

Second Street Pathway

Stafford Avenue to Short Avenue

Engineer's Opinion of Construction Cost

90% Submittal Cost Estimate

HLA Project No. 21183

7/25/2023

Item No.	Description	Payment Specification	Unit	Unit Cost	Overall Quantity	Overall Cost
1	Minor Change	1-04.4(1)	FA	\$15,000.00	1	\$15,000.00
2	SPCC Plan	1-07.15(1)	LS	\$1,000.00	1	\$1,000.00
3	Mobilization	1-09.7	LS	\$149,000.00	1	\$149,000.00
4	Project Temporary Traffic Control	1-10.5	LS	\$50,000.00	1	\$50,000.00
5	Clearing and Grubbing	2-01.5	LS	\$36,400.00	1	\$36,400.00
6	Removal of Structures and Obstructions	2-02.5	LS	\$49,000.00	1	\$49,000.00
7	Unclassified Excavation Incl. Haul	2-03.5	CY	\$75.00	2,600	\$195,000.00
8	Crushed Surfacing Top Course	4-04.5	TON	\$90.00	1,200	\$108,000.00
9	Crushed Surfacing Base Course	4-04.5	TON	\$50.00	2,900	\$145,000.00
10	HMA Cl. 3/8-Inch PG 64H-28	5-04.5	TON	\$130.00	1,500	\$195,000.00
11	Storm Sewer Pipe 12 In. Diam.	7-04.5	LF	\$80.00	1,150	\$92,000.00
12	Catch Basin Type 1	7-05.5	EA	\$2,000.00	44	\$88,000.00
13	Adjust Manhole	7-05.5	EA	\$800.00	4	\$3,200.00
14	Select Backfill, as Directed	7-08.5	CY	\$40.00	650	\$26,000.00
15	Shoring or Extra Excavation	7-08.5	LF	\$2.00	1,113	\$2,226.00
16	Reset Fire Hydrant	7-14.5	EA	\$1,000.00	4	\$4,000.00
17	Adjust Meter Box	7-15.5	EA	\$500.00	57	\$28,500.00
18	Basalt Rock Mulch	8-02.5	CY	\$125.00	110	\$13,750.00
19	Cement Conc. Traffic Curb and Gutter	8-04.5	LF	\$40.00	5,800	\$232,000.00
20	Chain Link Fence and Gates	8-12.5	LF	\$30.00	250	\$7,500.00
21	Cement Conc. Sidewalk 4-Inch Thick	8-14.5	SY	\$75.00	2,400	\$180,000.00
22	Cement Conc. Curb Ramp	8-14.5	EA	\$2,700.00	53	\$143,100.00
23	Mailbox Support	8-18.5	EA	\$120.00	16	\$1,920.00
24	Removable Bollard	8-21.5	LS	\$400.00	14	\$5,600.00
25	Permanent Signing	8-21.5	LS	\$20,000.00	1	\$20,000.00
26	Pavement Markings	8-22.5	LS	\$12,000.00	1	\$12,000.00

Assumptions:

1. Tie into curb, gutter, east of Stafford Avenue.
2. 10' wide multi-modal HMA paved pathway.
3. Pathway section: 0.25' HMA over 0.25' CSBC
4. 3.0' wide by 0.25' Basalt Rock Mulch rock surfacing buffer between curb and pathway.
5. 2' minimum pavement repair adjacent to new curb.
6. Removal of sidewalk and obstructions in project bounds.
7. 12" storm drain line and type 1 catch basins.
8. New storm drain line connected to existing storm drain.
9. Does not include illumination.
10. Does not include utility pole relocation.
11. Right of way acquisition and services not included or anticipated.

Subtotal	\$1,803,196.00
Contingency 10%	\$180,300.00
Total Estimated Construction Cost	\$1,983,496.00
Construction Engineering 15%	\$297,520.00
CN Funding Administration 1.5%	\$29,750.00
CN WSDOT/CA Review Fees	\$10,000.00
Materials Testing 2%	\$39,670.00
Total Estimated Project Cost	\$2,360,436.00



StreetLight InSight® Proposal for HLA Engineering and Land Surveying/Origins and Destinations Study and Correlation of Crashes

Proposed by:

StreetLight Data, Inc.

Caleb Klick, Account Executive, AEC

caleb.klick@streetlightdata.com

978 846 5645

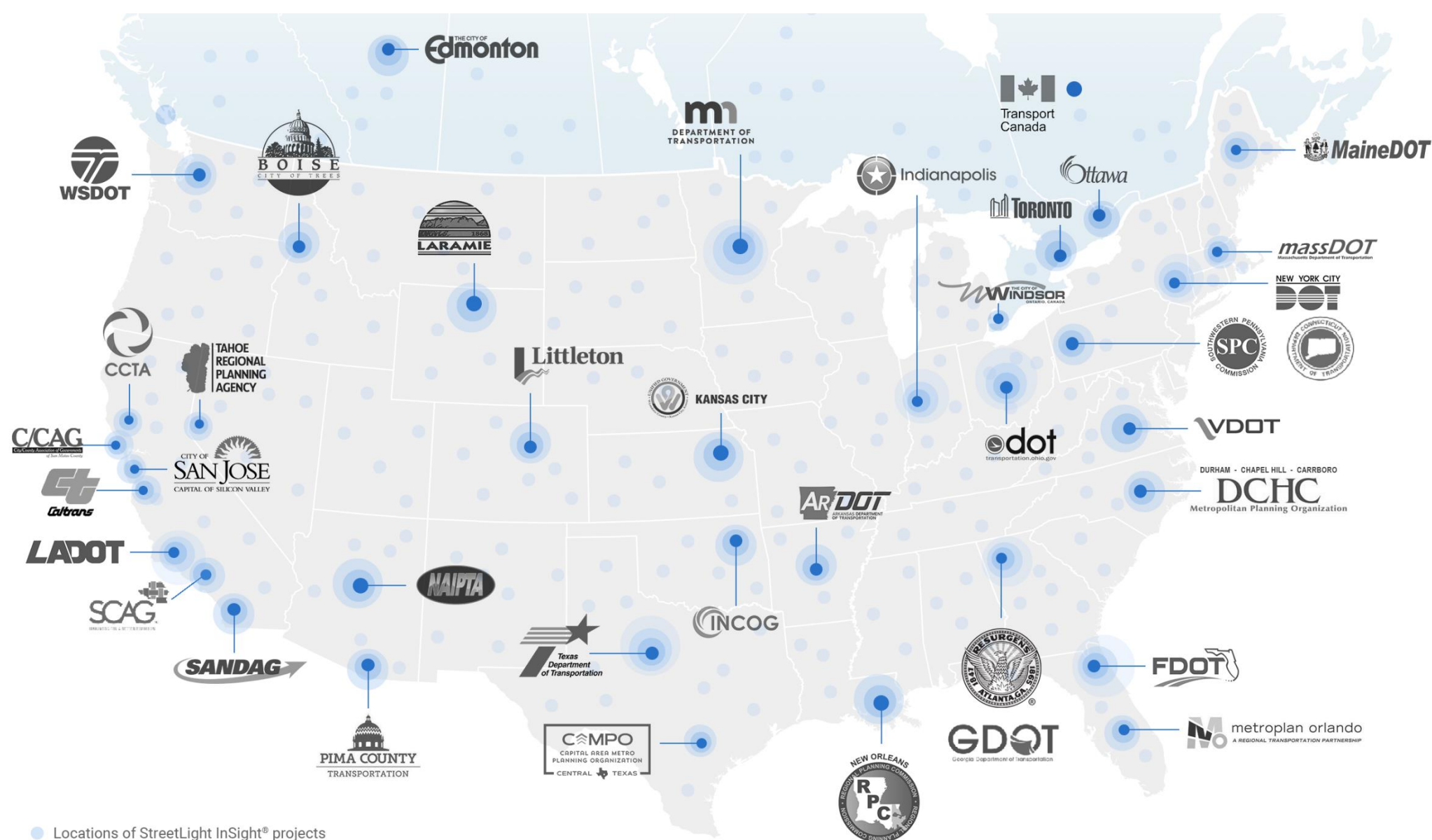
Proprietary and Confidential

ABOUT STREETLIGHT

StreetLight Data, Inc. (“StreetLight”) pioneered the use of Big Data analytics to shed light on how people, goods, and services move, empowering smarter, data-driven transportation decisions. StreetLight applies proprietary machine-learning algorithms and its vast data processing resources to measure travel patterns of vehicles, bicycles and pedestrians, accessible as analytics on the interactive StreetLight InSight® SaaS platform. StreetLight provides innovative digital solutions to help communities **reduce congestion, improve safe and equitable transportation, and maximize the positive impact of infrastructure investment.**

Trusted by transportation agencies since 2011

With projects in 48 U.S. states and all 10 Canadian provinces, our Metrics have been used and validated by hundreds of public agencies, transportation consulting firms, and private companies. In addition, several state transportation agencies, MPOs and large cities, including Virginia DOT, Ohio DOT, Minnesota DOT, Washington State DOT, Massachusetts DOT, Maine DOT, Los Angeles DOT, and New York City DOT, have software-as-a-service subscriptions that allow them to run an unlimited number of analyses within their geography.



What sets StreetLight apart

Industry-leading Big Data Sources: With over 10 years of history, StreetLight has the most robust historical data foundation and an unmatched empirical understanding of mobility. With a long history of routinely evaluating, benchmarking and picking the most reliable data sources, we have built a repository of several hundred sources that contribute to our Route Science® engine.

On-demand Software - get quick access to data that makes decisions better: The software-as-a-service subscription model allows your organization to run an unlimited number of analyses within your geography without incremental costs, making it affordable to collect data regularly and to study behavior changes over time. The easy-to-use software platform allows your team to independently run their own analytics on demand with specific, customized parameters (i.e., type of day, time of day, bicycle or vehicle trips, etc.). You can also prove out the efficacy of projects with data-driven insights to justify your decisions and demonstrate impact.

StreetLight's leading mobility analytic solution enables transportation professionals to:

- 1 Customize analyses on demand with **unparalleled training and support**
- 2 Analyze travel patterns for **any road, any mode, any day.**
- 3 Overlay **inferred trip and traveler attributes** as part of dynamic, interactive visualizations.
- 4 Leverage **Metrics that are continually validated** against traditional sources and by customers and third parties.



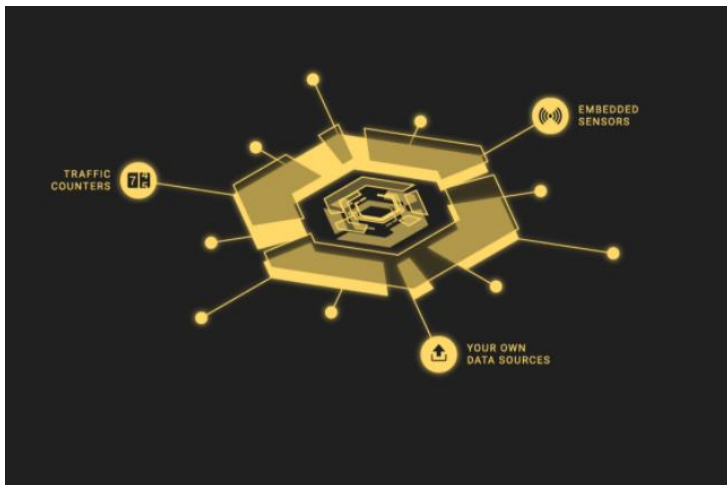
How StreetLight InSight® Works

At the core of StreetLight's success is the StreetLight InSight® transportation analytics platform, powered by StreetLight's proprietary data processing engine, Route Science®:



It begins with Big Data

Every month, StreetLight ingests, indexes, and processes vast amounts of location data from connected devices and the Internet of Things, then adds context from numerous other sources like parcel data and digital road network data – to develop a view into North America's complex network of roads, bike lanes and sidewalks.



Route Science®, more data, and validation

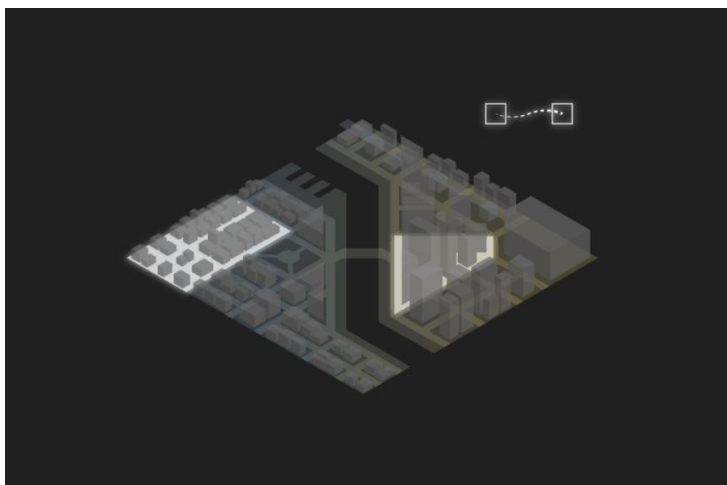
Next, StreetLight's proprietary data processing engine, Route Science®, algorithmically transforms trillions of location data points over time into contextualized, aggregated, and normalized travel patterns. StreetLight validates them using thousands of traffic counters and embedded sensors.



Result: Multimode Metrics for millions of roads and census blocks

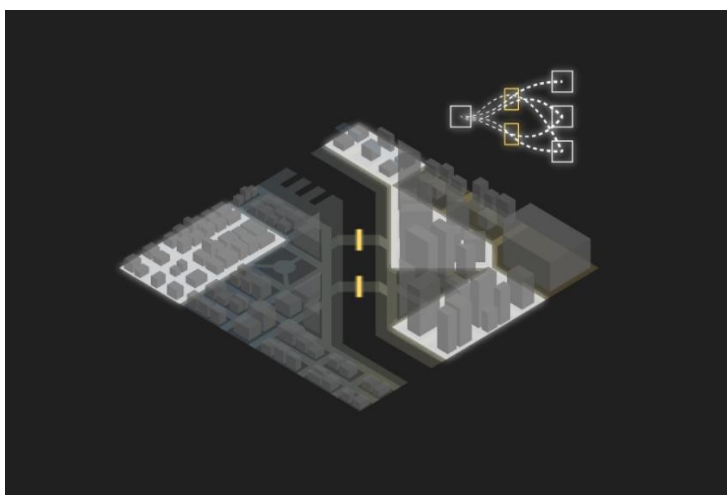
Route Science® then normalizes and aggregates the data into analytics, delivering unique insights into how vehicles, trucks, bicycles, pedestrians, buses, and more move throughout the transportation network.

Accessible via StreetLight InSight®, the world's first on-demand web platform for transportation, users can analyze, visualize, and compare travel patterns at multiple spatial levels.



Analyze traffic between geographic zones or mobility Metrics for any road in a few clicks

Select locations or draw your own "zones" and analyze travel patterns between them. Study cohorts of trips that originate in, have destinations in, or pass through the zones. Place a gate on a road — or 50,000 roads — and obtain Metrics for trips passing through each gate. AADT traffic counts, average travel distances, and top origins and destinations are a few clicks away, saving customers thousands of hours in data collection, organization, synthesizing, and modeling.



Diagnose and solve complex transportation problems

StreetLight InSight® consolidates and visualizes complex Multimode traffic patterns that help transportation professionals tackle their planning goals and challenges. With on-demand historic data for before-and-after comparisons, StreetLight provides users with a powerful validation tool – empirical findings visualized, and ready to share with constituents.

STREETLIGHT SUBSCRIPTION

Mode Packages

This proposal details a Mode Packages subscription for HLA Engineering and Land Surveying for the Origins and Destinations Study and Correlation of Crashes project to StreetLight InSight®. The Mode Packages Subscription allows you to run an unlimited number of StreetLight InSight® analyses during the 6 month time period within your chosen study area(s). All Metrics will be included¹.

Modes Included
All Vehicles

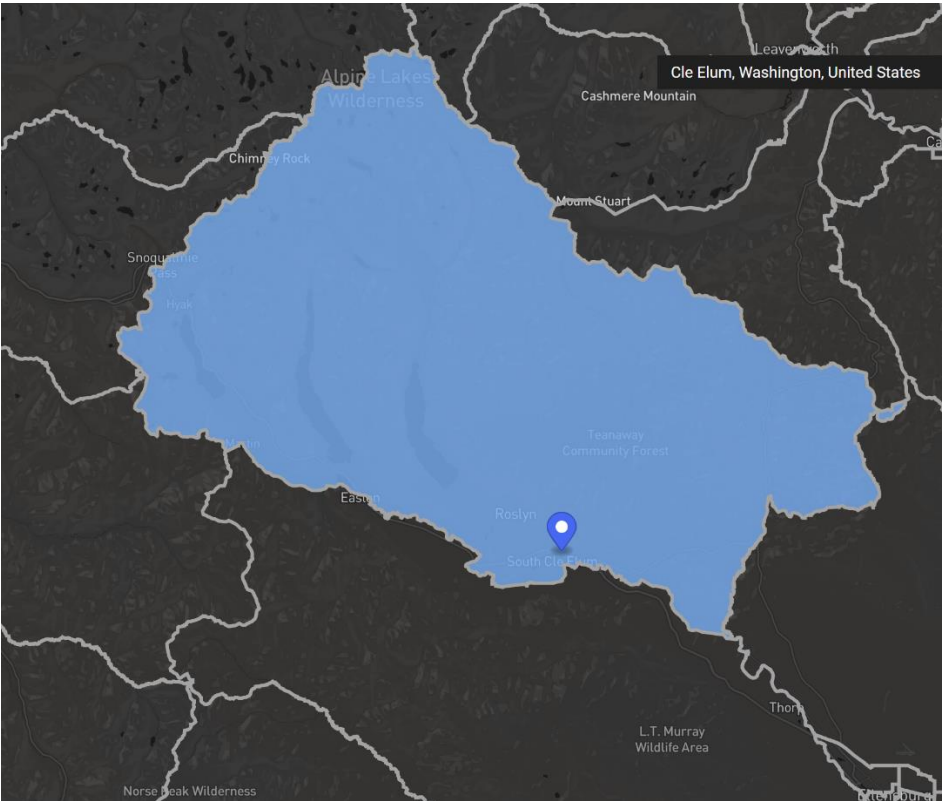
Subscription Fee

Mode Packages Subscription Fees are dependent upon the number of modes and the number of Traffic Analysis Zones (TAZs)² within a study area. For this proposal, the study area is assumed to be made up of 1 TAZ.

STREETLIGHT INSIGHT® Mode Packages Proposal All subscriptions include*:  Interactive dashboard  Project sample size and calibration feature  Time period settings including Day Types, Day Parts, Monthly Data Period, 15-minute bin day parts  Standard Support, eLearning Training Portal and live trainings, Help Center *where applicable	Subscription Fee		
		ITEMS	COST
	SUBSCRIPTION		
	# of TAZs	1	\$3,000
	Modes	All Vehicles	
	Metrics	ALL ¹	
	ADDITIONAL ANALYSES	O/D by Pre-set Geography	\$600
		Home/Work Locations	
	ADDITIONAL ITEMS		
	SUPPORT	Premium Support	\$4,500
	ACCESS		
	TERM LENGTH	6 months	
	USER SEATS	5	
	API	No	
	TOTAL		\$8,100

Customer is responsible for all applicable taxes. Subscription fees are payable at time of purchase.
This quote is valid until August 18, 2023

¹ Trips to or from Pre-set Geography and Home and Work Locations analyses are excluded for subscriptions with <25 TAZs
² TAZ is defined as U.S. Census Traffic Analysis Zone



Defined study area based on 1 number of TAZs

StreetLight provides subscription-based licenses to our products, for use by transportation agencies, engineering firms and others. For both agencies and engineering firms seeking to purchase a StreetLight subscription, please note that StreetLight is a vendor and not a professional services firm. StreetLight InSight® subscriptions may not be purchased through time and materials contracts and usage is subject to a standard StreetLight End User License Agreement.



MODES:

- CAR
- TRUCK
- BUS
- RAIL
- BICYCLE
- PEDESTRIAN

FUNDAMENTAL ANALYTICS:

- Origin Destination
- Routing
- Zone Activity
- Select Link
- AADT, MADT, hourly traffic
- Turning Movement Counts
- VTM and Vehicle Hours of Delay (VHD)

TRIP ATTRIBUTES:

- Trip speed, duration, length
- Travel time
- Trip circuitry

TRAVELER ATTRIBUTES:

- Inferred trip purpose
- Demographics

API

Screenshots

CSV/SHP Downloads

Presentations

Dashboards

Modeling Tools

Central Databases

Reporting Tools

...and more

StreetLight’s platform provides users with 24/7 access to transportation analytics in U.S. and Canada

Fundamental analytics include Origin Destination, Routing, Zone Activity, Select Link, AADT, MADT, hourly traffic, Turning Movement Counts, VMT and Vehicle Hours of Delay. **Trip attributes** include Trip speed, duration, length, travel time, trip circuitry. **Traveler attributes** include inferred trip purpose, demographics.

Integrate StreetLight into your workflow

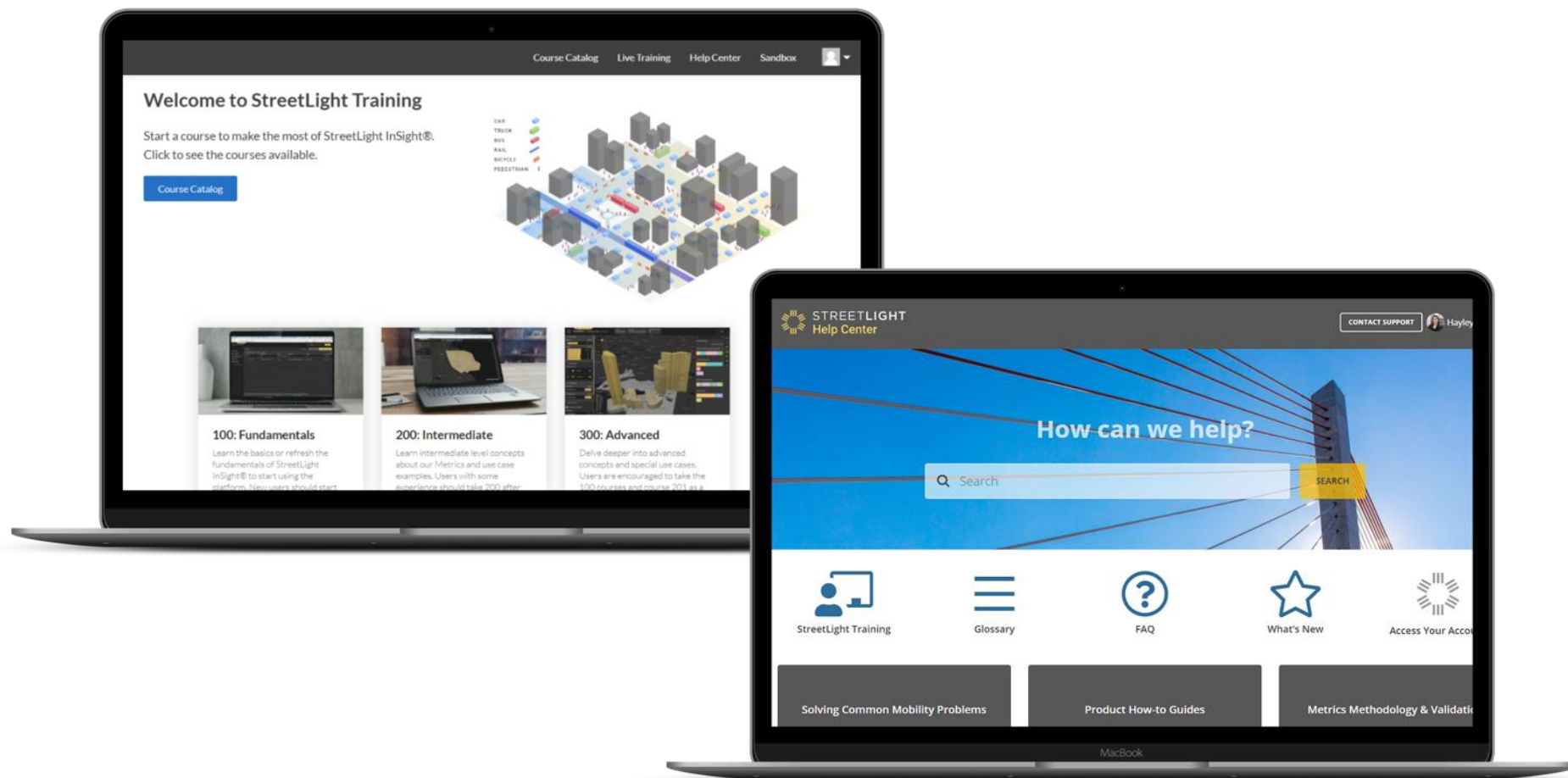
All Metrics are available as .shp files, CSV files, and visualizations. Download analysis results in whichever format you choose to plug directly into your presentations, dashboards, modeling tools, central databases, reporting tools, and more. You can also export analyses directly from StreetLight InSight® to ArcGIS Online to seamlessly visualize Metrics in ArcGIS apps.

Self-paced Onboarding & Training

All users will have access to on-demand eLearning courses and live sessions via the StreetLight Training Portal, as well as in-app guidance. The guided eLearning courses include customized learning paths that introduce users to specific topics in bite-sized units, while the interactive live trainings offer in-depth group training sessions that tackle fundamentals, tips and tricks, and more advanced topics.

Standard Support & Help Center

All users will have access to the StreetLight Help Center, a comprehensive online resource with 250+ articles that feature FAQs, best practices, tips and tricks, and more. StreetLight's Support Team is also available to answer questions users have on a day-to-day basis. The Support Team can be contacted via a Help Center form, and team members are available during normal business hours across all time zones in Continental North America. Standard Support initial response times are up to one business day. Customers that prefer rapid responses and prioritized tickets can consider StreetLight's Premium Support offering as detailed below.

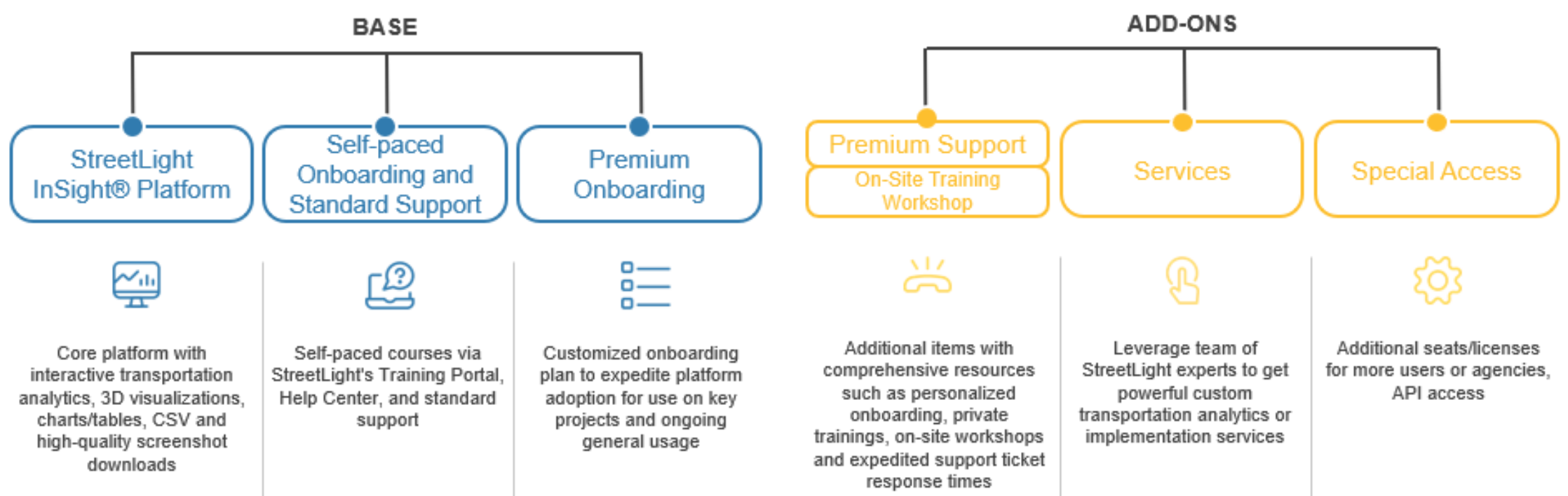


StreetLight Summit and User Group Meetings

StreetLight holds User Group Meetings and a virtual StreetLight Summit. These events provide opportunities for users from across different public agencies and engineering firms to present use cases and share examples about lessons learned from use of the StreetLight InSight® software. Training sessions, product roadmap “sneak peeks,” and feedback sessions also occur.

Add-Ons

Our priority is your success utilizing StreetLight to get quick access to quality data-driven insights to inform your projects. In addition to the standard support and resources above, we also provide add-on Services, Customer Care and Product options to help accelerate your organization's time to value.



Services

For solutions that require custom implementation support or analysis with customized parameters not available in the StreetLight InSight® platform, work with our Services team to leverage StreetLight experts to get powerful custom transportation analytics or implementation services to uplevel your project reports.

Premium Support

Premium Support allows your agency to get top-tier attention with advanced support and our fastest response times so you can focus on managing transportation. This includes direct access to a highly-trained dedicated technical expert who can ensure high quality coverage for issues and faster response time and follow-up with prioritized case management (up to 4 hours during Support hours of 8am – 8pm ET, Monday - Friday), helping you get resolved issues prioritized faster to continue working on key projects.

APPENDIX: GLOSSARY OF STREETLIGHT TERMS

Analysis: A “run” or “query” within StreetLight InSight®. The user selects zones, a project type, and project options for each project, then runs the project by clicking “confirm.”

Analysis Options: Available for most project types. These allow the user to configure options, such as day parts, day types, or data source, before running an analysis.

Commercial Vehicle Segmentation: Medium-Duty Trucks = 14,000 – 26,000 lbs., Heavy-Duty Trucks > 26,000 lbs.

Core Transportation Behavior Metrics: They include Origin-Destination, Origin-Destination with Middle Filter, Origin-Destination with Preset Geographies, Zone Analysis, Trip Attributes, Traveler Attributes, and Home and Work Locations.

Data Period: Months to analyze. Availability of data periods may vary based on mode of travel.

Day Part: Grouping of hours-of-the-day for an analysis. 15-minute bin day parts are available to analyze more granular metrics. If defaults are not appropriate, users can customize these values.

Day Type: Grouping of days-of-the-week for an analysis. If defaults are not appropriate, users can customize these values.

Home and Work Locations: Inferred probable home and work locations for composite groups of people aggregated to 1km X 1km grids, Census Block Groups, ZIP Codes, metropolitan areas, and states.

Intersection: Contains three or four “gates” that serve as zones. This is only available in the Turning Movement Counts analysis type.

Origin-Destination Matrix: Relative volume and average travel time of commercial and personal trips between origin and destination zones. Users may enter both origins and destinations of their choice or use a standard geography such as “all ZIP Codes.”

Origin-Destination through Middle Filters (combine with O-D for Routing): Relative volume and average travel time of trips that pass through middle-filter zones, or links, when traveling between origin and destination zones.

Peak Hour Factor: Compares the busiest 15-minutes to the average 15-minute volume during the peak hour, indicating how consistent traffic volume is during the peak hour.

Segment Analysis: Provides the relative volume, speed percentiles including 85th percentile, average speed, travel time, VMT/VKT, vehicle hours of delay (VHD), and free flow speed of trips through corridors.

Vehicle Hours of Delay (VHD): Is a measure of congestion and is calculated as the estimate of hours of travel in free flow speed subtracted from the hours of travel in congested speed.

VHD = (VMT/Congested Speed (Average Segment Speed) [MPH]) - (VMT / Free Flow Speed [MPH])

Vehicle Miles of Travel (VMT): It is a measure of highway travel demand and is calculated as the number of vehicles using a segment of highway multiplied by the length of the highway. Also, measured from trip metrics by multiplying the trips between Origins and Destinations by the average trip length of the trips.

Free Flow Speed: The maximum Average Segment Speed in any one hour of the day in the data period.

Specific Date: The ability to run single days as an analysis or different “collections” of days as a new day type. This feature also allows you to exclude certain days.

StreetLight AADT: Estimate of average annual daily traffic in 2021 (U.S.). You can also access historic AADT from 2017, 2018, 2019, and 2020 (U.S. and Canada). (Note: This Metric is provided as an estimated count based on 365 days of data. It is derived from multiple data sources, including both navigation-GPS and Location-Based Services data). StreetLight AADT Metric provides year-over-year comparability across the 2019-2021 data periods.

Traveler Attributes: Inferred Trip purpose (Home-, Work-, or Other-based combinations), Demographics of Travelers (Race/Ethnicity, Foreign Born, Limited English Proficiency, Disability Status, Education Status, Household Income, Household Size/Family Status, Housing Tenure, Units in Structure, Vehicle Ownership).

Turning Movement Counts: Provides intersection volumes with 15-minute granularity, Peak Hour Factor, Peak AM/PM Metrics,

and more.

Trip Attributes: Travel time, trip length, trip speed, trip circuitry. Trip Attributes Metrics are provided as an average and as a distribution of values into customizable bins.

Trip Circuitry: The average and distribution of circuitry for trips between zones, or at a zone. Circuitry is defined as (length of trip) / (crow's flight distance between start and end point).

Travel Time (seconds): The average and distribution trip time in seconds for trips between zones, or at a zone.

Trip Length (miles): The average and distribution trip length in miles for trips between zones, or at a zone.

Trip Speed (mph): The average trip and distribution speed in miles per hour for trips between zones, or at a zone.

Trips to or from Preset Geography Analysis: Origin-Destination by ZIP Code, Census Block Group, or Census TAZs, to a corresponding set of zones. This analysis type is ideal if you don't know your full zone matrix, and instead want to see how a set of zones relates to standard geographies.

Zone Activity Analysis: Relative volume of trips that originate in, have destinations in, or pass through each zone analyzed.

Zone Library: The Zone Library is a feature that lets you choose zones you want to analyze from a map without having to draw or upload zones into zone sets. This includes OSM Line Segments, Standard Areas (U.S. Zip Codes, U.S. Census Block Groups, U.S. Traffic Analysis Zones, U.S. Census Tracts, U.S. Cities and Counties, Canada Dissemination Areas, Canada Census Tracts, Canada Census Subdivisions), and Rail (Rail Agencies, Rail Lines, Rail Line Segments, and Rail Stations).

Zone Traffic: StreetLight trip value representing the volume of all trips at a zone. Depending on whether the zone is pass-through or not, this will represent trips that pass through the zone, or trips that start or end in the zone.

Work Items:

	City Staff	HLA	Desc of Costs	Rounded Cost for Task Order
1 Internal team meeting - City Staff & HLA			Sharing the project in the 2017 Pedestrian and Bicycle Plan as catalyst, continued interest in City Safety Plan. 2.5 hour meeting with City Staff, City Leadership, HLA Planner, and HLA City Engineer. Travel time and mileage for meeting, prep for materials, meeting coordination.	\$2,750
2 Meeting to introduce the City Council and public about the purpose and need for the pre-planning			Sharing the project in the 2017 Pedestrian and Bicycle Plan and City Safety Plan. 1.0 hour presentation to City Council and public during regularly scheduled City Council Meeting, HLA Planner. Travel time and mileage for meeting, prep for materials, meeting coordination.	\$1,650
3 Two one-hour Burlington Northern Sante Fe Railway (Zoom discussions)			3.1 Meeting 1 - Sharing the project in the 2017 Pedestrian and Bicycle Plan and City Safety Plan, 1.0 hour presentation and discussion City Staff and HLA Planner. No travel time or mileage for meeting, prep time for materials, and meeting coordination.	\$1,150
			3.2 Meeting 2 - 1.0 hour catch-up discussion and potential next step discussion BNSF Rep, City Staff, and HLA Planner. No travel time or mileage for meeting, prep time for materials, and meeting coordination.	\$1,050
4 Two one-hour WSDOT (Zoom discussions)			4.1 Meeting 1 - Sharing the project in the 2017 Pedestrian and Bicycle Plan and City Safety Plan, 1.0 hour presentation and discussion WSDOT Reps, City Staff, and HLA Planner. No travel time or mileage for meeting, prep time for materials, and meeting coordination.	\$1,150
			4.2 Meeting 2 - 1.0 hour catch-up discussion and potential next step discussion WSDOT Reps, City Staff, HLA Engineer, and HLA Planner. Travel time and mileage for meeting, prep time for materials, and meeting coordination.	\$1,050
5 Two two-hour Kittitas County discussions			5.1 Meeting 1 - Sharing the project in the 2017 Pedestrian and Bicycle Plan and City Safety Plan, presentation and discussion with City Staff, County Staff, HLA Engineer, and HLA Planner. Travel time and mileage for meeting, prep time for materials, and meeting coordination.	\$2,050
			5.2 Meeting 2 - catch-up discussion and potential next step discussion City Staff, County Staff, HLA Engineer, and HLA Planner. Travel time and mileage for meeting, prep time for materials, and meeting coordination.	\$2,750
6 Right of way records purchase, contact owners, and facilitate group meeting			6.1 Research and purchase right of way reports, create exhibit for sharing.	\$15,000
			6.2 Meeting - Coordinate group meeting to present potential project, gather property owner opinion, discussion with property owners, City Staff, and HLA Planner. No Travel time and mileage for meeting, prep time for materials, and meeting coordination.	\$3,250
7 Write up of meetings and conclusion to include challenges and positive feedback			Report with meeting highlights, ongoing questions, willingness of all partners to either move forward or choose not to proceed, summary of challenges and strategies. Identification of next steps and how to potentially fund the next steps.	\$5,250
8 Meeting to report pre-planning efforts to the City Council and public			1.0 hour presentation to City Council and public during regularly scheduled City Council Meeting, City Staff and HLA Planner. Travel time and mileage for meeting, prep for materials, meeting coordination.	\$1,250
Total Potential Cost for Pre-Planning Efforts				\$38,350

The City will support this as a long-term pre-planning project. This pre-planning effort will need to be adjusted for years beyond this 2024-based cost estimate.

Proposal

Date: July 25, 2023
To: Deb LaCombe, HLA
From: Daniel Dye & Kendra Breiland, Fehr & Peers
Subject: **Cle Elum Safety Plan Origin and Destination Analysis Using Streetlight Data-Proposed Scope**

P23-0139

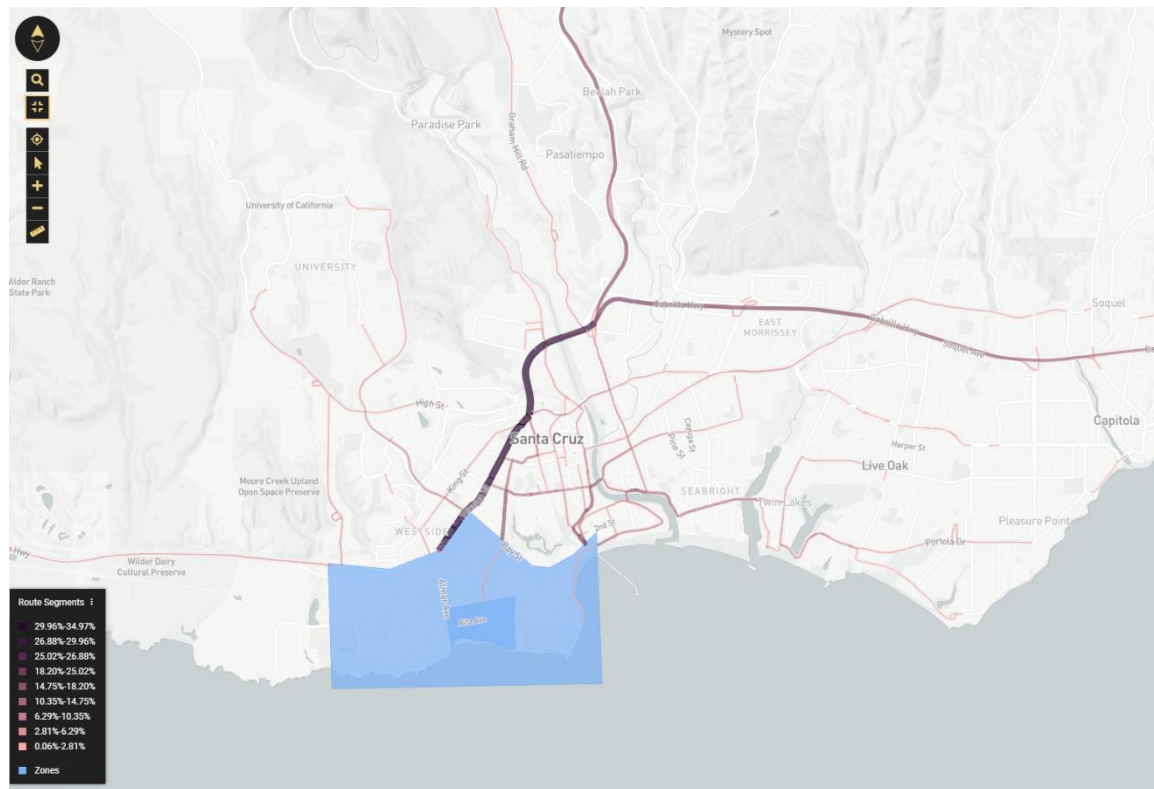
HLA is working with the City of Cle Elum on their Transportation Safety Plan. As part of that plan, HLA requested two proposed scope and fee proposals for Fehr & Peers. Please note that the scope and fee included below is based on current billing rates, updated rates will need to be applied if the proposal is accepted after 2023.

Project 1: Origin and Destination Study for Problematic Corridors

Using the City of Cle Elum's license for Streetlight data, Fehr & Peers will extract origin and destination data for up to four locations identified as problematic corridors in the Safety Plan. This analysis will help Cle Elum better understand the travel patterns of travelers through the emphasis locations. Fehr & Peers will provide separate maps for each origin and destination analysis.

Fehr & Peers will also use the Streetlight Data to provide a "select link" analysis, which will show the top routes of travelers through the problematic corridors. Streetlight data for select link analysis will be displayed using Streetlight's default visualization style as the effort to export and import into GIS is cost prohibitive (see screenshot below created for another jurisdiction for an example of the Streetlight default visualization style).

Fehr & Peers can also use the Kittitas County Travel Demand Model to inform how changes in development patterns may change the origins and destinations identified in the Streetlight data. This information will be less quantitative but will provide a broad description of how travel patterns may change if the modeled housing and employment growth occurs over the next two decades.



Assumptions

1. The City of Cle Elum will maintain a license for and provide Fehr & Peers access to the Streetlight data necessary for this study
2. No more than four locations will be analyzed

Deliverables

- Up to eight maps showing origins and destinations for each problematic corridor
- Up to four Streetlight default maps for select link analysis
- Short tech memo describing the analysis and broad travel pattern changes identified in the Kittitas County Travel Demand Model

Fee

Fehr & Peers proposes to complete this work on a time & materials basis for a total not to exceed \$20,000, with rates updated if this project commences after 2023.



Project 2: Traffic Analysis for Known Short- and Mid-Term Developments

The second proposed project will examine the effects of known short- and mid-term developments on the problematic corridor locations. Fehr & Peers will review existing Traffic Impact Analyses or EIS reports for known developments (provided by the City) or other pipeline land use information from the City. We will compare these developments to the existing base and future year land use included in the Kittitas County Travel Demand Model. Up to two future year model runs will be completed, with land use updates as needed. The new model runs will allow us to compare differences in travel patterns and traffic volumes affecting the problematic corridor locations.

A short tech memo and graphics for each model run/problematic corridor location will detail the results of this analysis.

Assumptions

- City to provide all impact analysis documents and other foreseeable development land uses to Fehr & Peers
- Graphics will be pulled from the travel demand model and will not be enhanced

Deliverables

- Short tech memo detailing the analysis
- Up to 8 graphics will be pulled from the model (includes two model runs, up to 4 locations each)

Fee

Fehr & Peers proposes to complete this work on a time & materials basis for a total not to exceed \$15,000, with rates updated if this project commences after 2023.

Deb's speaking Notes to City Council 9/11/2023

So far:

- | | |
|--|-------------------------|
| 1. Staff kick-off meeting | March 29, 2023 |
| 2. Evaluation Workshop | April 10, 2023 |
| 3. Workshop Findings & Preview of Concepts | May 22, 2023 |
| 4. City Staff Review of Draft Plan | July 26-August 11, 2023 |
| 5. Present Plan to Council for Comments | September 11, 2023 |
| 6. Deliver Final Plan for Approval | September 28, 2023 |

The Update:

Followed the same basic format as original Plan with a few additions:

- Presented 2020 Awarded Project Review
 - Before and after photos for capital projects
 - Maps showing data collection locations for planning projects

The Workshop :

Update of Evaluation and Prioritization Packet, includes:

- Crash data analyzed 2018-2022
- Reviewed established criteria and scoring
- Changes in Evaluation:
 1. Table 6 (pg 5) Types of Crashes
 - a. Hit Parked Car included in Hit Stationary Object
 - b. Removed - Into a River, Lake, or Swamp & Hit Wildlife as Types
 - c. Added – Vehicle Struck Pedestrian or Pedalcyclist
- Changes in Countermeasures
 1. Table 9 (pg 7) Countermeasures
 - a. Combined Disregard Stop Signs and Signals
 - b. Added – to Disregard Signal Circumstance – Improve intersection lighting
 - c. Removed Over Centerline & Improper Backing as Circumstances

Outline Proposal

The Outline called for developing estimates and exhibits for project at the following locations:

- Top spot location – project underway at location
- Top 2-3 Systemic Locations – one project underway at first location; two projects estimated w/exhibits
- Top 1-3 Data Needs – two studies with associated quotes

Project Concepts Based on Raw Scores (Ranking Sheets)

- Spot – South Cle Elum & First Street Intersection
- Systemic – 2023-2028 TIP
 - Stafford Avenue & Second Street (ped injury)
 - Second Street Pathway – Phase 1 (designing in 2023, will be shovel ready)
 - ~~Hartwig Boulevard Pathway (Railroad Avenue to Yakima River bridge) hold til later~~

- Ranger Station Road/Miller Avenue/Second Street
- First Street Downtown Revitalization
- ~~Pines Street & First Street project will be completed in 2023~~
- Data Needs
 - Origins and Destinations Study and the Correlation of Crashes
 - ~~County Coordination Project to Strategize River Crossing hold til later~~
 - Traffic Analysis of Problematic Corridor with Known Short-term and Mid-Term Development

Last steps:

Approve after Final is delivered – September 28, 2023

Send to WSDOT

Watch for 2024 Application Cycle

Related:

In July, Cle Elum applied to Safe Streets and Roads for All (SS4A) to transition the WSDOT-oriented City Safety Plan (internal guidance document) into a Safety Action Plan (full federal planning document). Funding selections will be announced in October 2023.

**CITY OF CLE ELUM
Planning Department
STAFF REPORT**

Resolution 2023-023
Renfro Right-of-Way Vacation (VAC-2023-002)

AGENDA DATE: September 11th, 2023

ACTION REQUESTED: Pass Resolution 2023-023 setting the time/date of a public hearing regarding an ordinance to vacate public right-of-way.

BACKGROUND: On August 15th, 2023, Dwight and Sherrie Renfro submitted a Right-of-Way Vacation petition to vacate a portion of unimproved City right-of-way in the vicinity of Spansky Way and Deer Meadow Drive; and the proposed request was determined complete for processing on August 16th, 2023. The purpose of this right-of-way vacation is to remove unimproved land from the inventory of the City (public property). Upon final City Council approval of a Right-of-Way Vacation application, public right-of-way property then reverts to the adjacent neighboring property.

The City of Cle Elum records indicate that the subject right-of-way was originally dedicated to the public by Fred and Nellie Steiner, on May 10, 1915.

The subject portion of right-of-way is unimproved. No curb, gutter, sidewalks, or asphalt are present. There are also no utility easements.

Per RCW 35.79.010, a Resolution must be passed to set the date/time for a public hearing to review a right-of-way vacation Ordinance. The date of the hearing shall be no less than 20 days and no more than 60 days from the date of the Resolution (*No later than October 16th, 2023, and no sooner than October 1st, 2023*).

Resolution 2023-023 was reviewed by the Planning Department, Administrator, and City Attorney.

RECOMMENDATION: Authorize the Mayor to sign Resolution 2023-023 setting a time/date of a public hearing regarding an ordinance to vacate public right-of-way for October 9th, 2023.

ATTACHMENTS:

Resolution 2023-023 and supporting documents presented to City Council September 11th, 2023.

LEAD STAFF:

Colleda Monick, City Planner

RESOLUTION: 2023-023

A RESOLUTION setting a day and time for a public hearing to consider a petition to vacate a portion of right-of-way extending south and north along the intersection with Deer Meadow Drive and Spanksy Way.

WHEREAS the owners for more than two-thirds of the private property abutting upon the subject right-of-way have petitioned the City Council of the City of Cle Elum to vacate the right-of-way along Lot 6, Steiner's Garden Tracts No. 3 (parcel #943134).

WHEREAS the petition requests that the City Council by ordinance vacate said portion of the right-of-way after proper hearing and determination pursuant to notice as required by law; NOW, THEREFORE,

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF CLE ELUM, WASHINGTON, AS FOLLOWS:

1. Said petition properly and particularly described the portion of right-of-way to be vacated and said petition was signed by owners of more than two-thirds of the property along said right-of-way sought to be vacated;
2. Monday, October 9, 2023, at 6:00 PM in Council Chambers of the City of Cle Elum City Hall, 119 W First Street, Cle Elum, WA, is hereby set as the day, time and place when said petition shall be heard;
3. The City Clerk or designee is hereby directed to give at least 20 days' notice of the public hearing by posting notice in three (3) of the most public places in the City of Cle Elum and in the section of right-of-way to be vacated. The notice shall contain a statement that a petition has been filed to vacate the right-of-way including a description or map of the area to be vacated, together with a statement of the time and place set for the hearing of said petition.

Passed by the City Council and approved by the Mayor on this 11th day of September 2023,

Mayor Jay McGowan

APPROVED AS TO FORM ONLY

Alexandra Kenyon, City Attorney

ATTEST:



Debbie Lee, City Clerk

119 West First Street
Cle Elum, WA 98922
Telephone · (509) 674-2262
Fax · (509) 674-4097
www.cityofcleelum.com



PETITION TO VACATE A CITY RIGHT-OF-WAY

The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the City to make vacation, giving a description of the property to be vacated, or the City may itself initiate by resolution such vacation procedure. See RCW 35.79 for more information

OFFICIAL USE ONLY	
Permit #:	VAC-2023 002
Staff Person:	V. Mc
Fee Total:	\$1000.00
Associated Permits:	

TO THE CITY COUNCIL AND MAYOR:

The undersigned persons are owners of more than two-thirds (2/3) of all the private property abutting upon the right-of-way described below and shown on the attached map:

Identification of Right-of-Way by name and/or Plat/Block: 20ft. Vacation
of Alley Adjacent to Eastside of Benfro Parcel #943134

The undersigned desire that the above described right-of-way be vacated so that it will be available for private use and further petition the City Council, to, by resolution, fix a time and place when this Petition shall be heard and determined, which time shall be not less than twenty (20) days nor more than sixty (60) days after the date of passage of said resolution; and further petition the City Council to instruct the City Clerk, upon passage of the resolution, to give at least twenty (20) days prior notice of the pendency of said Petition, by posting a notice in three (3) of the most public places in the City of Cle Elum and a like notice in a conspicuous place on each portion of right-of-way to be vacated, which notice shall contain a statement that a petition has been filed to vacate said portion of street, which shall be described in the notice together with a statement of the time and place fixed for the hearing of said petition. The applicant by signing this agreement also agrees to pay all costs associated with its review.

Date: 8-15-23

Property Owner Signatures:

[Signature]
[Signature]

Application Criteria¹	
1.	A cover letter indicating the names of the applicants, a description of the right-of-way and the reasons for its vacation.
2.	A map clearly indicating the subject right-of-way to be vacated and the adjoining property owners.
3.	A professional survey of the proposed vacation.
4.	Payment of a fee that is consistent with the City of Cle Elum's fee schedule.

1. The application will not be processed and deemed incomplete if not all required criteria is not attached to application on the day of submission. The Planner may chooses to wave some of the required criteria. If any of the required criteria is provided in another permit please cite that permit.

Receipt: 14740 08/15/2023
Acct #: 19120 COPY
City Of Cle Elum
119 W First Street
Cle Elum, WA 98922
5096742262

Dwight & Sherri Renfro
1310 East Third ST
Cle Elum, WA 98922

Treasurers Receipt
Memo: ROW Vacation Renfro

Development Fees -- 1,000.00
Reimbursed

Non Taxed Amt: 1,000.00

Total: 1,000.00

Chk: 6895 1,000.00

Ttl Tendered: 1,000.00

Change: 0.00

Issued By: Debbie Lee1
 08/15/2023 11:13:12

INVOICE

Date: 08/09/2023

File No. 0FAS4457
Lot Line Adjustment

Prepared for:

Dwight A. Renfro & Sherrie Renfro
1310 E 3rd St
Cle Elum, WA 98922

Property Appraised:

Dwight A. Renfro & Sherrie Renfro
1310 E 3rd St
Cle Elum, WA 98922

Work Performed:

Valuation of acquired property through a lot line adjustment	\$	600.00
	\$	
	\$	
	\$	
	\$	
	\$	
	\$	
Total Amount Due:	\$	600.00

Please make checks payable to:

Fidelity Appraisal Service LLC
114 W 1st St - Suite A
Cle Elum, WA 98922
Tax ID No. 27-4156384
orders.fidelity@gmail.com
509-674-3989



Produced by ClickFORMS Software 800-622-8727

DATE: 08/09/2023

TO:

Dwight A. Renfro & Sherrie Renfro
1310 E 3rd St
Cle Elum, WA 98922

FROM: Amy L. Casto

Fidelity Appraisal Service LLC
114 W 1st St - Suite A
Cle Elum, WA 98922

RE: 1310 E 3rd St, Cle Elum, WA 98922

The scope of this appraisal is for the purpose of a boundary (lot) line adjustment. It is to allow for the modification of common property lines between adjacent lots, tracts, or parcels in order to accommodate a minor transfer of land. The adjustment or elimination process shall not create any additional lots, tracts or parcels, nor shall it create a buildable lot from a parcel not originally intended to be buildable. All resulting lots, tracts or parcels shall contain sufficient area and dimension to meet minimum current requirements for zoning and building purposes.

The valuation method was based on the land assessment by Kittitas County. Based on research of the surrounding parcels, the new parcel value was based on the rate of increase consistent surrounding parcels for size in relation to value. The subject current land assessed value is \$127,180 for a lot size of .90 acres. Based on the subject's new site size of 0.99 acres corresponding value is \$129,724. The increased assessment value of \$2,544.

The additional cost to acquire the said deeded area of 4174 square ft, more or less in the lot line adjustment is estimated at \$2,544.

Thank you

Signature: _____



Amy L. Casto

ENGAGEMENT LETTER

Date: 07/26/2023

To: Dwight A. & Sherrie Renfro, 1310 E 3rd St, Cle Elum, WA 98922
Phone: 509-304-6222 E-Mail: DNSRenfro@hotmail.com

Pursuant to your request, the following agreement is proposed for the current market value of the vacated alley easement of the adjacent property at:

1310 E 3rd St, Cle Elum, WA 98922 – Parcel # 943134 – Fee \$600
Legal Description: Lot 6, Steiner's Garden Tracts No. 3, Town Cle Elum; .90 acres

Scope of Work

The appraiser's opinion of market value. The utilized definition of market value is to be: The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. The report is to establish the fair market value.

The definition of market value is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- The buyer and seller are typically motivated.
- Both parties are well informed or well advised.
- Both parties are acting in their own best interest.
- A reasonable time is allowed for exposure on the open market.
- Payment is made in terms of U.S. dollars cash.
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The total proposed fee for this appraisal service is \$600.00 and payment is required in full at the time of the property inspection.

If we are required to support or defend this appraisal in any courtroom situation or depositions for any party associated with this case, an additional fee of \$1000 for any scheduled court appearance plus \$150 per hour (three hour minimum) required to be paid prior to appearance, with any excess hours over three to be billed and due within 5 days of appearance.

We make no warranties or guarantees of any kind regarding the deficient conditions of the subject property, sufficiency of title, areas and boundaries, mechanical and structural conditions of the property.

Sincerely,
Amy L. Casto
Fidelity Appraisal Service LLC.
114 W 1st St, Suite A
Cle Elum, WA 98922
(509) 674-3989
orders.fidelity@gmail.com

Fidelity Appraisal Service LLC
PLAT MAP

File No. 0FAS4457
Lot Line Adjustment

Borrower	Dwight A. Renfro & Sherrie Renfro						
Property Address	1310 E 3rd St						
City	Cle Elum	County	Kittitas	State	WA	Zip Code	98922
Lender/Client	Dwight A. Renfro & Sherrie Renfro		Address 1310 E 3rd St, Cle Elum, WA 98922				

Kittitas County COMPAS Map



Date: 8/9/2023

1 Inch equals 94 feet

0 0.010.01 0.02 mi

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.

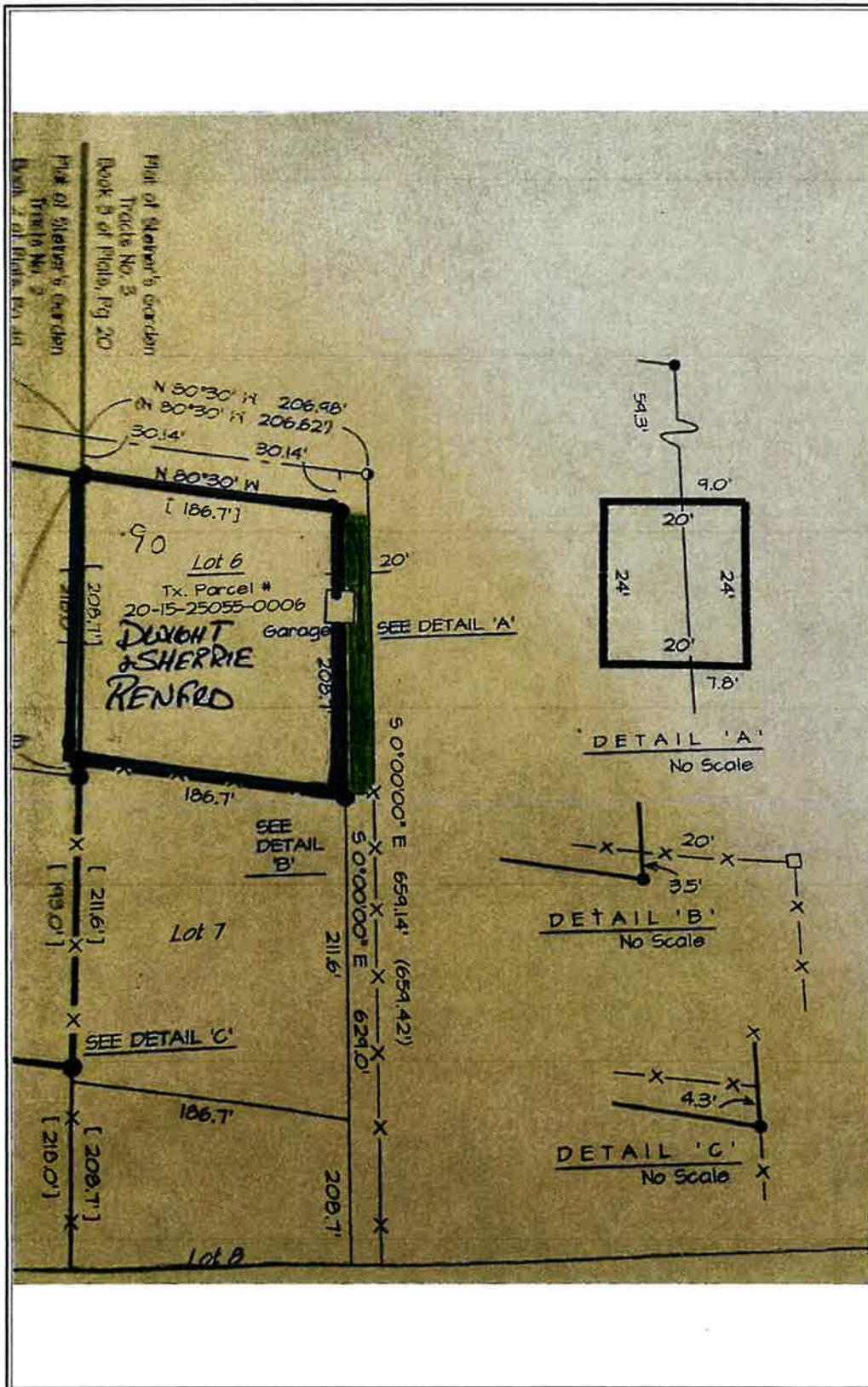


Borrower Dwight A. Renfro & Sherrie Renfro

Property Address 1310 E 3rd St

City Cle Elum County Kittitas State WA Zip Code 98922

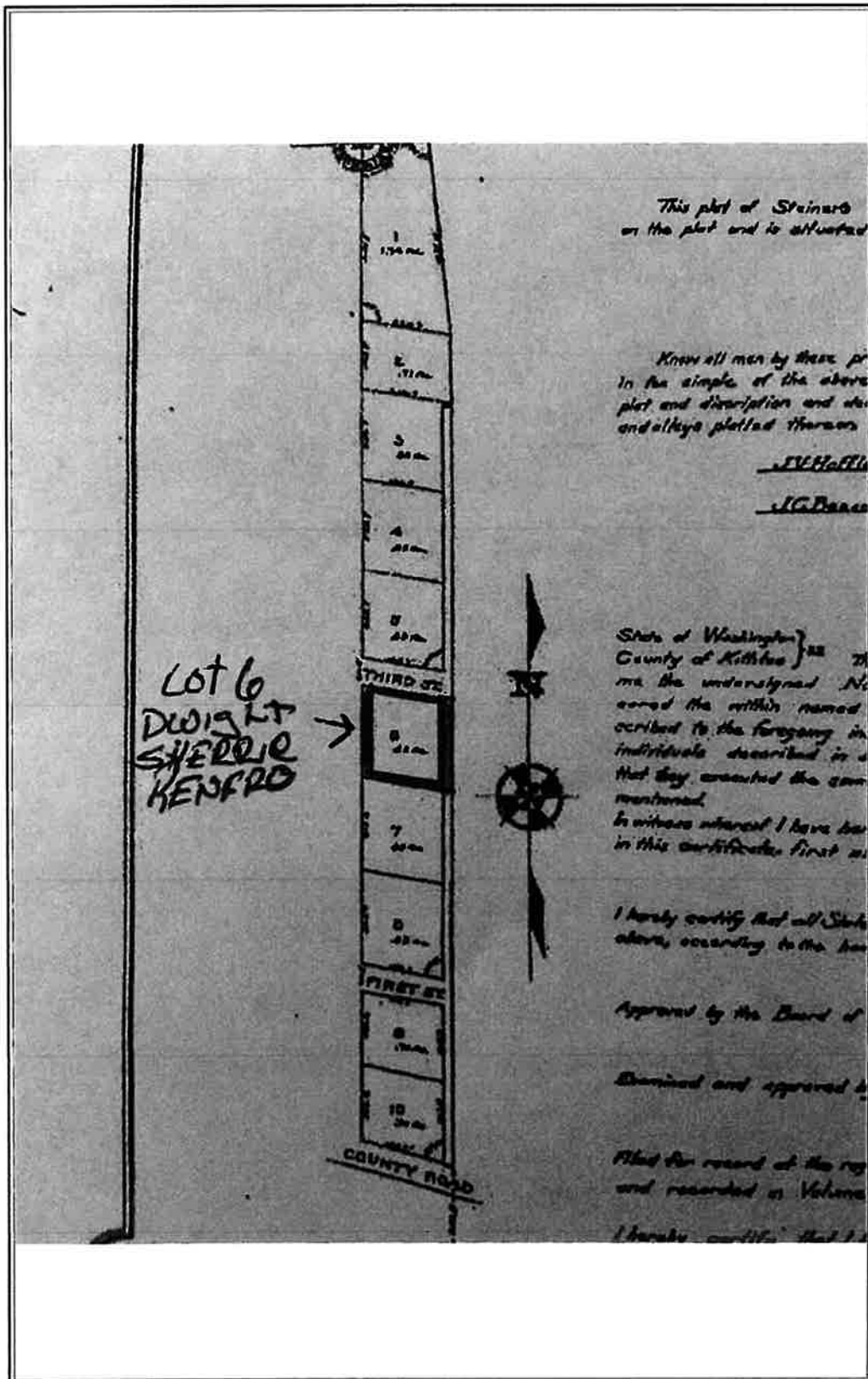
Lender/Client Dwight A. Renfro & Sherrie Renfro Address 1310 E 3rd St, Cle Elum, WA 98922



Survey Map

File No. 0FAS4457
Lot Line Adjustment

Borrower Dwight A. Renfro & Sherrie Renfro
Property Address 1310 E 3rd St
City Cle Elum County Kittitas State WA Zip Code 98922
Lender/Client Dwight A. Renfro & Sherrie Renfro Address 1310 E 3rd St, Cle Elum, WA 98922



**CITY OF CLE ELUM
Planning Department
STAFF REPORT**

Stubbs Right-of-Way Vacation (VAC-2023-001)

AGENDA DATE: September 11, 2023

ACTION REQUESTED: Ordinance for a Right-of-Way Vacation between Deer Meadow Drive/Spansky Way

BACKGROUND:

On May 24, 2023, the City of Cle Elum received a petition from Jeff Stubbs, for the vacation of a portion of platted right-of-way. The proponent has requested this vacation in order to use the right-of-way for a future residential development (Legal description and site plan included in File NO. VAC-2023-001).

On August 14, 2023, a public hearing was conducted before the city council. Following the public hearing, the city council decided to proceed with the vacation, directing staff to prepare an ordinance to vacate the right-of-way provided, that:

1. The owner(s) of the property abutting the right-of-way to be vacated shall pay to the city an amount not to exceed one-half of the full appraised or assessed value of the area to be vacated, [\$2,827.00].
2. The vacation shall not go into effect until the required fees and charges have been paid and the city is reimbursed for all costs incurred in processing the proposed vacation.
3. A certified copy of the ordinance shall be filed with the county assessor and recorded with the county auditor.
4. Compensation has been determined to be required, with one-half of the revenue received by the city as compensation for the area vacated to be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city [\$1,413.50].

RECOMMENDATION: Adoption of Ordinance No. 2023-001

ATTACHMENTS:

Staff Report; Vicinity Map; Site Plan; Application; Public Notices; Appraisal

LEAD STAFF:

Colleda Monick, City Planner

CITY OF CLE ELUM
WASHINGTON
ORDINANCE NO. 1651

**AN ORDINANCE OF THE CITY OF CLE ELUM,
WASHINGTON, VACATING A PORTION OF
UNIMPROVED RIGHT-OF-WAY EXTENDING SOUTH
AND NORTH FROM THE INTERSECTION WITH DEER
MEADOW DR. AND SPANSKY WAY; AND ESTABLISHING
AN EFFECTIVE DATE**

WHEREAS, through Resolution No. 2023-019 the City agreed to hold a public hearing to accept comments on a request to vacate a portion of the public right-of-way as shown on Exhibit A attached hereto and incorporated by reference; and

WHEREAS, RCW 35.79.010 requires that the City Council set a public hearing and date by resolution which was, in this case, established by Resolution No. 2023-019 fixing the public hearing for August 14, 2023 to be followed by City Council action; and

WHEREAS, notice of the public hearing was given in accordance with RCW 35.79.020 and the City Council held the public hearing on August 14, 2023, and all persons wishing to be heard were heard; and

WHEREAS, the City Council finds that vacation of the aforesaid right-of-way, as legally described and depicted on Exhibit A to this Ordinance, is in the public interest as such vacation and property exchange will result in increased residential development;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Right of Vacation. The legally described public right-of-way as described on the attached Exhibit A is vacated and the property within the right-of-way so vacated shall belong to the respective abutting property owner as required by RCW 35.79.040, subject to the conditions set forth below.

Section 2. Street Vacation. The following described portions of the City right-of-way are hereby vacated:

East of parcel 823134, west of parcel 06304, and south of parcel 943134

Section 3. Compensation. The vacation requires as compensation that the adjacent land owner pays the City an amount not to exceed one-half of the full appraised or assessed value of the

area to be vacated as determined by the city in the amount of \$2,827.00, with one-half of the revenue received by the city as compensation for the area vacated to be dedicated to the acquisition, improvement, development, and related maintenance of public open space or transportation capital projects within the city (\$1,413.50).

Section 4. Instruction to City Clerk. The City Clerk shall cause a certified copy of this Ordinance to become effective and be recorded in the records of the Kittitas County Auditor.

Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to the other persons or circumstances.

Section 6. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication. If the condition of transfer as described in Section 2 is not completed, this ordinance shall not be published and shall not be effective.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE
17th DAY OF September 2023.

CITY OF CLE ELUM

Jay McGowan, Mayor

ATTEST/AUTHENTICATED:



Debbie Lee, City Clerk

Approved as to form:

Alexandra L. Kenyon, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Date of Publication:
Effective Date:

CITY OF CLE ELUM
Planning Department

AGENDA STAFF
REPORT

AGENDA DATE: *September 11, 2023*

ACTION REQUESTED: *First Reading of UKC Fiber Franchise Agreement Ordinance;*

BACKGROUND: *On June 27, 2023, the city received a request from UKC Fiber, for a non-exclusive Franchise Master Permit with the City of Cle Elum for the right of entry, use, and occupation of public right(s)-of-way within the city for the purpose of installing, constructing, operating, maintaining, repair, relocation and removal of a fiber optics communication system in, on, over, under, along and across right(s)-of-way. The following is a presentation on the draft ordinance of the Franchise Agreement for review.*

INTERACTION: *Negotiations were conducted by City Legal on behalf of the city*

RECOMMENDATION: *To approve at the second reading of proposed ordinance on September 25, 2023; adoption*

HANDLING: *City Clerk, Council*

ATTACHMENTS: *Draft Ordinance, UKC Fiber*

LEAD STAFF: *Colleda Monick, HLA*

ORDINANCE NO. 1652

AN ORDINANCE OF THE CITY COUNCIL OF CLE ELUM, WASHINGTON, GRANTING TO UKC FIBER LLC DBA "UKC FIBER, LLC" A WASHINGTON CORPORATION, A NON-EXCLUSIVE FRANCHISE TO OPEARATE AND MAINTAIN A TEELCOMMUNICATIONS NETWORK WITHIN THE CITY OF CLE ELUM, WASHINGTON, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS,UKC Fiber, LLC, is a Washington Corporation (hereinafter "Grantee") has applied to the City of Cle Elum ("City") for a non-exclusive Franchise for the right of entry, use, and occupation of public Right(s)-of-Way within the City, to install, construct, erect, operate, maintain, repair, relocate and remove its facilities in, on, over, under, along and across those Right(s)-of-Way; and

WHEREAS, Grantee has requested that the City Council grant a non-exclusive franchise for the purposes of operating and maintaining a telecommunications system; and

WHEREAS, the City Council has the authority to grant franchises for the use of its streets and other public properties pursuant to RCW 35A.47.040; and

WHEREAS, the City is willing to grant the rights requested by Grantee subject to certain terms and conditions, which are acceptable to both parties; and

WHEREAS, the City desires to enter into a franchise for the construction, operation and maintenance of a telecommunications system with Grantee on the terms and conditions set forth herein; and

WHEREAS, following proper notice, the City Council held a public hearing on Grantee's request for a Franchise [Month, Date, Year], at which time representatives of Grantee and interested citizens were able to be heard in a full public proceeding affording opportunity for comment by any and all persons desiring to be heard; and

WHEREAS, from information presented at such public hearing, and from facts and circumstances developed or discovered through independent study and investigation, the City Council now deems it appropriate and in the best interest of the City and its inhabitants that the Franchise be granted to Grantee;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM, WASHINGTON, DOES ORDAIN as follows:

Section 1. Definitions

When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Words not defined herein shall be given their common and ordinary meaning. The word “shall” is always mandatory and not merely directory.

“Affiliate,” when used in connection with Grantee, means any person who owns or controls, is owned or controlled by, or is under common ownership or control with Grantee.

“Customer” means a person or user of the Telecommunications System who lawfully receives services therefrom with Grantee’s express permission.

“Emergency” means a condition of imminent danger to the health, safety or welfare of persons or property located within the City.

“FCC” means the Federal Communications Commission or successor governmental entity thereto.

“Franchise Area” shall mean the present physical boundaries of the City, and any additions thereto by annexation or other legal means.

“Information Service” means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capabilities for the management, control, or operation of a telecommunications system or the management of a telecommunications service (as provided in 47 U.S.C. Section 153(24)).

“Maintenance” or “Maintain” shall mean examining, testing, inspecting, repairing, maintaining and replacing Grantee’s facilities or any part thereof as required and necessary for safe operation.

“Person” means any natural person or any association, firm, partnership, joint venture, corporation, limited liability company or other legally recognized entity, whether for-profit or not-for profit, but shall not mean the City.

“Relocation” means permanent movement of Grantee’s facilities required by the City, and not temporary or incidental movement of such facilities.

“Right-of-Way” shall mean the surface of, and the space above and below, any public street, highway, freeway, bridge, land path, alley, court, boulevard, sidewalk, way, lane, drive, circle or other public right-of-way, including, but not limited to, public utility

easements, dedicated utility strips, or easements dedicated for compatible uses. Right-of-Way shall also mean any easement now or hereafter held by the City within the Franchise Area for the purpose of public travel, or for utility or public service use and shall include other easements or rights-of-way as shall within their proper use and meaning entitle Grantee to the use thereof for the purposes of installing, operating, and maintaining Grantee's Telecommunications System over poles, wires, cables, conductors, ducts, conduits, vaults, manholes, attachments, and other property as may be ordinarily necessary and appurtenant to the Telecommunications System.

"State" means the State of Washington.

"Telecommunications" means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received (as provided in 47 U.S.C. Section 153(50)).

"Telecommunications network" means the infrastructure owned by Grantee utilizing one or more facilities located within the City's rights-of-way, including but not limited to, lines, poles, anchors, wires cables, conduit, laterals and other appurtenances necessary and convenient to the provision of access to the internet and telecommunications service."

"Telecommunications Service" means the offering of Telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used (as provided in 47 U.S.C. Section 153(53)).

"Telecommunications System" means the facilities used to offer Telecommunications Services or Information Services to the public.

Section 2. Grant of Right to Use Right(s)-of-Way

A. Subject to the terms and conditions stated herein, the City grants to Grantee permission to enter, use, and occupy the Right(s)-of-Way throughout the Franchise Area.

B. Grantee is authorized to install, construct, erect, operate, maintain, upgrade, relocate, remove and repair facilities and equipment, and all necessary appurtenances thereto for its Telecommunications System to provide Telecommunications and Information Services in, along, under and across the Right(s)-of-Way in the Franchise Area.

C. This Franchise does not authorize the use of the Franchise Area for any facilities or services, other than Grantee's facilities and services, and it extends no rights or privilege relative to any facilities or services of any type, including Grantee's facilities and services, on public or private property elsewhere within the City.

D. This Franchise is non-exclusive and does not prohibit the City from entering into other agreements, including franchises, impacting the Franchise Area, unless the City determines that entering into such agreements interferes with Grantee's rights set forth herein.

E. This Franchise does not waive any rights that the City has or may hereafter acquire with respect to the Franchise Area or any other City streets or Rights-of-Way or any portions thereof. This Franchise shall be subject to the power of eminent domain, and in any proceeding under eminent domain, Grantee acknowledges its use of the Franchise Area shall have no value.

F. The City reserves the right to change, regrade, relocate, abandon, or vacate any Right-of-Way within the Franchise Area.

G. Grantee agrees that its use of the Franchise Area shall at all times be subordinate to and subject to the City and the public's need for municipal infrastructure, travel, and access in the Franchise Area. If, at any time during the term of this Franchise, the City vacates any portion of the Franchise Area containing Grantee facilities, the City shall reserve an easement for public utilities within that vacated portion, pursuant to RCW 35.79.030, within which Grantee may continue to operate any existing Telecommunications System of Grantee under the terms of this Franchise.

H. This Franchise shall not be interpreted to prevent the City from imposing additional lawful conditions, including compensation conditions for use of the Right-of-Way, should Grantee provide cable services, as defined under federal law.

I. This Franchise is intended to convey limited rights and interests in the Right-of-Way. It is not a warranty of title or interest in any Right-of-Way; it does not provide Grantee with any interest in any particular location within the Right-of-Way; and it does not confer rights other than as expressly provided in the grant hereof.

J. No rights shall pass to Grantee by implication. Without limiting the foregoing, by way of example and not limitation, this Franchise shall not include or be a substitute for:

1. Any other permit or authorization required for the privilege of transacting and carrying on a business within the City that may be required by the ordinances and laws of the City;

2. Any permit, agreement, or authorization required by the City for Right-of-Way users in connection with operations on or in the Right-of-Way or public property including, by way of example and not limitation, street cut permits; or

3. Any permits or agreements for occupying any other property of the City or private entities to which access is not specifically granted by this Franchise

including, without limitation, permits and agreements for placing devices on poles, in conduits or in or on other structures.

Section 3. Term of Agreement

A. This Franchise, unless sooner terminated or extended, shall run for a period of five (5) years, starting from the effective date of this Ordinance.

B. Renewal Option of Term. Grantee may renew this Franchise for an additional five (5) year period upon submission and approval of the application for such renewal by the City and subject to any modifications of the Franchise at that time. Any materials submitted by Grantee for a previous application may be considered by the City in reviewing a current application, and Grantee shall only submit those materials deemed necessary by the City to address changes in Grantee's facilities or services, or to reflect mutually agreeable modifications to the Franchise.

C. Failure to Renew Franchise – Automatic Extension. If the parties fail to formally renew this Franchise prior to the expiration of its term, the Franchise automatically continues month to month until renewed or until either party gives written notice at least one hundred eighty (180) days in advance of its intent not to renew the Franchise to the other party.

Section 4. Acceptance of Franchise

A. This Franchise, and any rights granted hereunder, shall not become effective for any purpose unless and until Grantee files with the City Clerk (1) the Statement of Acceptance, attached hereto as Exhibit "A," and incorporated herein by reference, and (2) all verifications of insurance coverage and the financial guarantees specified in this Franchise.

B. Should Grantee fail to file the Franchise acceptance with the City Clerk within thirty (30) days after the effective date of the ordinance approving the Franchise, the City's grant of the Franchise will be voidable at the discretion of the City.

Section 5. Tax Liability and Records

A. Tax Liability. Grantee shall pay any and all taxes or other levies or assessments which are now or hereafter required to be paid by businesses in general by any law of the City, the State or the United States including, without limitation, sales, use and other taxes, business license fees or other payments.

B. Financial Records. Grantee agrees to meet with a representative of the City upon request to review Grantee's methodology of record-keeping and other procedures,

the understanding of which are reasonably necessary for reviewing reports and records that are required by this Franchise.

Section 6. Construction and Maintenance

A. The City may inspect the manner of Grantee's work and require remedies as may be necessary to assure compliance with applicable rules, ordinances and regulations of the City. All lines, cables, fibers and conduits laid or installed under this Franchise shall be so located and placed as not to obstruct or interfere with any water pipes, drains, sewers or other structures or utilities already installed, and all such facilities shall be installed subject to the reasonable approval of the Public Works Director or his/her designee. Notwithstanding the foregoing, Grantee shall not be obligated to obtain a permit to perform emergency repairs but shall acquire one at its expense as soon as practicable thereafter.

B. To the extent consistent with any permit issued by the City, all facilities shall be located so as to cause minimum interference with the Right-of-Way and shall be constructed, installed, maintained, renovated or replaced in accordance with applicable rules, ordinances and regulations of the City, as they may be amended from time to time as consistent with construction standards generally accepted within the industry.

C. Grantee shall, at all times, employ professional care and shall install and maintain and use industry-standard methods for preventing failures and accidents that are likely to cause damage, injuries, or nuisances to the public. All structures and all lines, equipment, and connections in, over, under, and upon the Right-of-Way, wherever situated or located, shall at all times be kept and maintained in a safe condition. Grantee shall comply with all federal, State, and municipal safety requirements, rules, regulations, laws, and practices, and employ all necessary devices as required by applicable law during the construction, operation, maintenance, upgrade, repair, or removal of its facilities. Additionally, Grantee shall keep its facilities free of debris and anything of a dangerous, noxious, or offensive nature (for example, graffiti) or which would create a hazard or undue vibration, heat, noise, or any interference with municipal services. By way of illustration and not limitation, Grantee shall also comply with the applicable provisions of the National Electrical Code, National Electrical Safety Code, FCC regulations, and Occupational Safety and Health Administration (OSHA) Standards. Upon reasonable notice to Grantee, the City reserves the right to inspect the facilities to evaluate if they are constructed and maintained in a safe condition.

D. Grantee, at its own expense shall repair and replace any paving or surface disturbed by Grantee or its contractors, in accordance with the City's standard specifications for street construction subject to the reasonable approval of the Public Works Director or his/her designee.

E. Grantee, upon issuance of permits by the City, shall have the authority to microtrench in the construction of Grantee's Telecommunications System. Issuance of

permits is a prerequisite for Grantee's ability to microtrench anywhere in the City. Regular installation and maintenance shall be scheduled so as to accommodate ongoing or previously completed work in or near the Right-of-Way, such as protection of newly planted turf or other vegetation, installed asphalt, streets or sidewalks. In order to avoid such situations, Grantee shall, if practicable, provide notice of the planned work at least forty-eight (48) hours in advance and coordinate with the City to develop a mutually acceptable schedule for such work.

F. If, during the course of work, Grantee disturbs or causes damage to or alters any Right-of-Way or other public or private property, Grantee shall promptly replace, repair or restore such Right-of-Way or other public or private property, at Grantee's expense, to a condition equal to or better than the condition that existed immediately prior to such disturbance, damage or alteration within forty-eight (48) hours.

G. Upon reasonable request by the City, Grantee agrees to provide geographic information system ("GIS") mapping layers, As-Built, strand maps or similar records kept in its usual course of business to the City. Said information may be provided either in hard copy or electronic format, in the data format regularly maintained by Grantee.

H. Nothing in this Franchise shall be construed to prevent the City from constructing, maintaining, repairing, or relocating its sewers, streets, water mains, sidewalks, or other public property. However, before commencing any work within a Right-of-Way that may affect Grantee's facilities, the City shall give written notice to Grantee, and all such work shall be done, insofar as practicable, in such a manner as not to obstruct, injure, or prevent the free use and operation of Grantee's facilities.

I. In order to minimize disruption to vehicular traffic and inconvenience to the public, and protect the public interests in connection with permitted uses of the Right-of-Way, which have limited capacity, conduit sharing and other collocation solutions are encouraged and shall be utilized to the extent they are technically and economically feasible. Grantee agrees, wherever technically and economically feasible, that it will endeavor to collocate its facilities and cooperate with the City in placing innerduct conduit within the Right-of-Way and in sharing unused space within underground conduits owned by Grantee and the City. At any time that the City or Grantee intends to install new underground conduit or replace existing underground conduit in the Right-of-Way, such party shall endeavor to provide the other party with forty-five (45) days advance written notice in order to permit the additional contemporaneous installation of innerduct conduit for potential collocation. If either party desires additional innerduct conduit to be installed, it will so notify the other party. The party providing such notice shall be responsible for the additional incremental expense for installing additional innerduct conduit. The parties agree that such conduit or innerduct conduit jointly occupied or used by the City may not be sold or leased by the City to third parties for the provision of competitive services.

J. Grantee shall apply for, obtain, pay for and comply with the terms of all permits required under applicable City Code provisions for any work done in the Right-of-

Way. Grantee shall comply with all other applicable City, State, and federal codes, rules, regulations, and orders in undertaking such work, which shall be done in a thorough and proficient manner.

K. Grantee agrees to coordinate its activities with the City and all other utilities located within the Right-of-Way within which Grantee is undertaking its activity. The City agrees to coordinate its activities with Grantee within the Right-of-Way within which Grantee has placed its Telecommunications System or is undertaking its activities.

L. The City expressly reserves the right to prescribe how and where Grantee's facilities shall be installed within the Right-of-Way and may from time to time, pursuant to the applicable sections of this Franchise, require the removal, relocation and replacement thereof in the public interest and safety at the expense of Grantee.

M. Before commencing any work within the Right-of-Way, Grantee shall comply with all of the provisions of the Washington Utility Notification Center - Washington 811, to identify and protect existing utility infrastructure.

N. Upon prior written approval of the City and in accordance with City ordinances, Grantee shall have the authority to reasonably trim trees upon and overhanging streets, Rights-of-Way, and places in the Franchise Area so as to prevent the branches of such trees from coming in physical contact with Grantee's facilities. Grantee shall be responsible for debris removal from such activities. If such debris is not removed within twenty-four (24) hours of completion of the trimming, the City may, at its sole discretion, remove such debris and charge Grantee for the cost thereof.

O. Grantee's contractors of any tier shall be licensed and bonded in accordance with State law and the City's ordinances, regulations, and requirements. Work by contractors (of any tier) is subject to the same restrictions, limitations, and conditions as if the work were performed by Grantee. Grantee shall be responsible for all work performed by its contractors (of any tier) and others performing work on its behalf as if the work were performed by Grantee and shall ensure that all such work is performed in compliance with this Franchise and applicable law.

P. Grantee shall not introduce or use any hazardous substances (chemical or waste) in the Right-of-Way, in violation of any applicable law or regulation, nor shall Grantee allow any of its agents, contractors (of any tier), or any person under its control to do the same. Grantee will be solely responsible for and will defend, indemnify and hold the City, its agents, employees, officers, and officials harmless from and against any and all claims, costs and liabilities including reasonable attorneys' fees and costs, to the extent arising out of or in connection with the cleanup or restoration of the property associated with Grantee's use, storage, or disposal of hazardous substances, whether or not intentional, and the use, storage or disposal of such substances by Grantee's agents, contractors, or other persons acting under Grantee's control, whether or not intentional.

Q. Grantee attests that any work already completed before the execution of this Franchise is in compliance with the requirements of this Franchise.

Section 7. Repair and Emergency Work

In the event of an emergency, Grantee may commence such repair and emergency response work as required under the circumstances, provided that Grantee shall notify the City in writing as promptly as possible, before such repair or emergency work commences, or as soon thereafter as possible, if advance notice is not practical. The City may act, at any time, without prior written notice in the case of an emergency, but shall notify Grantee in writing as promptly as possible under the circumstances.

Section 8. Damages to City and Third-Party Property

Grantee agrees that if any of its actions under this Franchise impair or damage any Right-of-Way, property, survey monument, or property owned by a third-party, Grantee will restore, at its own cost and expense, said property to a safe condition. Such repair work shall be performed and completed to the satisfaction of the Public Works Director.

Section 9. Location Preference

Any structure, equipment, appurtenance, or tangible property of a utility, other than property of Grantee's, which was installed, constructed, completed or in place prior in time to Grantee's application for a permit to construct or repair Grantee facilities under this Franchise shall have preference as to positioning and location with respect to Grantee's facilities. However, to the extent that Grantee's facilities are completed and installed prior to a utility's submittal of a permit for new or additional structures, equipment, appurtenances, or tangible property, then Grantee's facilities shall have priority. These rules governing preference shall continue in the event of the necessity of relocating or changing the grade of any City street or Right-of-Way. A relocating utility shall not necessitate the relocation of another utility that otherwise would not require relocation. This Section shall not apply to any City facilities or utilities that may in the future require the relocation of Grantee's facilities which shall be governed by the relocation provisions of this Franchise. No location of any of Grantee's Facilities shall give rise to a vested interest in public property.

Section 10. Grantee Information

A. Grantee agrees to supply, at no cost to the City, any information reasonably requested by the City to coordinate municipal functions with Grantee's activities and fulfill any municipal obligations under State law.

B. The parties understand that State law limits the ability of the City to shield from public disclosure any information given to the City. Accordingly, the City agrees to

notify Grantee of requests for public records related to Grantee, and to give Grantee a reasonable amount of time to obtain an injunction to prohibit the City's release of records, if it appears that such public records may contain confidential information. Notice will not be provided for records that are clearly non-exempt from disclosure including but not limited to copies of this Franchise, drafts of this Franchise, and records related to the execution of this Franchise.

C. Grantee shall defend, indemnify and hold harmless the City for any loss or liability for fines, penalties, damages and costs (including attorneys' fees and expenses) imposed on the City because of non-disclosures requested by Grantee under Washington's Public Records Act, provided the City has notified Grantee of the pending request.

Section 11. Relocation and Abandonment of Grantee's Facilities

A. Relocation. In accordance with Washington State law, Grantee shall, at no expense or liability to the City (except as may be required by RCW Chapter 35.99.060), relocate, reroute or remove any of Grantee's facilities, property or equipment located in a Right-of-Way when required by the City consistent with its police powers (for example, without limitation, by reason of traffic conditions, public safety, Right-of-Way vacation, Right-of-Way construction, change or establishment of Right-of-Way grade, installation of sewers, drains, gas or water pipes, or any other types of structures or improvements by the City for public purposes). Except during an emergency, the City shall provide reasonable notice to Grantee of its need to relocate that is commensurate with the complexity of the project, but not less than sixty (60) days, and allow Grantee an opportunity to perform such action. Following notice by the City, Grantee shall relocate, remove, reroute, replace, modify or disconnect any of its facilities or equipment within any Right-of-Way, or on any other property of the City. If the City requires Grantee to relocate its facilities located within the Right-of-Way, the City shall provide Grantee with an alternative location within the Right-of-Way.

Excluding circumstances or events outside of its reasonable control, if Grantee fails to complete relocation work within the time prescribed to the City's reasonable satisfaction, the City may cause such work to be done at Grantee's reasonable cost and expense; and provided further that the City shall not be liable for any damage to any portion of the Telecommunications System except to the extent caused by the negligence of the City or its contractor. Within thirty (30) days of receipt of an itemized list of those costs, Grantee shall pay the City.

If a readjustment or relocation of Grantee's facilities is necessitated by a request from a party other than the City, Grantee may seek recourse against that other party to pay the actual costs thereof.

B. Temporary Changes for Other Permittees. At the request of any person holding a valid permit, upon reasonable advance notice, Grantee shall temporarily raise,

lower or remove its facilities, property or equipment as necessary to permit the moving of a building, vehicle, equipment or other item. The expense of such temporary changes must be paid by the permit holder, and Grantee may require a reasonable deposit of the estimated payment in advance.

C. Alternatives to Relocation. Grantee may, after receipt of written notice requesting a relocation of its facilities, submit to the City written alternatives to such relocation. Such alternatives may include the use and operation of temporary transmitting facilities in adjacent Right-of-Way. The City shall promptly evaluate such alternatives and advise Grantee in writing if one or more of the alternatives is suitable. If requested by the City, Grantee shall promptly submit additional information to assist the City in making such evaluation. The City shall give each alternative proposed by Grantee full and fair consideration. In the event the City ultimately determines that there is no other reasonable alternative, Grantee shall relocate the components of the system as otherwise provided herein.

D. Discontinuing Use/Abandonment of System Facilities. Whenever Grantee intends to discontinue using any facility in the Right-of-Way, Grantee shall submit for the City's approval a complete description of the facility and the date on which Grantee intends to discontinue using the facility. Grantee may remove the facility or request that the City allow it to remain in place and to convey the same to the City through a letter of abandonment or bill of sale. Until such time as Grantee removes or transfers the facility, Grantee shall be responsible for the facility as if the facility were in active use and Grantee shall retain all liability for the facility during such time. If Grantee abandons its facilities, the City may provide Grantee with written notice of the City's desire to utilize such abandoned facilities, and Grantee shall then have sixty (60) days in which to respond with either assent to transfer such facilities to the City, or an affirmation that such facilities are not abandoned, in which case the facilities shall remain with Grantee. Upon assent by Grantee to the transfer of such facilities, the parties shall execute appropriate documentation to memorialize the transfer.

Section 12. Undergrounding

A. The parties agree that this Franchise does not limit the City's authority under federal law, State law, or local ordinance, to require the undergrounding of utilities. Any such undergrounding requirement shall be imposed equally on all permit or franchise holders using the Right-of-Way to which such requirement applies.

B. Whenever the City requires the undergrounding of aerial utilities in the Franchise Area, Grantee shall underground its facilities in the manner specified by the City at no expense or liability to the City. Where other utilities are present and involved in the undergrounding project, Grantee shall only be required to pay its fair share of common costs borne by all utilities, in addition to the costs specifically attributable to the undergrounding of Grantee's facilities. Common costs shall include, for example, necessary costs for trenching and utility vaults. The fair share shall be determined in

comparison to the total number and size of all other utility facilities being placed underground.

Section 13. Indemnification and Hold Harmless

A. Grantee shall defend, indemnify, and hold the City and its officers, officials, agents, employees, and volunteers harmless from any and all costs, claims, injuries, damages, losses, expenses, suits, or liabilities of any nature including attorneys' fees arising out of or in connection with Grantee's performance or omissions under this Franchise, except to the extent such costs, claims, injuries, damages, losses, expenses, suits, or liabilities are caused by the negligence of the City.

B. Grantee shall defend, indemnify and hold the City and its officers, officials, agents, employees, and volunteers harmless from any and all costs, claims, injuries, damages, losses, expenses, suits, or liabilities of any nature including attorneys' fees arising out of or in connection with any damage or loss to Grantee's facilities caused by maintenance and/or construction work performed by, or on behalf of, the City within the Franchise Area or any Right-of-Way, or other property, except to the extent any such damage or loss is directly caused by the negligence of the City.

C. If separate representation to fully protect the interests of both parties is or becomes necessary, such as a conflict of interest between the City and the counsel selected by Grantee to represent the City, Grantee shall pay, from the date such separate representation is required forward, all reasonable expenses incurred by the City in defending itself with regard to any action, suit or proceeding indemnified by Grantee. The City's expenses shall include all reasonable out-of-pocket expenses, such as consultants' and attorneys' fees, and shall also include the reasonable value of any services rendered by the City Attorney or her/his assistants or any employees of the City or its agents but shall not include outside attorneys' fees for services that are unnecessarily duplicative of services provided the City by Grantee.

D. The fact that Grantee carries out any activities under this Franchise through independent contractors shall not constitute an avoidance of or defense to Grantee's duty of defense and indemnification under this Section.

E. In the defense of any action subject to this Section, Grantee shall solely control the defense and any decision to settle any claim, which shall be at Grantee's sole expense and provided that the City is completely released in writing from any liability regarding the claim.

Section 14. Insurance

A. Grantee shall procure and maintain for the duration of this Franchise, and for one (1) year thereafter, insurance against claims for injuries to persons or damage to property which may arise from or in connection with the performance of the work

hereunder by Grantee, its agents, representatives, or employees in the amounts and types set forth below:

1. Commercial General Liability insurance with limits no less than \$5,000,000 each occurrence, \$5,000,000 general aggregate and a \$5,000,000 products-completed operations aggregate limit. Coverage shall be written on ISO occurrence form CG 00 01 and shall cover liability arising from premises, operations, products-completed operations, stop gap liability, and personal injury and advertising injury and liability assumed under an insured contract. There shall be no exclusion or modification of the Commercial General Liability insurance for liability arising from explosion, collapse, or underground property damage.

2. Automobile Liability insurance covering all owned, non-owned, hired, and leased vehicles with a combined single limit for bodily injury and property damage of \$5,000,000 per accident. Coverage shall be written on Insurance Services Office (ISO) form CA 00 01 or a substitute form providing equivalent liability coverage.

3. Intentionally left blank.

4. Workers' Compensation coverage as required by the Insurance laws of the State of Washington.

5. Employers Liability insurance in the amount of \$2,000,000.

6. Umbrella or excess liability insurance in the amount of \$5,000,000.

B. Grantee's insurance coverage shall be primary insurance with respect to the City. Any insurance, self-insurance, or insurance pool coverage maintained by the City shall be in excess of Grantee's insurance and shall not contribute with it.

C. Grantee's insurance shall be endorsed to state that coverage shall not be canceled except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the City. If the insurance is canceled so as to be out of compliance with the requirements of this Franchise, Grantee shall provide a replacement policy.

D. All policies shall contain, or be endorsed so that the City, City Council, officers, officials, boards, employees and agents are to be covered as, and have the rights of, additional insureds under the policies.

E. Grantee's insurance shall apply separately to each insured against whom a claim is made or lawsuit is brought, except with respect to the limits of the insurer's liability.

F. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements for each insurance policy are to be on standard forms or such forms as are consistent with standard industry practices.

G. Insurance is to be placed with insurers with a current A.M. Best rating of not less than A:VII.

H. Grantee shall furnish the City with original certificates of insurance and a copy of amendatory endorsements before commencement of the work.

I. Any deductible of the policies shall not in any way limit Grantee's liability to the City.

J. Grantee shall have the right to self-insure any or all of the above-required insurance subject to prior, written approval by the City.

K. Grantee's maintenance of insurance as required by this Franchise shall not be construed to limit the liability of Grantee to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy to which the City is otherwise entitled at law or in equity.

Section 15. Generally Applicable Bonds/Performance Bond

A. Generally Applicable Bonds. During construction of the Telecommunications System, Grantee may be required to obtain bonds, such as generally applicable construction bonds, in accordance with State law and the City's published, non-discriminatory and ordinary policies and procedures to cover remedial work and restoration of the Right-of-Way. The bonds shall cover the cost of labor, materials and all other items associated with such work by geographic area (to be mutually determined between the City and Grantee) with the intention that the bond will apply only to projects covered by a permit until completion as opposed to covering the costs of construction for the entire Telecommunications System.

B. Performance Bond.

1. Grantee shall provide a performance bond in the amount of fifty thousand dollars (\$50,000) to ensure the faithful performance of its responsibilities under this Franchise and applicable law, including, by way of example and not limitation, its obligations to relocate and remove its facilities. The performance bond shall be in a standard industry form. Grantee shall pay all premiums or costs associated with maintaining the bond, and shall keep the same in full force and effect at all times.

2. The bond shall not be canceled or materially altered so as to be out of compliance with the requirements of this Section without forty-five (45) days written

notice first being given to the City. If the bond is canceled or materially altered so as to be out of compliance with the requirements of this Section within the term of this Franchise, Grantee shall provide a replacement bond.

3. After the giving of notice by the City to Grantee, and expiration of any applicable cure period, the performance bond may be drawn upon by the City for purposes that include, but are not limited to the following:

- a. Failure of Grantee to pay the City sums due under the terms of this Franchise;
- b. Reimbursement of costs borne by the City to correct Franchise violations not corrected by Grantee; and
- c. Damages assessed against Grantee as provided in this Franchise.

4. The City shall give Grantee written notice of any withdrawal under this Section upon such withdrawal. Within ten (10) days following receipt of such notice, Grantee shall restore and replenish the performance bond to the amount required under this Franchise. Grantee's maintenance of the performance bond shall not be construed to excuse unfaithful performance by Grantee or limit the liability of Grantee to the amount of the performance bond or otherwise limit the City's recourse to any other remedy available at law or in equity.

5. Grantee shall have the right to appeal to the City Council for reimbursement in the event Grantee believes that the performance bond was drawn upon improperly. After a determination by the City Council, Grantee shall also have the right of judicial appeal if Grantee believes the performance bond has not been properly drawn upon in accordance with this Franchise. Any funds the City erroneously or wrongfully withdraws from the performance bond shall be returned to Grantee with interest, from the date of withdrawal at a rate equal to the prime rate of interest as quoted in The Wall Street Journal on the date the City withdrew funds from the performance bond until the date the City returns the funds to Grantee.

Section 16. Successors and Assignees

A. All of the provisions, conditions and requirements herein shall be binding upon the permitted successors and assigns of Grantee, and all rights and privileges, as well as all obligations and liabilities of Grantee shall inure to its permitted successors and assigns as if they were specifically mentioned herein wherever Grantee is mentioned.

B. Neither this Franchise nor the Telecommunications System shall be leased, assigned or otherwise alienated in whole or in part without the express prior written consent of the City by ordinance, which consent shall not be unreasonably withheld. In

the event such a transfer or assignment is part of a corporate transaction approved by the Washington Utilities and Transportation Commission ("WUTC"), the approval by the WUTC shall be deemed consent to the transfer or assignment from the City. Grantee shall notify the City as soon as practicable at the time of the filing of any petition with the WUTC in this regard.

C. Grantee and any proposed assignee or transferee shall provide and certify the following to the City not less than sixty (60) days prior to the proposed date of sale or transfer: (a) Complete information setting forth the nature, terms and conditions of the proposed assignment or transfer; (b) All information required by the City of an applicant for a Franchise with respect to the proposed assignee or transferee; and, (c) An application fee which shall be set by the City, plus any other costs actually and reasonably incurred by the City in processing and investigating the proposed assignment or transfer, such additional costs not to exceed \$7,500.

D. The proposed assignee or transferee shall file with the City a written agreement to unconditionally accept all of the terms of the Franchise, effective upon such transfer or assignment of the Franchise. The City is under no obligation to undertake any investigation of Grantee's state of compliance and failure of the City to insist on full compliance prior to transfer does not waive any right to insist on full compliance thereafter.

Section 17. Dispute Resolution

In the event of a dispute between the City and Grantee arising by reason of this Franchise, the dispute shall first be referred to the operational officers or representatives designated by the City and Grantee to have oversight over the administration of this Franchise. The officers or representatives shall meet within thirty (30) calendar days of either party's request for a meeting, whichever request is first, and the parties shall make a good faith effort to achieve a resolution of the dispute. If the parties fail to achieve a resolution of the dispute in this manner, either party may then pursue any available judicial remedies.

Section 18. Enforcement and Remedies

A. If Grantee shall willfully violate, or fail to comply with any of the provisions of this Franchise for any reason, including without limitation, through negligence, or should it fail to heed or comply with any legally authorized directive given to Grantee under the provisions of this Franchise, the City will provide Grantee with written notice and an opportunity to cure the breach within thirty (30) days of notification. If the breach reasonably cannot be cured within thirty (30) days, the City shall specify a longer cure period, and condition the extension of time on Grantee's submittal of a plan to cure the breach within the specified period, commencement of work within the original thirty-day cure period, and diligent prosecution of the work to completion. If the breach is not cured within the specified time, or Grantee does not comply with the specified conditions, the City may, at its discretion, either (1) revoke the Franchise with no further notification, or

(2) claim liquidated damages of two hundred fifty dollars (\$250.00) per day against the performance bond set forth in this Franchise for every day after the expiration of the cure period that the breach is not cured, up to a maximum of \$5,000 per year.

B. Should the City determine that Grantee is acting beyond the scope of permission granted herein for Grantee's facilities or Grantee's services, the City reserves the right to cancel this Franchise and require Grantee to apply for, obtain, and comply with all applicable City permits, franchises, or other City permissions for such actions, and if Grantee's actions are not allowed under applicable federal, State or City laws, to compel Grantee to cease such actions through injunctive relief.

Section 19. Compliance with Laws and Regulations

This Franchise is subject to, and Grantee shall comply with, all applicable federal, State and City laws, regulations and policies, now existing or hereafter enacted. Grantee shall be subject to the police power of the City to adopt and enforce general ordinances necessary to protect the safety, health and welfare of the public.

Section 20. Damages Limitation

Notwithstanding any other provision of this Franchise, in no event shall either party be liable to the other for any special, incidental, indirect, punitive, loss of profits, loss of revenues, consequential or other similar damages.

Section 21. Notices

Written notices shall be sent postage prepaid, by certified mail, return receipt requested, to the following addresses, unless a different address shall be designated in writing and delivered to the other party.

City: City of Cle Elum - Mayor
119 West First Street
Cle Elum, Washington 98922

Grantee: UKC Fiber, LLC
405 NW Gilman Blvd. Suite 102
Issaquah, WA 98027
(206) 459-3490
sean@thetrailsidegroup.com

Section 22. Reimbursement and Franchise Fees

A. A fee shall be charged to Grantee that recovers actual administrative expenses incurred by the City that are directly related to receiving and approving permits

and this Franchise, and to inspecting plans and construction, and, if necessary, for the preparation of a detailed statement pursuant to Chapter 43.21C RCW; provided, however, that no such fees, costs or expenses shall be duplicative of permitting and review fees charged by the City in conjunction with such permits. The City's outside consultants' and attorneys' fees and expenses in preparing, negotiating and finalizing this Franchise shall be up to a cap of \$3,400.

B. No permits shall be issued for the installation of authorized facilities until such time as the City has received payment of this fee.

C. Grantee shall reimburse the City within thirty (30) days of submittal by the City of an itemized billing for reasonably incurred costs by project and task, for Grantee's proportionate share of all actual, identified expenses incurred by the City in altering, constructing, installing, maintaining, planning, or repairing any City facility as the result of the presence of Grantee's facilities in the Right-of-Way.

D. Grantee hereby warrants that its operations as authorized under this Franchise are, in part, those of a telephone business as defined in RCW 82.16.010, or service provider as referenced in RCW 35.21.860. As a result, the City will not impose a franchise fee under the terms of this Franchise, other than as described herein. The City hereby reserves its right to impose a franchise fee on Grantee if Grantee's operations as authorized by this Franchise change such that the statutory prohibitions of RCW 35.21.860 no longer apply, or if federal or other State statutory prohibitions on the imposition of any types of fees are removed. In such instance, the City also reserves its right to require that Grantee obtain a separate franchise as allowed by law. Nothing contained herein shall preclude Grantee from challenging any such new fee or separate agreement under applicable federal, State, or local laws.

E. Grantee stipulates and agrees that certain of its business activities may be subject to taxation as a telephone business and that Grantee shall pay to the City the rate applicable to such taxable services consistent with local, State and federal law; provided that the City has taken all lawful and required steps to impose such tax. The parties agree that nothing in this Franchise shall limit the City's power of taxation or ability to impose franchise fees, as may exist now or as later allowed under applicable law.

Section 23. Miscellaneous

A. Force Majeure. Neither party shall be held in default under, or in noncompliance with, the provisions of the Franchise, nor suffer any enforcement or penalty relating to noncompliance or default, where such noncompliance or alleged default occurred or was caused by a pandemic, epidemic, strike, riot, war, earthquake or other catastrophic act of nature, labor disputes or failure of electric service necessary to operate the Telecommunications System or other event that is reasonably beyond a party's ability to anticipate or control.

B. Entire Agreement. This Franchise represents the entire understanding and agreement between the parties hereto with respect to the subject matter hereof.

C. Severability. If any section, subsection, sentence, clause or phrase of this Franchise is for any reason declared invalid, in whole or in part, by any court, agency, legislative body, or other authority of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof, all of which shall remain in full force and effect.

D. Modification. No provision of this Franchise shall be amended or otherwise modified, in whole or in part, except by an instrument, in writing, duly executed by the City and Grantee.

E. No Third-Party Beneficiaries. Nothing in this Franchise is intended to confer third-party beneficiary status on any member of the public or person to enforce the terms of this Franchise.

F. No Waiver of Rights. Nothing in this Franchise shall be construed as a waiver of any rights, substantive or procedural, the City or Grantee may have under federal or State law. Without limitation, the City specifically reserves all of its governmental immunities under federal, State and local law.

G. Governing Laws. This Franchise shall be governed, construed and enforced in accordance with the laws of the State of Washington and any other applicable local and federal laws, rules, regulations, legislation or orders (as such now exist, are later amended or subsequently adopted).

H. Venue. Venue for any judicial dispute shall be in Kittitas County Superior Court, unless the dispute is required to be heard in federal court by applicable law.

I. Attorneys' Fees. In the event any suit or other proceeding is instituted to enforce or interpret any provision of this Franchise, the prevailing party in any such action or suit shall be entitled to its attorneys' fees and costs, which shall be fixed by the judge hearing the case, and such fees shall be included in the judgment.

J. Headings. The section and subsection titles used herein are for reference purposes only and shall not be used to interpret this Franchise.

K. Cost of Publication. Grantee shall pay the cost of notice and publication of this Franchise.

Section 24. Severability

Should any portion of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, such

decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

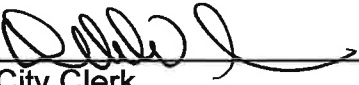
Section 25. Effective Date

This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED by the City Council of Cle Elum, Washington this 11th day of September, 2023.

Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:

City Attorney

Published: _____

EXHIBIT "A"

STATEMENT OF ACCEPTANCE

Inland Telephone Company , hereby accepts and agrees to be bound by all of the terms, conditions and provisions of the Franchise, subject to applicable law.

Inland Telephone Company

By: _____
Name: _____
Title: _____

Date: _____



August 31, 2023

City of Cle Elum
119 West 1st Street
Cle Elum, WA 98922

Attn: Mayor Jay McGowan

Re: City of Cle Elum
Second Street and Rossetti Way Water Main Improvements
HLA Project No.: 22188
PWB Project No. PC23-96103-116
Recommendation of Award

Dear Mayor McGowan:

The bid opening for the above referenced project was held at City Council Chambers at 10:00 a.m. on Thursday, August 31, 2023. A total of ten (10) bids were received with the low bid of \$2,307,995.80, being offered by Ascent Foundations and More, LLC, of Cle Elum, WA. This low bid is approximately seventeen (17) percent below the Engineer's Estimate of \$2,783,315.56.

We have reviewed and checked the bid proposals of all bidders and recommend the City of Cle Elum award a construction contract to Ascent Foundations and More, LLC, in the amount of \$2,307,995.80, including Schedules A and B. Please send us a copy of the City of Cle Elum Council meeting minutes authorizing award of this project.

Enclosed please find the project Bid Summary for your review. Please advise if we may answer any questions or provide additional information.

Very truly yours,

A handwritten signature in blue ink, appearing to read "B. Annen", is positioned to the left of the digital signature block.

Digitally signed by Benjamin A.
Annen
Date: 2023.08.31 16:53:01-07'00'

Benjamin A. Annen, PE

BAA/jld

Enclosures

Copy: Rob Omans, Debbie Lee, Robin Newcomb, Aaron Barr – City of Cle Elum
Taylor Denny, Angie Ringer, Aaron Hatfield - HLA

BID SUMMARY										BIDDER NO. 1			BIDDER NO. 2			BIDDER NO. 3		
Owner: City of Cle Elum Project: Second Street and Rossetti Way Water Main Improvements HLA Project No.: 22188 PWB Project No.: PC23-96103-116 Bid Opening Date: August 31, 2023										Ascent Foundations and More, LLC 106 N. Peoh Avenue, Ste. C Cle Elum, WA 98922			Fury Site Works, Inc. P.O. Box 2118 North Bend, WA 98045			Rodarte Construction, Inc. 17 East Valley Highway East Auburn, WA 98002		
ITEM NO.	SCH.	DESCRIPTION	QTY.	UNIT	ENGINEER'S ESTIMATE		UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT		UNIT PRICE	AMOUNT	
					UNIT PRICE	AMOUNT												
1	A	Minor Change	Est.	FA	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00		\$ 20,000.00	\$ 20,000.00	
2	A	Mobilization	---	LS	\$ 196,000.00	\$ 196,000.00	\$ 82,500.00	\$ 82,500.00		\$ 56,296.47	\$ 56,296.47		\$ 56,296.47	\$ 56,296.47		\$ 226,000.00	\$ 226,000.00	
3	A	Project Temporary Traffic Control	---	LS	\$ 172,500.00	\$ 172,500.00	\$ 34,060.19	\$ 34,060.19		\$ 140,243.27	\$ 140,243.27		\$ 140,243.27	\$ 140,243.27		\$ 80,000.00	\$ 80,000.00	
4	A	Clearing and Grubbing	---	LS	\$ 8,500.00	\$ 8,500.00	\$ 8,095.28	\$ 8,095.28		\$ 8,340.01	\$ 8,340.01		\$ 8,340.01	\$ 8,340.01		\$ 10,000.00	\$ 10,000.00	
5	A	Crushed Surfacing Base Course	1,680	TON	\$ 35.00	\$ 58,800.00	\$ 30.09	\$ 50,551.20		\$ 23.03	\$ 38,690.40		\$ 23.03	\$ 38,690.40		\$ 26.00	\$ 43,680.00	
6	A	Crushed Surfacing Top Course	770	TON	\$ 45.00	\$ 34,650.00	\$ 33.21	\$ 25,571.70		\$ 23.03	\$ 17,733.10		\$ 23.03	\$ 17,733.10		\$ 35.00	\$ 26,950.00	
7	A	HMA Cl. 3/8-Inch PG 64H-28	750	TON	\$ 275.00	\$ 206,250.00	\$ 253.00	\$ 189,750.00		\$ 185.29	\$ 138,967.50		\$ 185.29	\$ 138,967.50		\$ 230.00	\$ 172,500.00	
8	A	Select Backfill, as Directed	1,000	CY	\$ 45.00	\$ 45,000.00	\$ 42.85	\$ 42,850.00		\$ 26.06	\$ 26,060.00		\$ 26.06	\$ 26,060.00		\$ 45.00	\$ 45,000.00	
9	A	Pipe for Water Main 12 In. Diam.	7,660	LF	\$ 120.00	\$ 919,200.00	\$ 123.22	\$ 943,885.20		\$ 137.73	\$ 1,055,011.80		\$ 137.73	\$ 1,055,011.80		\$ 114.00	\$ 873,240.00	
10	A	Pipe for Water Main 8 In. Diam.	135	LF	\$ 120.00	\$ 16,200.00	\$ 134.73	\$ 18,188.55		\$ 148.59	\$ 20,059.65		\$ 148.59	\$ 20,059.65		\$ 220.00	\$ 29,700.00	
11	A	Pipe for Water Main 6 In. Diam.	420	LF	\$ 100.00	\$ 42,000.00	\$ 67.68	\$ 28,425.60		\$ 66.34	\$ 36,262.80		\$ 66.34	\$ 36,262.80		\$ 120.00	\$ 50,400.00	
12	A	Pipe for Water Main 4 In. Diam.	120	LF	\$ 90.00	\$ 10,800.00	\$ 89.53	\$ 10,743.60		\$ 113.65	\$ 13,638.00		\$ 113.65	\$ 13,638.00		\$ 110.00	\$ 13,200.00	
13	A	Pipe for Water Main 3 In. Diam.	20	LF	\$ 70.00	\$ 1,400.00	\$ 162.52	\$ 3,250.40		\$ 193.08	\$ 3,861.60		\$ 193.08	\$ 3,861.60		\$ 170.00	\$ 3,400.00	
14	A	Pipe for Water Main 2 In. Diam.	15	LF	\$ 60.00	\$ 900.00	\$ 97.29	\$ 1,459.35		\$ 131.81	\$ 1,977.15		\$ 131.81	\$ 1,977.15		\$ 170.00	\$ 2,550.00	
15	A	Gate Valve 12 In.	31	EA	\$ 5,000.00	\$ 155,000.00	\$ 3,816.32	\$ 118,305.92		\$ 3,583.90	\$ 111,100.90		\$ 3,583.90	\$ 111,100.90		\$ 4,500.00	\$ 139,500.00	
16	A	Gate Valve 8 In.	14	EA	\$ 2,800.00	\$ 39,200.00	\$ 2,238.70	\$ 31,341.80		\$ 2,009.58	\$ 28,134.12		\$ 2,009.58	\$ 28,134.12		\$ 2,600.00	\$ 36,400.00	
17	A	Gate Valve 4 In.	1	EA	\$ 2,600.00	\$ 2,600.00	\$ 1,410.72	\$ 1,410.72		\$ 1,104.63	\$ 1,104.63		\$ 1,104.63	\$ 1,104.63		\$ 1,600.00	\$ 1,600.00	
18	A	Hydrant Assembly	20	EA	\$ 7,500.00	\$ 150,000.00	\$ 5,960.76	\$ 119,215.20		\$ 7,469.18	\$ 149,383.60		\$ 7,469.18	\$ 149,383.60		\$ 8,500.00	\$ 170,000.00	
19	A	Bollards	12	EA	\$ 800.00	\$ 9,600.00	\$ 518.53	\$ 6,222.36		\$ 1,095.87	\$ 13,150.44		\$ 1,095.87	\$ 13,150.44		\$ 1,500.00	\$ 18,000.00	
20	A	Service Connection 3/4 In. Diam.	128	EA	\$ 1,500.00	\$ 192,000.00	\$ 1,372.71	\$ 175,706.88		\$ 1,390.26	\$ 177,953.28		\$ 1,390.26	\$ 177,953.28		\$ 1,800.00	\$ 230,400.00	
21	A	Service Connection 3/4 In. Diam. Including Meter Setter	7	EA	\$ 2,500.00	\$ 17,500.00	\$ 3,126.53	\$ 21,885.71		\$ 2,130.23	\$ 14,911.61		\$ 2,130.23	\$ 14,911.61		\$ 3,500.00	\$ 24,500.00	
22	A	Service Connection 1 1/2 In. Diam.	1	EA	\$ 1,600.00	\$ 1,600.00	\$ 1,963.19	\$ 1,963.19		\$ 2,067.18	\$ 2,067.18		\$ 2,067.18	\$ 2,067.18		\$ 2,400.00	\$ 2,400.00	
23	A	Service Connection 1 1/2 In. Diam. Including Meter Setter	1	EA	\$ 2,600.00	\$ 2,600.00	\$ 6,198.49	\$ 6,198.49		\$ 6,617.37	\$ 6,617.37		\$ 6,617.37	\$ 6,617.37		\$ 8,000.00	\$ 8,000.00	
24	A	Service Connection 2 In. Diam.	4	EA	\$ 1,800.00	\$ 7,200.00	\$ 2,512.59	\$ 10,050.36		\$ 2,642.68	\$ 10,570.72		\$ 2,642.68	\$ 10,570.72		\$ 3,000.00	\$ 12,000.00	
25	A	Service Connection 3 In. Diam.	1	EA	\$ 4,000.00	\$ 4,000.00	\$ 1,303.27	\$ 1,303.27		\$ 1,676.33	\$ 1,676.33		\$ 1,676.33	\$ 1,676.33		\$ 3,000.00	\$ 3,000.00	
26	A	Service Connection 4 In. Diam.	1	EA	\$ 5,000.00	\$ 5,000.00	\$ 1,916.44	\$ 1,916.44		\$ 3,482.83	\$ 3,482.83		\$ 3,482.83	\$ 3,482.83		\$ 3,000.00	\$ 3,000.00	
27	A	Water Casing Pipe, In Place 18 In. Diam.	20	LF	\$ 300.00	\$ 6,000.00	\$ 218.58	\$ 4,371.60		\$ 308.24	\$ 6,164.80		\$ 308.24	\$ 6,164.80		\$ 800.00	\$ 16,000.00	
28	A	Inlet Protection	41	EA	\$ 130.00	\$ 5,330.00	\$ 37.60	\$ 1,541.60		\$ 104.01	\$ 4,264.41		\$ 104.01	\$ 4,264.41		\$ 65.00	\$ 2,665.00	
29	A	Silt Fence	780	LF	\$ 15.00	\$ 11,700.00	\$ 5.90	\$ 4,602.00		\$ 5.74	\$ 4,477.20		\$ 5.74	\$ 4,477.20		\$ 7.00	\$ 5,460.00	
30	A	Landscape Restoration	Est.	FA	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00		\$ 10,000.00	\$ 10,000.00	
31	A	Cement Conc. Traffic Curb and Gutter	33	LF	\$ 70.00	\$ 2,310.00	\$ 97.75	\$ 3,225.75		\$ 160.75	\$ 5,304.75		\$ 160.75	\$ 5,304.75		\$ 200.00	\$ 6,600.00	
32	A	Removing and Resetting Beam Guardrail	22	LF	\$ 200.00	\$ 4,400.00	\$ 300.57	\$ 6,612.54		\$ 183.14	\$ 4,029.08		\$ 183.14	\$ 4,029.08		\$ 280.00	\$ 6,160.00	
33	A	Cement Conc. Sidewalk 4-Inch Thick	140	SY	\$ 90.00	\$ 12,600.00	\$ 83.46	\$ 11,684.40		\$ 98.13	\$ 13,738.20		\$ 98.13	\$ 13,738.20		\$ 85.00	\$ 11,900.00	

BID SUMMARY										BIDDER NO. 1		BIDDER NO. 2		BIDDER NO. 3	
Owner: City of Cle Elum Project: Second Street and Rossetti Way Water Main Improvements HLA Project No.: 22188 PWB Project No.: PC23-96103-116 Bid Opening Date: August 31, 2023										Ascent Foundations and More, LLC 106 N. Peoh Avenue, Ste. C Cle Elum, WA 98922		Fury Site Works, Inc. P.O. Box 2118 North Bend, WA 98045		Rodarte Construction, Inc. 17 East Valley Highway East Auburn, WA 98092	
ITEM NO.	SCH.	DESCRIPTION	QTY.	UNIT	ENGINEER'S ESTIMATE		BIDDER NO. 1		BIDDER NO. 2		BIDDER NO. 3				
					UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT			
34	B	Minor Change	Est.	FA	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00			
35	B	Mobilization	---	LS	\$ 17,000.00	\$ 17,000.00	\$ 2,615.34	\$ 2,615.34	\$ 3,748.38	\$ 3,748.38	\$ 10,000.00	\$ 10,000.00			
36	B	Project Temporary Traffic Control	---	LS	\$ 18,000.00	\$ 18,000.00	\$ 775.93	\$ 775.93	\$ 5,227.11	\$ 5,227.11	\$ 2,000.00	\$ 2,000.00			
37	B	Clearing and Grubbing	---	LS	\$ 20,500.00	\$ 20,500.00	\$ 4,082.74	\$ 4,082.74	\$ 23,122.16	\$ 23,122.16	\$ 15,000.00	\$ 15,000.00			
38	B	Crushed Surfacing Base Course	16	TON	\$ 35.00	\$ 560.00	\$ 68.85	\$ 1,101.60	\$ 24.39	\$ 390.24	\$ 28.00	\$ 448.00			
39	B	Crushed Surfacing Top Course	70	TON	\$ 45.00	\$ 3,150.00	\$ 38.07	\$ 2,664.90	\$ 24.39	\$ 1,707.30	\$ 35.00	\$ 2,450.00			
40	B	HMA Ct. 3/8-Inch PG 64H-28	8	TON	\$ 275.00	\$ 2,200.00	\$ 243.80	\$ 1,950.40	\$ 257.03	\$ 2,056.24	\$ 500.00	\$ 4,000.00			
41	B	Select Backfill, as Directed	8	CY	\$ 45.00	\$ 360.00	\$ 68.59	\$ 548.72	\$ 24.39	\$ 195.12	\$ 45.00	\$ 360.00			
42	B	Pipe for Water Main 12 In. Diam.	780	LF	\$ 120.00	\$ 93,600.00	\$ 91.92	\$ 71,697.60	\$ 125.85	\$ 98,163.00	\$ 90.00	\$ 70,200.00			
43	B	Pipe for Water Main 8 In. Diam.	20	LF	\$ 120.00	\$ 2,400.00	\$ 78.42	\$ 1,568.40	\$ 108.61	\$ 2,172.20	\$ 180.00	\$ 3,600.00			
44	B	D.I. Pipe for Water Main 6 In. Diam.	5	LF	\$ 110.00	\$ 550.00	\$ 165.66	\$ 828.30	\$ 169.23	\$ 846.15	\$ 200.00	\$ 1,000.00			
45	B	Gate Valve 12 In.	4	EA	\$ 5,000.00	\$ 20,000.00	\$ 7,692.61	\$ 30,770.44	\$ 3,976.72	\$ 15,906.88	\$ 4,500.00	\$ 18,000.00			
46	B	Gate Valve 8 In.	2	EA	\$ 2,800.00	\$ 5,600.00	\$ 1,959.63	\$ 3,919.26	\$ 2,000.49	\$ 4,000.98	\$ 2,500.00	\$ 5,000.00			
47	B	PRV Station Valves	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 2,236.35	\$ 2,236.35	\$ 2,766.49	\$ 2,766.49	\$ 2,800.00	\$ 2,800.00			
48	B	Hydrant Assembly	1	EA	\$ 7,500.00	\$ 7,500.00	\$ 6,324.44	\$ 6,324.44	\$ 7,469.74	\$ 7,469.74	\$ 8,000.00	\$ 8,000.00			
49	B	Service Connection 3/4 In. Diam.	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 1,102.52	\$ 1,102.52	\$ 1,323.97	\$ 1,323.97	\$ 2,500.00	\$ 2,500.00			
50	B	Landscape Restoration	Est.	FA	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00			
Schedule A Bid Subtotal						\$2,370,840.00		\$ 1,996,869.30		\$ 2,145,273.20		\$ 2,304,205.00			
8.1% Sales Tax - Schedule A						\$ 192,038.04		\$ 161,746.41		\$ 173,767.13		\$ 186,640.61			
SCHEDULE A - TOTAL						\$2,562,878.04		\$ 2,158,615.71		\$ 2,319,040.33		\$ 2,490,845.61			
Schedule B Bid Subtotal						\$ 203,920.00		\$ 138,186.94		\$ 175,095.96		\$ 151,358.00			
8.1% Sales Tax - Schedule B						\$ 16,517.52		\$ 11,193.14		\$ 14,182.77		\$ 12,260.00			
SCHEDULE B - TOTAL						\$ 220,437.52		\$ 149,380.08		\$ 189,278.73		\$ 163,618.00			
BID TOTAL						\$2,783,315.56		\$ 2,307,995.80		Non-Responsive		\$ 2,654,463.60			
ENGINEER'S REPORT										ADDITIONAL BID TOTALS					
Competitive bids were opened August 31, 2023. All bids have been reviewed by this office. We recommend the contract be awarded to: Ascent Foundations and More, LLC.										BIDDER					
										Pacific Civil & Infrastructure, Inc.					
										Belsaas & Smith Construction, Inc.					
										Pro Grade Enterprises, Inc.					
										Tapani, Inc.					
										Advantage Dirt Contractors, Inc.					
										Pipkin, Inc. dba Pipkin Construction					
										New West Development, Inc.					

Competitive bids were opened August 31, 2023. All bids have been reviewed by this office. We recommend the contract be awarded to: Ascent Foundations and More, LLC.

Digitally signed by Benjamin A. Annen
Date: 2023.08.31 16:51:43-0700

Project Engineer

Date



*Bid results can be found at: hlaclivil.com



September 1, 2023

City of Cle Elum
119 West First Street
Cle Elum, WA 98922

Attn: Mayor Jay McGowan

Re: City of Cle Elum
First Street Downtown Revitalization Phase 3C
HLA Project No.: 23041C
Progress Estimate No.: 03

Dear Mayor McGowan:

Enclosed is Progress Estimate No. 03 for work performed by Ascent Foundations and More, LLC, through August 25, 2023, in connection with their contract on the above referenced project. The amount due the Contractor of \$359,781.60 is net after retainage, per the contract documents. Submission of Certified Payrolls for Ascent Foundations and More, LLC and its subcontractors are not required for review. We recommend this Progress Estimate be considered and approved by the City of Cle Elum.

Please contact our office if you have questions or if we may provide additional information.

Very truly yours,

 Digitally signed by Benjamin A. Annen
Date: 2023.09.01
14:37:53-07'00'

Benjamin A. Annen, PE

BAA/asr

Enclosures

Copy: Vince Glondo, Ascent Foundations and More, LLC
Rob Omans, Robin Newcomb, Debbie Lee, Aaron Barr, City of Cle Elum
Taylor Denny, Dennis Perala, HLA

CONSTRUCTION PROGRESS ESTIMATE										First Street Downtown Revitalization Phase 3C									
CITY OF CLE ELUM																			
119 WEST 1ST																			
CLE ELUM, WA 98922																			
TO: Ascent Foundations and More, LLC										HLA PROJECT NO.: 23041									
106 N Peoh Ave										TIB PROJECT NO.: 6-E-930(006)-1									
Cle Elum, WA 98922										PROGRESS ESTIMATE NO.: 3									
										FROM: Jul. 26, 2023 TO: Aug. 25, 2023									

CONSTRUCTION PROGRESS ESTIMATE													
CITY OF CLE ELUM													
119 WEST 1ST													
CLE ELUM, WA 98922													
TO: Ascent Foundations and More, LLC													
106 N Peoh Ave													
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HLA PROJECT NO.: 23041													
TIB PROJECT NO.: 6-E-930(006)-1													
PROGRESS ESTIMATE NO.: 3													
FROM: Jul. 26, 2023 TO: Aug. 25, 2023													
BID ITEM NO.	SCH. OF WORK	DESCRIPTION	UNIT	CONTRACT TOTAL (Contract + COs)			TOTAL WORK TO DATE		PREVIOUS PAID		AMOUNT DUE NOW (Total - Previous)		PERCENT CONTRACT COMPLETE
				QTY	UNIT PRICE	COST	QTY	COST	QTY	COST	QTY	COST	
29	A	Root Path	LF	246	\$ 29.08	\$ 7,153.68	246	\$ 7,153.68	228	\$ 6,630.24	18	\$ 523.44	100%
30	A	Basalt Rock Mulch	CY	25	\$ 122.58	\$ 3,064.50	25	\$ 3,064.50	0	\$ -	25	\$ 3,064.50	100%
31	A	Plant Establishment	FA	1	\$ 4,000.00	\$ 4,000.00	0	\$ -	0	\$ -	0	\$ -	0%
32	A	Cement Conc. Traffic Curb and Gutter	LF	750	\$ 62.31	\$ 46,732.50	1,002	\$ 62,434.62	912	\$ 56,826.72	90	\$ 5,607.90	134%
33	A	Bench	EA	3	\$ 2,500.00	\$ 7,500.00	0	\$ -	0	\$ -	0	\$ -	0%
34	A	Trash Receptacle	EA	2	\$ 4,179.87	\$ 8,359.74	0	\$ -	0	\$ -	0	\$ -	0%
35	A	Bike Rack	EA	2	\$ 1,404.00	\$ 2,808.00	2	\$ 2,808.00	0	\$ -	2	\$ 2,808.00	100%
36	A	Banner Pole and Foundation	LS	1	\$ 18,920.69	\$ 18,920.69	1.00	\$ 18,920.69	0	\$ -	1.00	\$ 18,920.69	100%
37	A	Fencing	LS	1	\$ 6,745.40	\$ 6,745.40	1	\$ 6,745.40	0	\$ -	1	\$ 6,745.40	100%
38	A	Cement Conc. Sidewalk 6-Inch Thick	SY	180	\$ 185.41	\$ 33,373.80	177.60	\$ 32,928.82	0	\$ -	177.60	\$ 32,928.82	99%
39	A	Cement Conc. Sidewalk 4-Inch Thick Patterned	SY	1,310	\$ 156.55	\$ 205,080.50	1,185.69	\$ 185,619.77	344.04	\$ 53,859.46	841.65	\$ 131,760.31	91%
40	A	Cement Conc. Curb Ramp	EA	9	\$ 3,722.81	\$ 33,505.29	9	\$ 33,505.29	0	\$ -	9	\$ 33,505.29	100%
41	A	Tree Lighting System, Complete	LS	1	\$ 45,477.16	\$ 45,477.16	1	\$ 45,477.16	0.51	\$ 23,313.25	0.49	\$ 22,163.91	100%
42	A	Conduit Installation (PSE Illumination)	LF	652	\$ 57.00	\$ 37,164.00	652	\$ 37,164.00	652	\$ 37,164.00	0	\$ -	100%
43	A	Permanent Signing	LS	1	\$ 5,548.50	\$ 5,548.50	1	\$ 5,548.50	0	\$ -	1	\$ 5,548.50	100%
44	A	Pavement Markings	LS	1	\$ 3,082.50	\$ 3,082.50	0	\$ -	0	\$ -	0	\$ -	0%
45	A	D.I. Pipe for Water Main 6 In. Diam.	LF	3	\$ 300.00	\$ 900.00	3	\$ 900.00	3	\$ 900.00	0	\$ -	100%
46	A	Hydrant Assembly with Tapping Valve Assembly	EA	1	\$ 8,000.00	\$ 8,000.00	1	\$ 8,000.00	1	\$ 8,000.00	0	\$ -	100%

First Street Downtown Revitalization Phase 3C

CITY OF CLE ELUM

WASHINGTON

EST. 1902



CONSTRUCTION PROGRESS ESTIMATE

CITY OF CLE ELUM

119 WEST 1ST

CLE ELUM, WA 98922

TO: Ascent Foundations and More, LLC

106 N Peoh Ave

Cle Elum, WA 98922

First Street Downtown Revitalization Phase 3C

HLA PROJECT NO.: 23041

TIB PROJECT NO.: 6-E-930(006)-1

PROGRESS ESTIMATE NO.: 3

FROM: Jul. 26, 2023

TO: Aug. 25, 2023



BID ITEM NO.	SCH. OF WORK	DESCRIPTION	UNIT	CONTRACT TOTAL (Contract + COs)			TOTAL WORK TO DATE		PREVIOUS PAID		AMOUNT DUE NOW (Total - Previous)		PERCENT CONTRACT COMPLETE
				QTY	UNIT PRICE	COST	QTY	COST	QTY	COST	QTY	COST	
Project Total (Including Sales Tax)					\$	815,513.60	\$	767,784.00	\$	389,066.55	\$	378,717.47	94%
Retainage Withheld 5%							\$	(38,389.20)	\$	(19,453.33)	\$	(18,935.87)	
Amount Due Progress Estimate No. 3							\$	729,394.80	\$	369,613.22	\$	359,781.60	

I hereby certify that the foregoing is a true and correct statement of the work performed under this contract.



Digitally signed by Benjamin A. Annen

Date: 2023.09.01 14:37:20-07'00'

Benjamin A. Annen, PE

**CITY OF CLE ELUM
PROCUREMENT POLICY AND
FEDERAL AWARD STANDARDS**

PURPOSE

This document is intended to direct the procurement of goods and services at a reasonable cost. An open, fair, documented, and competitive process is to be used whenever reasonable and possible to maximize the purchasing value of public funds. This document is also intended to establish and maintain internal controls that provide reasonable assurance that Federal awards are being managed in compliance with all Federal regulations and with the terms and conditions of the award. The City of Cle Elum will follow the Uniform Guidance, the Local Agency Guidelines (LAG) distributed by the Washington State Department of Transportation (WSDOT), Governmental Accountability Office Standards for Internal Control in the Federal Government (the Green Book), and the Committee of Sponsoring Organizations of the Treadway Commission's (COSO) Internal Control – Integrated Framework Principles.

INTERNAL CONTROLS

The City of Cle Elum, a code city with a population under 20,000 (RCW 35A.40.210), will maintain effective internal controls over the Federal award, providing reasonable assurance that the City of Cle Elum is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award (2 CFR § 200.303).

- Take prompt action when instances of noncompliance are identified, including noncompliance identified in audit findings;
- Take reasonable measures to safeguard protected personally identifiable information and other information that Federal awarding agency or pass-through entity designates as sensitive; and
- Evaluate and monitor compliance.

CERTIFICATION

To assure that expenditures are proper and in accordance with the terms and conditions of the Federal award and approved project budgets, the annual and final fiscal reports or vouchers requesting payment under the agreements must include a certification, signed by an official who is authorized to legally bind the non-Federal entity, which reads as follows:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements, and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil, or administrative penalties for fraud, false statements, false claims, or otherwise.”

ADVANCE PAYMENTS AND REIMBURSEMENTS

Payment methods must minimize the time elapsing between the transfer of funds from the United States Treasury or the pass-through entity and the disbursement by the City of Cle Elum whether the payment is made by electronic funds transfer, or issuance or redemption of checks, warrants, or payment by other means (2 CFR § 200.403).

- Advanced payments must be limited to the minimum amounts needed and be timed to be in accordance with the actual, immediate cash requirements of the City of Cle Elum to carry out the purpose of the approved program or project. Any advanced payments must be consolidated to cover anticipated cash needs; and
- The City of Cle Elum shall minimize the time elapsed between receipt of Federal aid funds and subsequent payment of incurred costs.

COST SHARING OR MATCHING

For all Federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the non-Federal entity's cost sharing or matching when such contributions meet all the criteria outlined in 2 CFR § 200.306(b). If the purpose of the Federal award is to assist the non-Federal entity in the acquisition of equipment, buildings, or land, the aggregate value of the donated property may be claimed as cost sharing or matching.

ALLOWABLE COSTS

Federal awards will meet the following general criteria in order to be allowable, except where otherwise authorized by statute:

- Be necessary and reasonable for the performance of the Federal award;
- Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items;
- Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the City of Cle Elum;
- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost;
- Be determined in accordance with generally accepted accounting principles (GAAP);
- Not be included as costs or used to meet cost sharing or matching requirements of any other Federally-financed program in either the current or a prior period; and
- Be adequately documented.

FEDERAL THRESHOLDS

~~The federal thresholds are requirements under the Uniform Guidance listed at 2 CFR Part 200. The Office of Management and Budget (OMB) issued Memorandum M-18-18 on June 20, 2018, which increases:~~

~~The Micro Purchase Threshold to \$10,000.~~

~~The Simplified Acquisition Threshold to \$250,000.~~

~~2 CFR § 200.320. Methods of federal procurement to be followed.~~

~~The non-Federal entity must use one of the following methods of procurement:~~

~~A. Procurement by micro-purchases.~~

~~Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the Micro-Purchase Threshold of \$10,000 (2 CFR § 200.67, micro-purchase) or \$2,000 pursuant to the Davis Bacon Act, 40 USC § 3141 et seq. To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable. This is based on research, experience, purchase history, or other information, and the basis must be documented.~~

~~B. Procurement by small purchase procedures.~~

~~Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold of \$250,000. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.~~

~~C. Procurement by sealed bids over \$250,000 (formal advertising minimum of 2 weeks).~~

~~Bids are publicly solicited, and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction if the conditions in paragraph (C)(1) of this section apply.~~

~~(1) In order for sealed bidding to be feasible, the following conditions should be present:~~

- ~~(i) A complete, adequate, and realistic specification or purchase description is available;~~
- ~~(ii) Two or more responsible bidders are willing and able to compete effectively for the~~

~~business; and~~

~~(iii) The procurement lends itself to a firm fixed price contract, and the selection of the successful bidder can be made principally based on price.~~

~~(2) If sealed bids are used, the following requirements apply:~~

~~(i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids. For local and tribal governments, the invitation for bids must be publicly advertised;~~

~~(ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;~~

~~(iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;~~

~~(iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is the lowest. Payment discounts~~

will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of;

(v) Any or all bids may be rejected if there is a sound documented reason; and

(vi) RCW 35.23.352 states that public works sealed bid projects for code cities is above \$350,000.

D. Procurement by competitive proposals.

The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

(1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(2) Proposals must be solicited from an adequate number of qualified sources;

(3) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;

(4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and

(5) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in the procurement of A/E professional services. It cannot be used to purchase other types of services, though A/E firms are a potential source to perform the proposed effort.

E. Procurement by non-competitive proposals.

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

(1) The item is available only from a single source;

(2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;

(3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or

(4) After solicitation of several sources, competition is determined inadequate.

(Based on Title 2 of the 'Code of Federal Regulations' [2 CFR])

§ 200.317 Procurements by states.

PROCUREMENT

When procuring property and services under a Federal award, the City of Cle Elum will follow 2 CFR § 200.318 (general procurement standards) through 2 CFR § 200.327 (contract provisions) or City of Cle Elum purchasing procedures, whichever is more restrictive.

When procuring property and services under a Federal award, a State must follow the same policies and procedures it uses for procurements from its non-Federal funds. The State will comply with §§ 200.321, 200.322, and 200.323 and ensure that every purchase order or other contract includes any clauses required by § 200.327. All other non-Federal entities, including subrecipients of a State, must follow the procurement standards in §§ 200.318 through 200.327.

§ 200.318 General procurement standards.

(a) The non-Federal entity must have and use documented procurement procedures, consistent with State, local, and tribal laws and regulations and the standards of this section, for the acquisition of property or services required under a Federal award or subaward. The non-Federal entity's documented procurement procedures must conform to the procurement standards identified in §§ 200.317 through 200.327.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(c)

(1) The non-Federal entity must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity.

(2) If the non-Federal entity has a parent, affiliate, or subsidiary organization that is not a State, local government, or Indian tribe, the non-Federal entity must also maintain written standards of conduct covering organizational conflicts of interest. Organizational conflicts of interest means that because of relationships with a parent company, affiliate, or subsidiary organization, the non-Federal entity is unable or appears to be unable to be impartial in conducting a procurement action involving a related organization.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. Competition requirements will be met

with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(g) The non-Federal entity is encouraged to use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

(h) The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. See also § 200.214.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to, the following: Rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(j)

(1) The non-Federal entity may use a time-and-materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time-and-materials type contract means a contract whose cost to a non-Federal entity is the sum of:

(i) The actual cost of materials; and

(ii) Direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

(2) Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the non-Federal entity awarding such a contract must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

[85 FR 49543, Aug. 13, 2020, as amended at 86 FR 10440, Feb. 22, 2021]

§ 200.319 Competition.

(a) All procurement transactions for the acquisition of property or services required under a Federal award must be conducted in a manner providing full and open competition consistent with the standards of this section and § 200.320.

(b) In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

(1) Placing unreasonable requirements on firms in order for them to qualify to do business;

(2) Requiring unnecessary experience and excessive bonding;

(3) Noncompetitive pricing practices between firms or between affiliated companies;

(4) Noncompetitive contracts to consultants that are on retainer contracts;

(5) Organizational conflicts of interest;

(6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and

(7) Any arbitrary action in the procurement process.

(c) The non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(d) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

(1) Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and

(2) Identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(e) The non-Federal entity must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the non-Federal entity must not preclude potential bidders from qualifying during the solicitation period.

(f) Noncompetitive procurements can only be awarded in accordance with § 200.320(c).

§ 200.320 Methods of procurement to be followed.

The non-Federal entity must have and use documented procurement procedures, consistent with the standards of this section and §§ 200.317, 200.318, and 200.319 for any of the following methods of procurement used for the acquisition of property or services required under a Federal award or sub-award.

(a) **Informal procurement methods.** When the value of the procurement for property or services under a Federal award does not exceed the *simplified acquisition threshold (SAT)*, as defined in § 200.1, or a lower threshold established by a non-Federal entity, formal procurement methods are not required. The non-Federal entity may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

(1) **Micro-purchases —**

(i) **Distribution.** The acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (See the definition of *micro-purchase* in § 200.1). To the maximum extent practicable, the non-Federal entity should distribute micro-purchases equitably among qualified suppliers.

(ii) **Micro-purchase awards.** Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly. Purchase cards can be used for micro-purchases if procedures are documented and approved by the non-Federal entity.

(iii) **Micro-purchase thresholds.** The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

(iv) **Non-Federal entity increase to the micro-purchase threshold up to \$50,000.** Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available

to the Federal awarding agency and auditors in accordance with § 200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in § 200.520 for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage financial risks; or,

(C) For public institutions, a higher threshold consistent with State law.

(v) **Non-Federal entity increase to the micro-purchase threshold over \$50,000.** Micro-purchase thresholds higher than \$50,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

(2) **Small purchases —**

(i) **Small purchase procedures.** The acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources as determined appropriate by the non-Federal entity.

(ii) **Simplified acquisition thresholds.** The non-Federal entity is responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk and its documented procurement procedures which must not exceed the threshold established in the FAR. When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

(b) **Formal procurement methods.** When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, or a lower threshold established by a non-Federal entity, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with § 200.319 or paragraph (c) of this section. The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold or a value below the simplified acquisition threshold the non-Federal entity determines to be appropriate:

(1) **Sealed bids.** A procurement method in which bids are publicly solicited and a firm fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bids method is the preferred method for procuring construction, if the conditions.

(i) In order for sealed bidding to be feasible, the following conditions should be present:

(A) A complete, adequate, and realistic specification or purchase description is available;

(B) Two or more responsible bidders are willing and able to compete effectively for the business; and

(C) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

(ii) If sealed bids are used, the following requirements apply:

(A) Bids must be solicited from an adequate number of qualified sources, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;

(B) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;

(C) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;

(D) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and

(E) Any or all bids may be rejected if there is a sound documented reason.

(2) **Proposals.** A procurement method in which either a fixed price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids. They are awarded in accordance with the following requirements:

(i) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Proposals must be solicited from an adequate number of qualified offerors. Any response to publicized requests for proposals must be considered to the maximum extent practical;

(ii) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and making selections;

(iii) Contracts must be awarded to the responsible offeror whose proposal is most advantageous to the non-Federal entity, with price and other factors considered; and

(iv) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby offeror's qualifications are evaluated and the most qualified offeror is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services through A/E firms that are a potential source to perform the proposed effort.

(c) **Noncompetitive procurement.** There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

(1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section);

(2) The item is available only from a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

(4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or

(5) After solicitation of a number of sources, competition is determined inadequate.

§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b) Affirmative steps must include:

(1) Placing qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.

§ 200.322 Domestic preferences for procurements.

(a) As appropriate and to the extent consistent with law, the non-Federal entity should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron,

aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

(b) For purposes of this section:

(1) “Produced in the United States” means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

(2) “Manufactured products” means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

§ 200.323 Procurement of recovered materials.

A non-Federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

§ 200.324 Contract cost and price.

(a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

(b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

(c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under subpart E of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.

(d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§ 200.325 Federal awarding agency or pass-through entity review.

(a) The non-Federal entity must make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition. This review generally will take place prior to the time the specification is incorporated into a solicitation document. However, if the non-Federal entity desires to have the review accomplished after a solicitation has been developed, the Federal awarding agency or pass-through entity may still review the specifications, with such review usually limited to the technical aspects of the proposed purchase.

(b) The non-Federal entity must make available upon request, for the Federal awarding agency or pass-through entity pre-procurement review, procurement documents, such as requests for proposals or invitations for bids, or independent cost estimates, when:

(1) The non-Federal entity's procurement procedures or operation fails to comply with the procurement standards in this part;

(2) The procurement is expected to exceed the Simplified Acquisition Threshold and is to be awarded without competition or only one bid or offer is received in response to a solicitation;

(3) The procurement, which is expected to exceed the Simplified Acquisition Threshold, specifies a "brand name" product;

(4) The proposed contract is more than the Simplified Acquisition Threshold and is to be awarded to other than the apparent low bidder under a sealed bid procurement; or

(5) A proposed contract modification changes the scope of a contract or increases the contract amount by more than the Simplified Acquisition Threshold.

(c) The non-Federal entity is exempt from the pre-procurement review in paragraph (b) of this section if the Federal awarding agency or pass-through entity determines that its procurement systems comply with the standards of this part.

(1) The non-Federal entity may request that its procurement system be reviewed by the Federal awarding agency or pass-through entity to determine whether its system meets these standards in order for its system to be certified. Generally, these reviews must occur where there is continuous high-dollar funding, and third-party contracts are awarded on a regular basis;

(2) The non-Federal entity may self-certify its procurement system. Such self-certification must not limit the Federal awarding agency's right to survey the system. Under a self-certification procedure, the Federal awarding agency may rely on written assurances from the non-Federal entity that it is complying with these standards. The non-Federal entity must cite specific policies, procedures, regulations, or standards as being in compliance with these requirements and have its system available for review.

§ 200.326 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

§ 200.327 Contract provisions.

The non-Federal entity's contracts must contain the applicable provisions described in appendix II to this part.

NON-FEDERAL THRESHOLDS

The chart below is the state process for a code city with a population under 20,000. The city adopted the small works roster/vendor process through Mrscrosters.org.

Purchase of Goods and Vendor Services that are Repetitive and Routine	\$7,500 or less – informal phone/written quotes are required \$7,501 to \$15,000 – www.mrscrosters.org (must request quotes from all contractors in the trade from the roster) or formal competitive bidding \$15,001 and over – formal competitive bidding per RCW 35.23.352(7) Note: Some services may require payment of prevailing wage
Personal Services	The more complex or expensive the project, the more formal the solicitation process shall be. * Be based on qualifications and not cost * Must publicize request for proposals soliciting from an adequate number of qualified sources

	* Maintain written method for conducting technical evaluations * Contract must be awarded to the responsible firm whose proposal is most advantageous to the program
Qualification-Based Services	For architecture, engineering, and surveying services, as outlined in chapter 39.80 RCW, they must: * Be based on qualifications, not on cost * Publicize request for proposals soliciting from an adequate number of qualified sources * Maintain written method for conducting technical evaluations * For contracts, be awarded to the responsible firm whose proposal is most advantageous to the program
Public Works Contracts	Less than \$350,000 – www.mrscrosters.org or formal competitive bidding \$350,001 or more – formal competitive bidding Prevailing wage must be paid

Sales tax must be included in all estimates.

~~Contracts for more than the simplified acquisition threshold must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.~~

Contracts and sub-grants of amounts in excess of the threshold requires that the City of Cle Elum will comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act and the Federal Water Pollution Control Act.

The City of Cle Elum will monitor procurements to avoid duplicative purchases. The City will also continue to enter into inter-entity agreements to realize cost savings for shared goods and services when possible.

The City will also verify and document that vendors are not suspended or debarred from doing business with the Federal government.

SINGLE AUDIT ACT

The City of Cle Elum, as a recipient of Federal funds, shall adhere to the Federal regulations outlined in 2 CFR § 200.501, as well as all applicable Federal and state statutes and regulations.

Purchases and/or contracts that include Federal funding shall also comply with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, published under 2 CFR Part 200. Where requirements differ between city, state, or Federal policy, the most restrictive of Federal, state, or City policy requirements will be met.

CLOSURE

A project agreement end date will be established in accordance with 2 CFR § 200.309. Any costs incurred after the project agreement end date are not eligible for Federal reimbursement.

INTERGOVERNMENTAL PURCHASING

The city may acquire surplus property from other governmental entity without regards to bid laws. RCW 39.33.010 authorizes such purchases “on such terms and conditions as may be mutually agreed upon by the proper authorities.”

PIGGYBACKING

This term refers to an agency being “carried” by another in a contracting sense and participating in a cooperative purchasing arrangement in which one party does most of the work as specified in RCW 39.34.030. The local government shall:

- Confirm the awarding entity’s contract with the prospective vendor has not expired and will be open and active for the time period desired;
- Ensure the original solicitation and resulting contract specifically allows for others to use it post-award;
- Evaluate whether the awarding entity qualifies as a public agency as provided in RCW 39.34.020;
- Demonstrate the bid or solicitation notice was posted on a website of a public agency or accessible through a link on the website;
- Review the documentation of the public agency to make sure that it complied with its bidding requirements; and
- Enter into an interlocal agreement or contract with the awarding entity.

COOPERATIVES

In order for local governments to purchase through contracts procured by cooperatives, they must first become a member of the cooperative or enter into an interlocal agreement.

OTHER REFERENCES

Ordinance 1604 – Chapter 3.06 CEMC, relating to purchasing.

3.06.010 -- Purchase of materials, equipment, supplies, or services.

- A. The mayor and city administrator are authorized, without further action by the city council, to purchase or enter into contracts for materials, equipment, supplies, and services, not otherwise subject to other provisions of state law or city code, in amounts up to thirty thousand dollars.
- B. The mayor and city administrator are authorized, with the consent of all city council finance committee members, to enter into architectural and engineering contracts in amounts up to fifty thousand dollars.
- C. The mayor and city administrator are authorized, with the consent of all city council finance committee members, to purchase materials, equipment, supplies and services, subject to other provisions of state law and city code, in amounts up to fifty thousand dollars.
- D. Purchases made or contracts entered into under subsections (B) and (C) of this section shall be approved by the city council at the next regularly scheduled meeting.

Resolution 2018-032 – The issuance of checks and the disbursement of city funds prior to city council meetings.

The Mayor and the Treasurer may disburse the City's funds prior to the City Council's approval for payment of claims in accordance with Finance Department policies, this Resolution, and other established Finance Department procedures.

Resolution 2022-012 – Standards of Conduct (formerly Code of Conduct)

Purpose -- The purpose of the Standards of Conduct is to ensure the efficient, fair, and professional administration of Federal grant funds in compliance with 2 CFR § 200.112, 2 CFR § 200.318, and other applicable Federal and state standards, regulations, and laws.

Application -- These Standards of Conduct apply to all elected officials, employees, or agents of the City of Elum engaged in the award of administration of contracts supported by Federal grant funds.

Requirements -- No elected official, employee, or agent of the City of Cle Elum shall participate in the selection award or administration of a contract supported by Federal grant funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any of the following has a financial or other interest in the firm selected for award:

- The City employee, elected official, or agent;
- An immediate family member of the City employee, elected official, or agent;
- A partner of the City employee, elected official, or agent; or
- An organization which employs, or is about to employ, any of the above.

The City of Cle Elum's elected officials, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

Remedies – To the extent permitted by Federal, state, or local laws or regulations, a violation of these Standards of Conduct may cause penalties, sanctions, or other disciplinary actions to be taken against the

City of Cle Elum's elected officials, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents. Any potential conflict of interest will be disclosed in writing to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy.

ALL PROJECTS (LOCAL, STATE OR FEDERAL) OVER \$4,000,000 OR REQUIRING SPECIAL EXPERTISE

Any project that has an engineer's estimate over \$4,000,000 will require engineering services to be procured through the Request for Qualifications (RFQ) process.

**CITY OF CLE ELUM
WASHINGTON**

ITEM 10G

RESOLUTION NO. 2023-022

**A RESOLUTION OF THE CITY OF CLE ELUM, WASHINGTON,
REPEALING AND REPLACING RESOLUTION NO. 2023-008
REGARDING THE CITY'S PROCUREMENT POLICY**

WHEREAS, the City is in need of a procurement policy for facilitating the acquisition of goods and services; and

WHEREAS, a procurement policy is required to be adopted for certain federal awards; and

WHEREAS, the City would like to repeal and replace Resolution No. 2023-008; and

WHEREAS, the City Council desires to adopt the procurement policy as attached hereto.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLE ELUM, WASHINGTON,
DOES RESOLVE AS FOLLOWS:

Section 1. Adoption. The City Council hereby adopts the "City of Cle Elum Procurement Policy and Federal Award Standards" attached hereto as Exhibit A and incorporated herein by this reference.

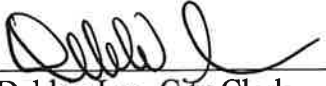
Section 2. Effective Date. This resolution shall take effect immediately upon its passage and adoption.

PASSED BY THE CLE ELUM CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 14th DAY OF September 2023.

CITY OF CLE ELUM

Jay McGowan, Mayor

ATTEST/AUTHENTICATED:



Debbie Lee, City Clerk

Approved as to form:

Alexandra L. Kenyon, City Attorney

Filed with the City Clerk:
Passed by the City Council:
Resolution No. 2023-022
Date Posted: